

Committee and date

Central Planning Committee

10 May 2018

Item

6

Public

Development Management Report

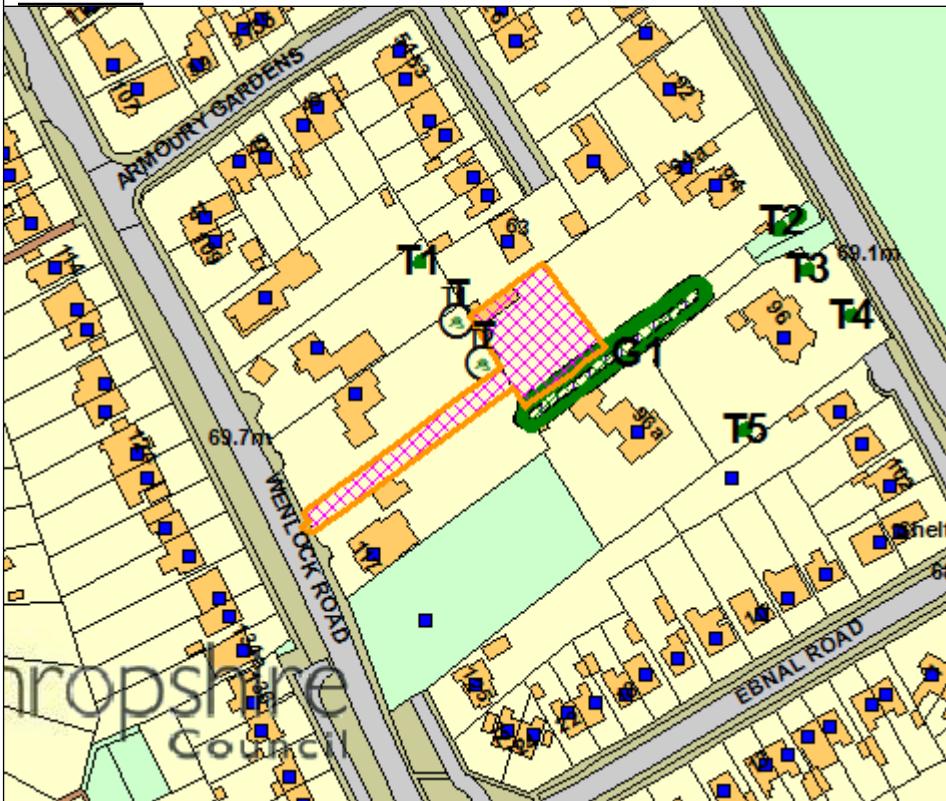
Responsible Officer: Tim Rogers

Email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

Application Number: 17/06053/FUL	Parish:	Shrewsbury Town Council
Proposal: Erection of 2No. detached bungalows; formation of vehicular access		
Site Address: 117 Wenlock Road Shrewsbury SY2 6JX		
Applicant: Mr Peter Richards		
Case Officer: Frank Whitley	email: planningdmc@shropshire.gov.uk	

Grid Ref: 350942 - 311359



Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.**Recommended Reason for Approval****REPORT**

1.0	THE PROPOSAL
1.1	The application seeks planning permission for the erection of 2No. detached bungalows; formation of vehicular access.
1.2	The bungalows are identical in size and comprise 2 bedrooms with standard living accommodation on the ground floor only. There is no accommodation above or openings in the roof. The dwellings are to be set out in an “L” shape, each positioned against the NW (Plot 1) and NE (Plot 2) boundaries. Window and door openings have been altered in Plot 1 to resolve amenity issues with neighbouring dwelling.
1.3	The application includes the demolition of an existing former brick stable.
1.4	Each dwelling is to have a footprint of approx. 14m x 6.9m, and is to be 5.1m high. A small porch is to project from the front. Each is to be constructed from red facing brick under a clay tile roof.
1.5	The application is supported by a tree survey, impact assessment and tree protection plan.
2.0	SITE LOCATION/DESCRIPTION
2.1	The application site is a square plot of land approx 30m x 30m set back from Wenlock Road immediately to the rear of 115 Wenlock Road, and to the McCarthy and Stone retirement living development approved under ref 16/04590/FUL. The latter is under construction.
2.2	The plot is bounded on three sides by a substantial red brick wall approx. 2.1m high which is to be repaired and retained. The rear wall of a traditional former stable block forms part of the NW boundary. The stable has been altered with timber cladding and what appears to be an asbestos roof. There are no trees within the site, though the surroundings comprise several trees of high amenity value..
2.3	Planning permission was granted under ref 16/01299/FUL for a single dwelling on the application site, albeit more substantial and higher than the proposed dwellings. This represents the fall back position until 16 June 2019 when the permission would lapse if not commenced.
2.4	Applications for a detached dwelling (ref 09/01627/OUT and 13/00471/REM) were approved in garden land immediately to the NE. It is understood planning

	permission has not been implemented and has lapsed.
2.5	117 Wenlock Road was demolished for the retirement living development. Once that development is complete, it is intended to leave a strip of land against the boundary to 115 Wenlock Road. This land, along with a new opening onto the highway is to provide access to the proposed bungalows.
2.6	The application site is outside of the Shrewsbury Conservation Area.
3.0	REASON FOR COMMITTEE DETERMINATION OF APPLICATION
3.1	The scheme does not comply with the delegation to officers as set out in Part 8 of the Shropshire Council Constitution as the Town Council have submitted a view contrary to officers.
4.0	Community Representations
	Consultee Comments
4.1	Shrewsbury Town Council- objection
	The Town Council objects to this scheme on the grounds that the development is considered to be back-land development and overdevelopment of the site. Members are of the opinion that the development creates poor amenity space for either new dwelling.
4.2	Regulatory Services- no objection subject to conditions
	Have no objection to the proposed development. The case officer is specifically reminded that there will be a need to place construction time conditions on this application due to the built up surroundings.
4.3	Affordable Housing- no objection
	If the development is policy compliant then whilst the Council considers there is an acute need for affordable housing in Shropshire, the Council's housing needs evidence base and related policy pre-dates the judgment of the Court of Appeal and subsequent changes to the NPPG, meaning that on balance and at this moment in time, national policy prevails and no affordable housing contribution would be required in this instance.
4.4	Highways- no objection
	No Objection – subject to the development being constructed in accordance with the approved details, and the following conditions & informatives. Observations/Comments: The proposed development seeks approval for the erection of two detached 2 bedroom bungalows on land at 117 Wenlock Road, Shrewsbury. The site benefits from planning consent for the erection of a single 4 bedroom dormer bungalow approved under planning applications 13/01801/FUL and 16/01299/FUL with access and visibility splays agreed at that time. The current proposal amends the development to two smaller dwellings. Parking and turning for two vehicles per dwelling and a passing place along the proposed driveway are proposed. It is considered that the addition of one further dwelling is unlikely to significantly impact

	<p>on the surrounding highway network and therefore no objection on highway grounds could be sustained.</p> <p>Any proposed gravel parking surface within the property should be contained by an appropriate edging kerb to prevent the gravel from shedding onto the adjoining carriageway.</p>
4.5	<p>Trees- no objection subject to condition</p> <p>Initial comments received</p> <p>This application clearly impacts on mature trees on the curtilages, in separate ownership. The proposed drive way has the potential to cause damage to root systems of these trees. Therefore a tree report is required and an arboricultural method statement to state how the drive can be implemented without causing damage to the trees and the effects of the trees on the proposed bungalows including shading and proximity nuisance issues. Without this information I am unable to assess the impact on the trees.</p> <p>Further comments received after Tree Protection Plan submitted</p> <p>The 2 high amenity mature Beech trees to the south west are set back into the adjacent garden by several metres reducing the root protection area (RPA) on the development side. The existing stable block has existing foundations / hard standing in this area which may have encouraged root development to be more extensive outside of this area. Ground protection has been proposed to allow construction to take place (without fencing off the RPA) and is to be laid in advance of construction starting. This also applies to the access driveway which also encroaches onto the RPA's of mature trees in the adjacent garden. I propose to recommend that these trees are made subject to a Tree Preservation Order (TPO) due to their high amenity. This will also ensure that future residents are made aware of their importance and that excessive applications to reduce them will not be allowed. Shading will occur from the Beech despite the orientation of the proposed bungalow, due to their position to the south and west, however as this has no impact on existing properties it is an issue of choice for future occupiers.</p> <p>In order to allow construction, pruning back of several long secondary branches encroaching over the boundary and existing stables will need to be arranged. Presently the situation is that these could be cut back to the boundary (only) without permission from the owners. A better solution may be to ask permission from the owners to allow these branches to be removed back to the main upright stems in order to look better and meet standards for tree pruning BS 3998 2010. Once the trees are subject to a TPO pruning work will also need an application to the Council.</p> <p>Pine trees adjacent to the south east curtilage will also cause shading but to a lesser extent due to their height and smaller crowns, these trees are subject to an existing TPO.</p> <p>I would ask that in order to achieve the above the following condition is added to any approval:</p> <p>Tree Protection</p>

	<p>The protective tree fence shown on the submitted 9999-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-Rev0 shall be erected to the satisfaction of the LPA and in accordance with the BS 5837: 2012 "Trees in relation to Design, Demolition and Construction recommendations for tree protection" prior to commencing any approved development related activities on site, including ground levelling, site preparation or construction. The fence shall be maintained throughout the duration of the development and be moved or removed only with the prior approval of the LPA.</p> <p>Where specifically approved, temporary ground protection measures and no-dig methodology should be implemented by a suitably qualified tree specialist appointed to supervise works within the root protection areas of protected and retained trees to the satisfaction of the local planning authority, prior to commencing any approved development related activities on site, including ground levelling, site preparation or construction.</p> <p>Reason: To safeguard the amenities of the local area by protecting trees.</p>
4.6	Ecology- no objection subject to conditions and informatives
4.7	<p>Public Comments</p> <p>3 Objections have been received on the following grounds:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Overdevelopment and detrimental to neighbouring amenity <input type="checkbox"/> Inadequate parking causing risk to highway safety <input type="checkbox"/> Land should be used for additional parking for McCarthy and Stone development <input type="checkbox"/> Impact to ecology and trees <input type="checkbox"/> Roof of stable is covered in asbestos and is a hazardous substance <input type="checkbox"/> Error in floor area/footprint calculations <input type="checkbox"/> Bungalows too high and could have lower roof pitch <input type="checkbox"/> Bungalows should be positioned on opposite side of the site <input type="checkbox"/> Windows and overlooking between neighbours <input type="checkbox"/> Harmful to character of area <input type="checkbox"/> Highway safety – primary school and technical college close by <input type="checkbox"/> Risk to pedestrian safety on nearby zebra crossing
5.0	THE MAIN ISSUES
	Principle of development Siting, scale and design Visual impact and landscaping Residential Amenity Trees
6.0	OFFICER APPRAISAL
6.1	Principle of development
6.1.1	The NPPF seeks at Chapter 6 to deliver a wide choice of high quality homes.
6.1.2	The application site falls within the development boundary of Shrewsbury where the

	principle of residential development is established according S16.1, CS1, CS2. MD1 also sets out the scale and distribution of development across Shropshire.
6.1.3	The principle of development and demolition of the former stable is also established by 16/01299/FUL which can be implemented up to June 2019.
6.2	Siting, scale and design of structure
6.2.1	The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
6.2.2	CS6 seeks to ensure development protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character,
6.2.3	MD2 goes further and to ensure (in part) development contributes to and respects locally distinctive or valued character and existing amenity value.
6.2.4	The application site is considered sufficient in size to accommodate the proposal and there is sufficient amenity space and parking allocated for each dwelling. The proposal is not cramped within boundaries. As such it is not considered to represent overdevelopment as has been suggested in representations.
6.2.5	The dwellings are smaller in scale to most dwellings in the surroundings and will have limited impact in their setting. Although this application adds a further dwelling to the site beyond that previously approved in 2016, the cumulative impact in terms of overall scale is considered reduced.
6.2.6	The dwellings are to be constructed in a simple form and materials are considered appropriate for the setting in accordance with CS6 and MD2. There are to be no openings in the roof of either dwelling.
6.2.7	Access is by way of a 70m lane from the highway, which includes provision for passing spaces. No objections have been received from Highways as to layout and access arrangements, subject to conditions.
6.3	Visual impact and landscaping
6.3.1	Contextual elevations have been supplied which demonstrate that alongside the existing form and layout of development, together with neighbouring trees, visual impact will be limited. There are no proposals to demolish the existing boundary wall. A landscaping plan has been supplied which is considered acceptable.
6.4	Residential Amenity.
6.4.1	CS6 seeks to ensure development contributes to the health and wellbeing of communities, including safeguarding residential and local amenity.
6.4.2	Concerns have been raised about overlooking and privacy. This issue applies particularly from 63 Armoury Gardens, which is the closest neighbouring dwelling to

	Plot 1, positioned approx. 5.2m beyond the NW site boundary wall. There are two windows on each floor of the gable facing the application site. Upstairs windows are bedrooms.
6.4.3	Plot 1 is to replace the stable and is to have three windows on the rear elevation, though two belonging to the wardrobe and shower room are to be narrow and obscure glazed. The remaining kitchen window does not directly face the gable of 63 Armoury Gardens and is only approx. 1.4m from the boundary wall. Views from here to the upstairs windows of 63 Armoury Gardens are limited and will have very little impact upon the amenity of neighbours. It is not considered necessary to require this window to be obscure glazed.
6.4.4	The upstairs windows of 63 Armoury Gardens will have views directly overlooking the patio space of the nearest dwelling. As first submitted Plot 1 was to have 2 x double glass doors opening onto the patio as per Plot 2. In the interests of privacy, those doors have been replaced with fixed windows, albeit door height equivalent. Although there will continue to be views over the patio of Plot 1, and to a lesser extent the remainder of the site, privacy for occupiers and neighbours is not considered unreasonably harmed and accords with CS6.
6.4.5	Privacy between Plots 1 and 2 is considered maintained and there are no issues with other existing dwellings beyond boundaries.
6.4.6	Being in a residential area, it is considered appropriate to impose conditions related to hours of construction/demolition and on site burning.
6.5	Trees
6.5.1	CS17 seeks to ensure that development will identify, protect, enhance, expand and connect Shropshire's environmental assets.
6.5.2	MD12 seeks the avoidance of harm to Shropshire's natural assets and their conservation, enhancement and restoration.
6.5.3	Several high amenity trees have been identified in close proximity to the site. The Case Officer has conducted a joint site visit with the Trees Officer, who has noted the 2 x beech trees in the garden of 115 Wenlock Road are set back from the boundary, thereby reducing the root protection area within the site, and ensuring that overhanging branches are generally thin and could be cut back subject to appropriate controls. Ground protection has been proposed to the satisfaction of the Trees Officer.
6.5.4	The Trees officer has also expressed an intention to recommend the beech trees are made subject to a Tree Preservation Order (TPO) in order to emphasise their importance and control the extent of branch removal. Even so, the Trees Officer has not stated that such an Order is critical to determining this application.
6.5.5	Issues of shading have been noted, particularly from the SE through to SW in the summer months. There is no impact to existing residents, so impact of shading is a matter of choice for future occupiers. As such, shading issues are not sufficient to

	warrant refusal of the application.
6.5.6	Overall the Trees Officer is satisfied that existing trees can be protected in accordance with CS17 and MD12, subject to the imposition of appropriate conditions.
7.0	CONCLUSION
7.1	The principle of development is established by SAMDev Plan S16.1, CS1, CS2, MD1 and planning permission ref 16/01299/FUL for a single detached dwelling.
7.2	The bungalows fit comfortably within the site, are limited in height and have no openings in their roof space thus reducing issues of residential amenity.
7.3	Where concerns have been identified in relation to the gable openings of Plot 1, they are considered to have been addressed to the satisfaction of the Case Officer.
7.4	Tree protection measures have been assessed by the Trees Officer and are considered acceptable.
7.5	The development complies with CS6, CS17, MD2, MD12. Planning permission is recommended subject to conditions.
8.0	Risk Assessment and Opportunities Appraisal
8.1	Risk Management
	<p>There are two principal risks associated with this recommendation as follows:</p> <ul style="list-style-type: none"> ☒ 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. <p>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.</p>
8.2	Human Rights

	<p>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.</p> <p>First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.</p> <p>This legislation has been taken into account in arriving at the above recommendation.</p>
8.3	Equalities
	<p>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.</p>
9.0	Financial Implications
	<p>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.</p>

10. Background

Relevant Planning Policies

Central Government Guidance:
NPPF

Core Strategy and Saved Policies:
CS1, CS6, CS17
MD1, MD2, MD12. S16.1

RELEVANT PLANNING HISTORY:

13/01801/FUL Erection of a dwelling with formation of vehicular access and parking area and erection of boundary fencing GRANT 14th February 2014

16/01299/FUL Erection of a dwelling with formation of vehicular access and parking area and erection of boundary fencing GRANT 16th June 2016

16/04590/FUL Erection of 32 retirement living apartments including communal facilities, landscaping and car parking; formation of vehicular access following demolition of existing property (amended description) GRANT 24th November 2017

17/05823/DIS Discharge of Conditions 3 (CMS) and 4 (Japanese Knotweed) on Planning Permission 16/04590/FUL for the erection of 32 retirement living apartments including communal facilities, landscaping and car parking; formation of vehicular access following demolition of existing property (amended description) DISPAR 17th January 2018

17/06053/FUL Erection of 2No. detached bungalows; formation of vehicular access PDE SA/83/0305 Erection of a dwelling with private garage and the formation of new vehicular access. REFUSE 24th May 1983

SA/99/0517 Erection of a two storey extension to provide a dining room on the ground floor and a bedroom with en-suite on first floor after the demolition of existing outbuilding. PERCON 9th June 1999

SA/01/0264 Erection of a conservatory. PERCON 14th June 2001

SA/01/0537/F Erection of a detached double garage with w.c. and utility and general purpose room above. PERCON 23rd May 2001

11. Additional Information

[View details online:](#)

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

Cabinet Member (Portfolio Holder)

Cllr R. Macey

Local Member

Cllr Ted Clarke

Cllr Jane Mackenzie

Cllr Tony Parsons

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

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.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall take place until a scheme of the surface and foul 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.

4. The protective tree fence shown on the submitted 9999-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-Rev0 shall be erected to the satisfaction of the LPA and in accordance with the BS 5837: 2012 "Trees in relation to Design, Demolition and Construction recommendations for tree protection" prior to commencing any approved development related activities on site, including ground levelling, site preparation or construction. The fence shall be maintained throughout the duration of the development and be moved or removed only with the prior approval of the LPA.

Where specifically approved, temporary ground protection measures and no-dig methodology should be implemented by a suitably qualified tree specialist appointed to supervise works within the root protection areas of protected and retained trees to the satisfaction of the local planning authority, prior to commencing any approved development related activities on site, including ground levelling, site preparation or construction.

Reason: To safeguard the amenities of the local area by protecting trees.

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

5. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided properly laid out, hard surfaced and drained. The space shall be maintained thereafter free of any impediment to its designated use.
Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

6. The access apron shall be constructed in accordance with the Council's specification currently in force and shall be fully implemented prior to the development being brought into use.

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

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

- A minimum of 2 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for 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 be 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.

8. 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.

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

9. Any hedge or other boundary treatment fronting onto Wenlock Road is to be kept at a height of 800mm at all times.

Reason: To ensure the provision of adequate visibility in the interests of pedestrian and highway safety.

10. No burning shall take place in connection with the development hereby approved including during demolition and clearance of the building and site.

Reason: to protect the amenity of the area and protect the health and wellbeing of local residents.

11. Construction and/or demolition work shall not take place and construction traffic shall not access the site outside the hours of 0800-1800 on weekdays and 0800-1300 Saturdays, and not at all on Sundays or Bank Holidays.

Reason: To protect the amenity of the area

12. The existing brick site boundary wall shall remain as existing. No works to the wall shall be undertaken except for the purposes of repair and maintenance.

13. Full door height windows in the north east facing elevation of bungalow approved by way of plan reference 1087-06 Type B shall not be formed as opening doors and shall be fixed up to a height at least 1.2m above floor level. Opening hinges where fitted shall be horizontal.

Reason: In the interests of maintaining residential amenity and privacy.

Informatives

1. Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

construct any means of access over the publicly maintained highway
(footway or verge) or

carry out any works within the publicly maintained highway, or
authorise the laying of private apparatus within the confines of the public
highway including any new utility connection, or
undertaking the disturbance of ground or structures supporting or abutting
the publicly maintained highway

The applicant should in the first instance contact Shropshire Council's Street works team. This link provides further details

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

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

Waste Collection

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

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

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

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

2. The use of soakaways should be investigated in the first instance for surface water disposal.

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 35% 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. Full details, calculations, dimensions and location plan of the percolation tests and the proposed soakaways should be submitted for approval. Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway.

Should soakaways are not feasible, drainage calculations should limit the discharge rate from the

site equivalent to 5.0 l/s runoff rate should be submitted for approval. The attenuation drainage system should be designed so that storm events of up to 1 in 100 year + 35% for climate change

will not cause flooding of any property either within the proposed development or any other in the vicinity.

Reason: To ensure that the proposed surface water drainage systems for the site are fully compliant with regulations and are of robust design.

2. Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of

front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas.

The appropriate allowance for urban creep must be included in the design of the drainage system

over the lifetime of the proposed development. The allowances set out below must be applied to

the impermeable area within the property curtilage:

Residential Dwellings per hectare Change allowance % of impermeable area

Less than 25 10

30 8

35 6

45 4

More than 50 2

Flats & apartments 0

Note: where the inclusion of the appropriate allowance would increase the total impermeable area

to greater than 100%, 100% should be used as the maximum.

Curtilage means area of land around a building or group of buildings which is for the private use of the occupants of the buildings.

Reason: To ensure that the proposed surface water drainage systems for the site are designed for

any future extensions of impermeable surfaces.

3. If non permeable surfacing is used on the new access, driveway and parking area or the new access/ driveway slope towards the highway, the applicant should submit for approval a surface

water drainage system to intercept water prior to flowing on to the public highway.

Reason: To ensure that no surface water runoff from the new access/ driveway run onto the highway.

4. The proposed method of foul water sewage disposal should be identified and submitted for

approval, along with details of any agreements with the local water authority and the foul water drainage system should comply with the Building Regulations H2.

3. Bats

All bat species found in the U.K. are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences.

Should any works to mature trees be required in the future (e.g. felling, lopping, crowning, trimming) then this should be preceded by a bat survey to determine whether any bat roosts are present and whether a Natural England European Protected Species Licence is required to lawfully carry out the works. The bat survey should be carried out by an appropriately qualified and experienced ecologist in line with the Bat Conservation Trust's Bat Survey: Good Practice Guidelines (3rd edition).

If any evidence of bats is discovered at any stage then development works must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) contacted for advice on how to proceed. The Local Planning Authority should also be informed.

Breathable roofing membranes should not be used as it produces extremes of humidity and bats can become entangled in the fibres. Traditional hessian reinforced bitumen felt should be chosen.

Nesting birds informative

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

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal, scrub removal and/or conversion, renovation and demolition work in buildings or other suitable nesting habitat should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

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

General site informative for wildlife protection

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

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

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

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

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

All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife.

Where possible, trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a close-fitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

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

If a great crested newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.

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

Hedgerows are more valuable to wildlife than fencing. Where fences are to be used, these should contain gaps at their bases (e.g. hedgehog-friendly gravel boards) to allow wildlife to move freely.

Landscaping informative

Where it is intended to create semi-natural habitats (e.g. hedgerow/tree/shrub/wildflower planting), all species used in the planting proposal should be locally native species of local provenance (Shropshire or surrounding counties). This will conserve and enhance biodiversity by protecting the local floristic gene pool and preventing the spread of non-native species

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