



Committee and date  
South Planning Committee  
5 June 2018

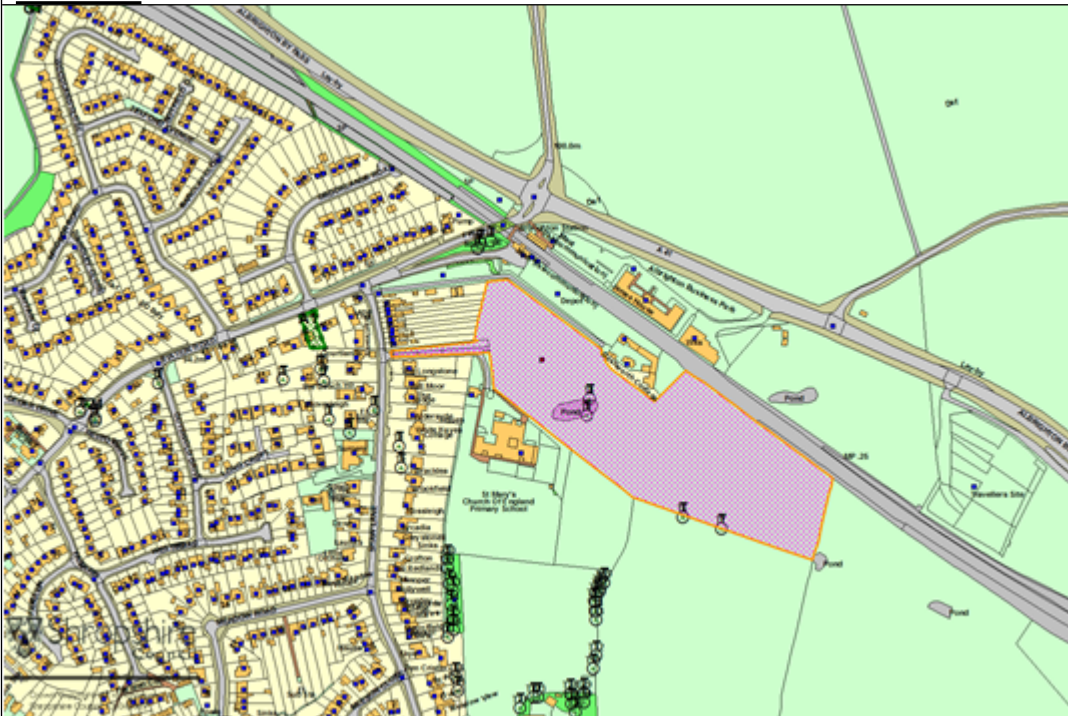
## Development Management Report

Responsible Officer: Tim Rogers  
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### Summary of Application

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|--|--|
| <b>Application Number:</b> 17/03774/FUL  | <b>Parish:</b> Albrighton  |
| <b>Proposal:</b> Residential development of 74 Extra Care apartments and associated facilities, 6 bungalows and 58 houses; improved access |  |
| <b>Site Address:</b> Proposed Residential Development Land East Of Shaw Lane Albrighton Shropshire   |  |
| <b>Applicant:</b> Jessup   |  |
| <b>Case Officer:</b> Richard Fortune   | <b>email:</b> <a href="mailto:planningdmse@shropshire.gov.uk">planningdmse@shropshire.gov.uk</a> |

**Grid Ref:** 381895 - 304421



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Contact: Tim Rogers (01743) 258773

**Recommendation:- Grant Permission subject to the completion of a Section 106 Agreement in respect of affordable housing and maintenance of public open space, and to secure the provision of a raised table at the junction of the access with Shaw Lane, together with on-street parking restrictions within the development prior to and after any adoption by the local highway authority, and the conditions set out in Appendix 1. That delegated authority be given to the Area Planning Manager to amend the conditions and agree any other matters to be addressed by Section 106, as may be required as part of concluding the content of the Section 106 Agreement.**

## REPORT

### 1.0 THE PROPOSAL

1.1 This application was considered at the 13<sup>th</sup> March 2018 South Planning Committee meeting. The report on the application presented to that meeting, updated to include the additional representations sheet comments and the verbal updates given at that meeting, may be found at Appendix 2 of this report.

1.2 The Committee deferred making a decision on the application, requesting that it be brought back to a later meeting with further information to address five points. These points were:

- 1) Further information from regarding the likely impact of the extra care facility on the workload of doctors and the medical facilities available.
- 2) Further information on the demand for station parking and the accessibility to the railway station.
- 3) The ability of the drainage system to cope with further development and the extent and nature of improvement works required.
- 4) Explore a north/south connection to allow for vehicular access from Kingswood Road.
- 5) Further information from the applicants regarding the conditions of residency/letting at the extra care home.

Each of the above points is considered in turn below.

### 2.0 SITE LOCATION/DESCRIPTION

2.1 The application site is situated to the east of Shaw Lane and is currently agricultural land. The access from Shaw Lane is bordered by existing residential properties and their gardens. Adjacent to part of the southern site boundary is St Marys Primary School and associated land, with agricultural land adjoining the remainder of this

boundary. (The latter land forms part of the allocated housing site and is the subject of planning permission 15/02448/FUL for residential development). The eastern site boundary adjoins agricultural land. To the north is the Wolverhampton to Telford railway line, a residential property and a range of buildings formerly used as a builders yard with permission for residential development and access to those properties. The area beyond the private access is used for caravan storage. To the west are the long rear gardens to properties on Shaw Lane.

2.2 The site has an area of approximately 3.5 Hectares.

### **3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

3.1 The views of the Parish Council are contrary to the Officer recommendation. The Chair and Vice Chair of the South Planning Committee, in consultation with the Principal Officer, consider that the material planning considerations raised and the wide public interest in these proposals warrant the application being determined by the South Planning Committee. This report responds to queries raised by the South Planning Committee at their March 2018 meeting.

### **4.0 Community Representations**

#### **- Consultee Comments**

The Consultee responses received since the 13<sup>th</sup> March 2018 meeting are set out below, with the comments received prior to that date being found in the report attached as Appendix 2. Where Consultees have made more than one comment, the latest comments are set out first in order to show where earlier concerns have been overcome.

4.1 No additional consultee comments had been received at the time of writing this report.

#### **-Public Comments**

The public comments received since the 13<sup>th</sup> March 2018 meeting are set out below, with the comments received prior to that date being found in the report attached as Appendix 2.

4.2 No additional public comments had been received at the time of writing this report.

### **5.0 THE MAIN ISSUES**

Principle of development

Siting, scale and design of structures and impact on setting of heritage assets

Landscaping and Ecology  
Open Space  
Residential and School Amenity  
Highway Safety and Parking  
Drainage  
Contamination  
Housing Mix  
Archaeology  
S106 Contributions

The above are addressed in the report to be found at Appendix 2.

## **6.0 RESPONSES TO MATTERS RAISED BY THE SOUTH PLANNING COMMITTEE**

### **6.1 Impact on Medical Services**

6.1.1 It was enquired of the applicants whether they had any data from similar facilities that they operate elsewhere to show what proportion of the residents are likely to be existing Albrighton residents already registered with the Albrighton Medical Practice. Details of the different levels of care packages that would be available to the occupants and delivered by staff employed on the premises, how external doctor support is organised in other extra care developments, and statistics to show how many of the occupants of an extra care facility of the form and size proposed are likely to have conditions requiring regular attendance at a medical practice/doctors was sought, to quantify what the 'additional burden' on medical services would be likely to be. It was also queried whether there is any support the applicants could offer to mitigate such an impact. Albrighton Medical Practice were also asked what additional resource they consider would be needed to serve the residents of the extra care apartments.

6.1.2 The applicants have provided the following information in response to the queries raised:

#### ***“BACKGROUND***

*The average number of doctors per 10,000 population in England is 6.8. NHS guidelines are for 5.8 doctors per 10,000 people. The population of Albrighton at the last census in 2011 was 4628, although the practice boundaries extend beyond Albrighton to cover outlying areas.*

#### ***ALBRIGHTON MEDICAL PRACTICE***

*The practice is located on Shaw Lane approx. 100 m south of the entrance to the proposed development.*

*A map on the practice website defines the area covered by the practice. The practice website also records that there are 7 doctors (5 male, 2 female) for 8,073 registered patients. This is a ratio of 8.6 doctors per 10,000 – well above the national average.*

*By way of comparison the Shifnal and Priorslee Practice has 3 doctors (all male) plus currently 1 locum for 10,427 registered patients – a ratio of 3.8 doctors per 10,000.*

## **OCCUPATION OF PROPOSED DEVELOPMENT**

### **Extra Care**

*The 74 Extra Care flats have a total potential residential capacity of 201 persons. Analysis of data for similar schemes developed by The Wrekin Housing Trust records that the average occupancy rate is 45.2% measured against maximum occupancy, with a large number of single residents paying for two-bedroom accommodation. This would put the number of likely residents at 85. National data from research carried out by Carterwood Focus in 2014 notes that on average 39% of residents come from within 3 miles of an Extra Care facility. This data includes a range of tenure types, including private schemes where the catchment area is wider.*

*Of more relevance is an analysis of Wrekin Housing Trust's last 3 Extra Care schemes which produced the following data:-*

- **The Coppice Shrewsbury** (85 apartments)  
76% to occupants with an SY Postcode (living within Shrewsbury and 3 mile radius)*
- **Oakwood, Wellington** (63 apartments) –  
67% from Wellington and surrounding area (within 3 miles)*
- **Ashwood, Oswestry** (61 apartments) –  
65% from Oswestry*

*Taking the 65%, it is therefore probable that of the 85 likely residents, 55 would be from Albrighton and within the medical practice boundary so would in all probability already be registered patients. This leaves 30 residents of the Extra Care facility who would be new to the area.*

### **Bungalows**

*The maximum occupancy of the 6 bungalows would be 18 but in all probability each would only be occupied by a maximum of 2 people resulting in an occupancy of 12.*

### **Houses**

*The maximum occupancy of the 58 houses would be 266. Whilst it is unlikely that all would have maximum occupancy we have no data to determine what the realistic occupancy figure might be so we have assumed for the purposes of this exercise that they would all be in full occupancy and would all be new to the area.*

### **ANALYSIS**

*From the above figures the potential impact on the Albrighton Medical Practice would be an additional 308 new patients. This would represent a 3.8% increase in registered patients up to 8,381 and a doctor/patient ratio of 8.35 - still well above the national average.*

### **COMMENTS**

*Extra Care encourages people to live independently and on average only 25% of residents in occupation have a personal care package in place.*

*Access to GPs is through the normal way anyone else gets doctor support, living so close will result in clients walking to the surgery and reducing traffic, or GP home calling will be within 500 yards of surgery.*

*With reference to statistics showing what percentage of occupants of Extra Care schemes are likely to require regular attendance at GP practice, a research paper published in 2015 by the Aston Research Centre for Healthy Ageing (ARCHA) reported;*

***NHS costs reduce by 38%***

*The ExtraCare Charitable Trust model can result in significant savings for NHS budgets - over a 12 month period, total NHS costs (including GP visits, practice and district nurse visits and hospital appointments and admissions) reduce by 38% for ExtraCare residents in the sample across the period.*

***Unplanned hospital stays reduced from 8-14 days to 1-2 days***

*The ExtraCare Charitable Trust model is associated with a significant reduction in the duration of unplanned hospital stays, from an average of between 8-14 days to 1-2 days, promoting the efficient use of hospital beds.*

***46% reduction in routine and regular GP visits***

*The ExtraCare Well-being Service provides accessible and informal (drop-in) support, offering preventative healthcare and ongoing day-to-day chronic illness care. ExtraCare residents used their GP more than the control sample at three and 12 months due to their relatively poorer health. During the 12 month period, ExtraCare residents' routine and planned GP appointments reduced by 46% whilst drop-ins to the Well-being Service increased.*

***Significant cost savings on social care***

*The research compared the cost of care provided at The ExtraCare Charitable Trust to the cost of care provided in people's homes in the wider community. It showed that ExtraCare's model is likely to offer significant potential savings in the cost of social care for local authority commissioners. The cost of providing lower level social care using the ExtraCare model was £1,222 less per person per year (17.8% less) than providing the same level of care in the wider community (on average, with variation by local authority) and the cost of higher level social care was £4,556 less (26% less) per person per year.*

***19% of residents who are pre-frail at baseline return to resilient state 18 months later***

*Frailty and especially pre-frail states are changeable - however, a significant number (19%) of new ExtraCare residents designated as "pre-frail" at baseline had returned to a resilient state 18 months later.*

***14.8% reduction in depressive symptoms in 18 months***

*The ExtraCare Charitable Trust model delivers a 14.8% reduction in depressive symptoms over 18 months. This was accompanied by a 64.3% reduction in people with significant clinical level depression over the same period.*

***Residents with mobility issues show the greatest reduction in depressive symptoms***

*Low mobility is a significant predictor of low mood and depressive symptoms amongst older people. However, after 18 months at ExtraCare, those with low mobility showed the greatest reduction in depressive symptoms and those whose mobility reduced over the period did not generally become more significantly depressed. At the end of the period, for ExtraCare residents, serious depression can no longer be predicted by mobility.*

***10.1% improvement in autobiographical memory in 18 months***

*At baseline, new ExtraCare residents had more difficulties with cognitive functions, independence, health perceptions, depression and anxiety than the control sample. After three months these differences have reduced and some have disappeared, with significant improvements in psychological well-being, memory and social interaction for ExtraCare residents. At 18 months, there is a 10.1% improvement in ExtraCare residents' autobiographical memory.*

***Successfully removed differences in self-perceived health which are initially related to socio-economic status***

*The ExtraCare Charitable Trust model seems to level the playing field by removing differences in self-perceived health which are initially related to socio-economic status. ExtraCare residents who are socio-economically disadvantaged improve in their perceptions of their own health.*

***Age matters less***

*Whilst age had an impact on cognition (memory etc) for both ExtraCare residents and the control group, age only had an impact on change in functional limitations for control participants. This is a function of the fact that decisions to move into ExtraCare are needs-related rather than age-related, but is also strong confirmation that age has less impact on self-perceived ability to cope when living in the integrated supported environment provided by The ExtraCare Charitable Trust.*

*A meeting is being arranged with the Albrighton Medical Practice to set out the above to them and rooms can be made available within the Extra Care building for GPs, Nurses and Health visitors to support vaccination programmes (flu-jabs) blood pressure checks etc.”*

- 6.1.3 A copy of the Carterwood Focus Issue 13 – 2014 titled “Extra care housing: Where do residents come from?” has also been submitted, which is referred to in 6.1.2 above.
- 6.1.4 The applicants did submit summary notes from a meeting held with Albrighton Medical Practice. However the contents of these notes have been not been agreed by the Albrighton Medical Practice as reflecting the full discussion. The notes have

been withdrawn at the request of the Medical Practice.

- 6.1.5 There has been no response from Albrighton Medical Practice to the query raised with them at the time of writing this report.
- 6.1.6 From an initial quantitative assessment it would appear the ratio of patients to doctors in this area (8.6) is much higher than the national average (6.8), suggesting there should not be a capacity issue. Enquiries have been made with the Shropshire Clinical Commissioning Group (CCG) and it is hoped to receive any comments they wish to make in time for the Committee Meeting.
- 6.1.7 The Council had a legal duty to cooperate with the NHS CCG and NHS England as part of the SAMDev Plan with regard to long term healthcare planning as a result of housing allocations across the county. NHS CCG and NHS England will have planned for the needs of Albrighton on this basis. The inspector examining SAMDev Plan agreed the Council's "duty to cooperate" with these bodies. It is accepted that an extra care home will generate additional demands on NHS services relative to a family housing scheme as anticipated in the site allocation, but there will not be such a material change in care across the settlement such that permission should be withheld in this case on the grounds of a lack of capacity in medical services.

## **6.2 Railway Station Car Parking and Accessibility**

- 6.2.1 The Planning Officer had surveyed the situation with station parking from visits carried out to the site during the working day and the findings are set out in the report at Appendix 2. The applicants were asked whether they would be prepared to assist in quantifying the amount of on street parking in the vicinity that can be attributed to railway station users, and the pattern of movement in terms of when they arrive and leave. The following statement has been received in response:

### **6.2.2 "BACKGROUND**

*It was described in the report to planning committee that the station approach and forecourt could accommodate 26 vehicles with tight parking.*

#### **SURVEY**

*A count of passengers using the station was carried out on the morning of Tuesday 20th March 2018, between 05.43 and 08.30. This period covered all trains departing the station that would be used by commuters.*

*On arrival at 05.43am it was observed that 2 vehicles had been parked on the station car park overnight and 7 residents' vehicles were parked outside properties in Shaw Lane.*

*The count was as follows:*

***Albrighton - New Street Dep 05.58am***

*1 commuter was dropped off at the station*



*2 vehicles with one commuter in each parked on the car park*

*5 commuters arrived at the station on foot*

*8 commuters boarded the train.*

***Albrighton - Shrewsbury Dep 06.26/ New Street Dep 06.32am***

*8 commuters arrived by car and parked on the station*

*1 commuter arrived by car but parked on the main road some 100mtrs away*

*4 commuters arrived on foot*

*1 commuter arrived on a bicycle and deposited it in the bicycle store*

*14 commuters boarded the train.*

***Albrighton - Shrewsbury Dep 07.04am***

*1 commuter arrived by car and parked on the car park*

*1 commuter arrived on foot*

*2 commuters boarded the train*

***Albrighton - New Street Dep 07.50am***

*9 vehicles arrived at the station parking in the remaining spaces*

*07.40am - car park is full*

*8 vehicles arrived after 07.40am and had to park on the roadside*

*4 commuters were dropped off*

*29 commuters arrived on foot*

*50 commuters boarded the train*

***Albrighton - Shrewsbury Dep 07.59am***

*3 commuters were dropped off*

*4 commuters arrived on foot*

*7 commuters boarded the train*

*It was observed that 6 commuters got off the train arriving from Shrewsbury at 07.59am*

***Albrighton - New Street Dep 08.21am***

*5 vehicles arrived and had to park on the roadside*

*3 commuters were dropped off*

*21 commuters arrived on foot*

*29 commuters boarded the train*

*On leaving the station area at 08.30am it was observed that a total of 14 vehicles were parked on the roadside with further vehicles parked in Shaw Lane outside the Albrighton Medical Practice but as the surgery was open it was presumed that the occupants of these vehicles were attending appointments with their G.P.*

***ANALYSIS***

*During the period covered the figures show 20 vehicle being parked by rail users, plus the 2 cars parked overnight. In addition one space was taken by those undertaking the survey, with a further 14 parking on the road. The total number of cars being parked by rail users was therefore 34 (20+14).*

*However 26 spaces should be available so the shortfall in spaces is 8 if the railway car parking was solely used by rail users.*

### **COMMENTS**

*According to a report published by the Office of Rail and Road Data published in December 2017 Albrighton Station had a total of 99,380 entries and exits over a 12 month period. By comparison Shifnal Railway Station had 166,046 entries and exits during the same period.*

*Albrighton station has 26 car parking spaces, Shifnal 20 spaces. Based on passenger numbers there are 4,320 entries and exits per parking space at Albrighton compared to 8,302 entries and exits per parking space at Shifnal. Whilst this may indicate that Albrighton station possibly has an appropriate number of parking spaces when compared to other stations, this does not cater for all rail users at the station.*

*To alleviate on-street parking a total of 12 car parking spaces are proposed within the development for rail users, the furthest of these being approx. 330m from the railway station. Taking an average walking speed of 3 miles per hour this would take approx. 4 minutes to walk to the station. It is considered that this is a reasonable distance to walk and that the provision of the 12 spaces more than makes up for the current shortfall of 8 spaces at the station. We would expect that any residents of the new development who wished to use the station would walk, this not impacting on the current situation.”*

- 6.2.3 As explained in the main report attached as Appendix 2, at paragraphs 6.6.5 and 6.6.6, the applicants have responded to the development guideline “*Development proposals should help to provide additional parking in the vicinity of Albrighton railway station.*” by amending the proposed site plan to provide 12 car parking spaces within the site for the benefit of users of the railway station. (The station approach and forecourt can accommodate 26 vehicles with tight parking). These spaces would be positioned opposite the proposed extra-care accommodation, on the southern side of the access road. The car parking would be on the basis of permit holders only, with permits issued by Jessup who would retain ownership of the spaces. They state that appropriate signage would be erected adjacent to the spaces setting out how permits could be obtained. The application as amended would therefore deliver an increase of some 46% in the amount of off-road parking available in the immediate locality for railway station users. It is considered that the provision of these spaces and their management as proposed would address the development guideline of the SAMDev Plan housing allocation S1.1a (ALB002).

### **6.3 Drainage**

- 6.3.1 The applicants were advised that the South Planning Committee wishes to establish the nature and extent of any off-site drainage works that would be needed in connection with the proposed connection into the combined sewer in Shaw Lane. It was queried whether the applicants are prepared to carry out further investigations/surveys and to have a dialogue with Severn Trent Water to give

more detailed information on how the site would be satisfactorily drained for both foul and surface water. The response set out below has been received:

### 6.3.2 **“BACKGROUND**

*Waldeck were appointed by the applicants to prepare a drainage strategy for the development. In preparing the strategy contact was made with Severn Trent Water as follows:*

- 2/5/17 Waldeck (Garry Dunnett) emailed STW New connections seeking advice on appropriate discharge rates and outfall positions for drainage from the site*
- 20/6/17 Waldeck (Paulina Makowska) emailed Developer Enquiry Form and information to Severn Trent Water*
- 21/6/17 Severn Trent Water (Rakesh Patel) replied to GD re general points of drainage and clarification on queries, and confirmed other details would be covered by Severn Trent’s response to the Developer’s Enquiry Form.*
- 22/9/17 – Internal Jessups Team email querying where Developer’s Enquiry Response was.*
- The Developer’s Enquiry Response appeared to have been lost/blocked within various email filters; – it was eventually recovered on 19/3/18 when specifically searched for (attached, dated 28/06/17)*

*The contents of the Developer’s Enquiry Response explain the ‘No Objection-Subject to Conditions’, Planning Response from STW to the Planning Authority. The clear aims of STW are to ensure the content of Waldeck’s FRA and Drainage Strategy are delivered, and that STW will seek to model their system to find appropriate foul and surface water discharge points for the development site drainage. This is to ensure no local surface water flooding issues are exacerbated. If need be this will include development funded off-site works by STW to increase their network capacity.*

*During the planning process it is important for non-technical observers to not get caught up in the semantics of ‘Approvals’ vs ‘No Objection’, or to try and hoodwink others on this. On any sites where there may be opposing points of view, one will often find a party claiming that the applicant ‘doesn’t have approval’. Whilst not a false statement, this can be deliberately misleading, especially to lay-people and the general public. At no point in the planning process will STW give a 100% ‘Approval’ to any proposals. They will only give an ‘acceptance in principle’ or ‘no objection’ type response until Planning Permission is granted.*

### **COMMENTS**

*Working from the advice in the response, the requirements are as follows;*

#### **Foul Water**

*The nearest connection point is in Shaw Lane, but there are known foul capacity issues, so STW recommend we commission them to model the system to identify*

*acceptable connection point and if any off-site improvements are required. As this assessment would be undertaken by Severn Trent, we are in their hands as to the outcome.*

### **Storm Water**

*The developed site will be all positively drained and attenuated to a greenfield run-off rate of 5l/s/Ha. This approximates to 17.6l/s for the whole site. It is pertinent to point out that the drainage proposals in the Clive Onions Flood Risk Assessment for Boningales Phase 2 Development proposed a discharge rate of 29.8l/s to the same location – **70% worse** than what we are proposing.*

*Severn Trent Water have already advised that the closest potential connection point is a surface water Manhole (MH 7402) in Station Road, which is downstream of Shaw Lane. Therefore, surface water flows from our development site will be both attenuated on site, and the attenuated flows diverted past Shaw Lane.*

*It is common for the above to typically be dealt with through the planning process via conditions as recommended already to the planning authority by Severn Trent, and would of course also be subject to signing relevant S104 (adoptions) and S106 (connections) Agreements with Severn Trent Water.*

*As a consequence of the prolonged determination period of the application the Developer Enquiry response is now more than 6 months old. Waldeck have contacted Rakesh Patel at Severn Trent Water to establish if any circumstances are likely to have changed.”*

- 6.3.3 Severn Trent Water have further clarified on 2<sup>nd</sup> April 2018 that, at the time of their pre-development enquiry response to the applicants, they made a request for hydraulic modelling of the sewer network in order to obtain a better understanding of what impact the proposals would have on the existing sewer network. They then explain, in correspondence to the applicants:

*“In a change to our previous process, we are now being instructed by OFWAT that with regard to any growth development, the Water Company has to ensure that the sewer network is ready to cater for proposed development (by way of using the infrastructure charges to instigate improvements that are required). With this in mind, I will be looking to make a new request for some mitigation sewer modelling of this proposed site in order to determine the impact on the existing sewer network and if any improvements are required. In order to appropriately prioritise a request for the sewer modelling, I would require the current status details of the following :*

- Current total number of dwellings / buildings proposed for this development.*
- Current Planning Status (with application reference numbers and dates for any envisaged future change of planning statuses).*
- Proposed build Program schedule (phasing of proposed build).*

*We will liaise with you over time with regard to the outcome of our investigations and any impact that may have on the Planning status, occupation, or phasing of the site. However while we can provide a brief summary of our findings if you need us to, we will no longer provide the full external capacity assessment report. In the meantime, as you progress matters for your site, we ask that you advise us of any changes in terms of Planning / Build Program / Number of dwellings that may arise from this current proposal.”*

The change is that Severn Trent Water would undertake any sewer modelling required should planning permission be granted for the development.

- 6.3.4 In finalising site allocations for SAMDev, the Council told Severn Trent Water (STW) about the overall amount of new development in the Plan. STW will have fed this information into its Water Resources Management Plan 2014 to 2039 and its Assets Management Plan period 6 2015 to 2020. STW is obliged to provide and upgrade water and waste water connections under the Water Industry Act 1991 including to new development. They have not objected to the application and the Committee should therefore assume the local drainage/ sewerage system can accommodate the proposed development. The precise details of drainage within the development, and the point(s) of connection to the local drainage/sewerage system is a matter which can be satisfactorily addressed through the recommended pre-commencement condition 13, which states:

“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.”

It is a long established principle that the land use planning system should not seek to query or duplicates powers available to statutory undertakers under other legislation.

## **6.4 Connectivity to Kingswood Road**

- 6.4.1 The current planning application proposes a pedestrian and cycle connection onto the land to the south of the current application site. The road alignment of a cul-de-sac in the present proposal aligns with a cul-de-sac in application 15/02448/FUL should that development be implemented. (Planning permission 15/02448/FUL has now been issued following completion of the Section 106 Agreement). The applicants have submitted the following response to the Committee’s query:

### **6.4.2 “BACKGROUND**

*A statement in the SAMdev Plan says “ Proposals must provide for the long term comprehensive development of this site and facilitate an eventual through road*

*between Kingswood Road and the northern end of Shaw Lane. The site layout should allow for integration with future development on the safeguarded land over the longer term.”*

### **COMMENTS**

*This development takes its sole access off Shaw Lane by improving the existing access serving St Marys School at the northern end of Shaw Lane to enable the new road to meet highways adoptable standards. The road layout within the site has been set to enable links to be made to land to the south and east.*

*The land to the south is the subject of a development proposal by Boningale Homes for a total of 121 dwellings. Phase 2 of that development (containing 65 of the 121 dwellings) directly abuts this application site and it has been resolved to grant approval subject to a Section 106 Agreement. The spur in front of plots 55-59 on the application site has been aligned to meet the spur in front of plot 115 on the Boningale Homes layout. The road and footpaths/highway verges will be taken up to the site boundary as part of the works that are subject to this application. In the event that the works on this site progress in advance of those on the adjoining site setting-out coordinates and levels of the road will be provided to other developers so that they may connect the road on their development.*

*Whilst there are currently no proposals approved for land to the east of the site the spur in front of plot 43 on the application site has been aligned to meet the site boundary at 90 degrees. Again, the road and footpaths/highway verges will be taken up to the site boundary as part of the works that are subject to this application.*

*The above provisions are in accordance with the SAMdev plan and provide for future connectivity. This could be restricted to pedestrians and cyclists or open for full vehicle access if required.*

*It should be noted, however, that the application site is served solely from the access at the northern end of Shaw Lane. Whilst we can take our roads up to the development boundaries to facilitate future connectivity, connections will require the cooperation of the other developers in meeting similar obligations that this applicant is agreeing to.”*

The agent has reaffirmed that that the proposed road, footpaths and highway verges adjacent to Plot 55 will be taken up to the site boundary as part of the works that are subject to this application and there will be no ransom strip. The applicants are happy for a suitably worded condition to be included in any approval to secure this.

- 6.4.3 The Council's Developing Highways Manager, South and Central, remains of the view that there are no sustainable highway safety reasons for refusing the current proposal on highway safety grounds. She has advised however that, in the event of

the highways in this application and those in planning permission 15/02448/FUL being constructed and offered for adoption, once the roads become part of the public highway there would then be the opportunity to move the point at which there would be a restrictor to prevent the through movement of vehicles to/from Shaw Lane and Kingswood Road, should it be deemed desirable for a proportion of the housing development on the current application site to be served from Kingswood Road.

## **6.5 Applicants' Lettings Policy**

6.5.1 The applicants have provided the following information on their lettings policy:

### **6.5.2 "LETTINGS PROCEDURE**

*Lettings of all affordable housing properties would be in accordance with Shropshire Council Housing's policy, with priority given to local residents.*

*As an example, at previous schemes the pre-allocation process begins as long as 9 months prior to handover. The WHT (Wrekin Housing Trust) team will be publicise and promote the new scheme and would actively be taking names of potential tenants throughout the period leading up to handover, giving plenty of opportunity for local residents to consider a move.*

*Once names are gathered, the Trust further prioritises based on the agreed criteria, so in this instance Albrighton residents applying would have priority and have a very long time to be identified and allocated.*

*For any 'casual' vacancies arising and for allocations post-handover the Trust operates a waiting list approach that will be built up from an expected over demand. This is not compiled on date of application (and/or waiting list date) but is done on prioritisation within the list based on the agreed criteria, so again this would mean putting Category 'A' connection applicants (Albrighton residents for example) at the top of the waiting list.*

*It is only when the waiting lists are exhausted that the Trust would place a general advert. Such an advert is likely to be open for a couple of weeks, at the most, and then the Trust would allocate in accordance to the local connection criteria.*

*The full lettings Policy is appended to this statement. (Set out below):*

#### **LETTINGS POLICY**

##### **Background**

*The Wrekin Housing Trust (the Trust) is a Registered Provider that provides good quality homes at affordable rents to those in housing need. This policy outlines the Trust's approach to allocating and letting homes.*

##### **Policy Aims**

*The Trust recognises that as a major landlord it plays a key role in the provision of*

*accommodation to those in housing need.*

*The Trust will work in partnership with local authority allocation policies (where available) to maximise choice and housing opportunities ensuring that all transferring, and potential new tenants have access to a tenancy sustainment service that provides advice, assistance and support to enable new tenancies to succeed.*

**Policy Statement**

*The Trust makes best use of available homes and ensures its lettings policy is fair and accountable. The Trust uses 5 methods to let homes:*

- 1. Waiting lists for general needs homes that become frequently available or those with lower demand.*
- 2. Waiting lists for individual Retirement Living and extra care schemes, specialised housing such as Octavia Court or shared ownership/market rented homes regardless of availability or demand.*
- 3. Advertise homes openly where no waiting list is held or there is no demand from waiting list customers.*
- 4. Local lettings schemes/nominations from the relevant local authority where appropriate and agreed.*
- 5. Direct lets to satisfy urgent transfer requests from existing tenants where necessary.*

*The Trust expects all successful applicants for their homes to be ‘tenant ready’ (a term used to describe applicants that have undergone a detailed risk assessment of their financial capability, and general capability, to manage a successful tenancy). If an applicant is deemed not to be tenant ready, or would not become tenant ready even with appropriate support, the applicant will not be let a Trust home.*

*The Trust will let available homes to make the best use of stock and where necessary will comply with any agreement entered into as part of a new or acquired development. The overall aim is to create balanced and sustainable communities.*

*The Trust will provide a customer focussed service to ensure all of our homes are ready to live in, and are safe and secure. We will involve the customer throughout the process.*

*Our Commitment is to ensure :*

- The property will be ready to live in.*
- All health and safety works are completed.*
- The property will be structurally safe, secure, watertight, and all drainage and rainwater goods will be functional and surfaces free of graffiti.*
- The property will be sufficiently heated and insulated.*
- The property will be clean.*
- Gardens/curtilage will be clear of rubbish/detritus.*
- Empty properties are managed professionally to discourage vandalism or antisocial behaviour.*

*The Trust will have discretion to carry out additional works where it is agreed with the prospective tenant or where it is deemed necessary for management reasons. We want every customer to be happy with their new home, and so we will involve them throughout the process of every letting, and use their feedback to make regular improvements.*

**Equalities Impact**

**Assessment**

*Assessment pending. Vulnerable applicants will be provided with assistance in understanding and participating in the new lettings process.*

**Legal Assessment**



*There are no adverse legal implications in the adoption of this policy.*

**Consultation** Consultation on the new allocations scheme has been carried out with employees, Tenant's Panel, local authorities and other stakeholders.

Consultation on lettings process has taken place with tenant involvement throughout, a voids project,

assessment of individual customer satisfaction and senior manager involvement in the voids project group.

**Associated Policies and Procedures**

Customer Service Policy

Local authority partners allocation policies

Void procedure

Leave it Clean procedure

Asset Renewal Policy

Estate Management Policy Asset Management Strategy

Decoration Allowance Scheme

Voids cleaning specification

Internal letting specification

**Policy category**

Housing/Property Management

**Responsibility** Managing Director

**Monitoring** Allocations:

Agreed suite of monitoring information approved by Tenancy Sustainment Project Board.

Lettings:

- Results of new homes survey
- Monthly performance indicators measuring tenant satisfaction overall
- Analysis of reasons for refusal of an offer of property.
- Individual service failure analysis
- Operational framework – teams measuring their own performance in real time and problem solving locally
- Overview from voids/lettings working group
- Feedback from real shoppers”

6.5.3 The Section 106 Agreement associated with any grant of planning permission and planning conditions would ensure that the properties would be occupied by persons demonstrating a local connection as defined in the Shropshire Affordable Housing Allocation policy. (See paragraphs 4.7 and 6.9.3 of the report on the planning application at Appendix 2).

**7.0 CONCLUSION**

7.1 The proposed residential development on this land, which forms part of an allocated housing site within the adopted SAMDev Plan, is acceptable in principle.

7.2 There are considered to be no other material considerations of sufficient weight to override the clear NPPF guidance, at paragraph 14, of a presumption in favour of sustainable housing development as exemplified by this scheme. The development

of this land, on part of an allocated housing site, would not detract from the wider landscape setting of Albrighton or the immediate locality, including the setting of listed buildings in the area. The site layout and design of the bungalows, houses and flats would not unduly harm neighbour amenity. There are no ecological, tree protection, archaeological, drainage or contamination reasons that would justify a refusal of planning permission, with appropriate planning conditions being able to safeguard these interests. The amount of open space that would be provided within the development, in various forms, is satisfactory. Affordable housing would be provided in excess of the current prevailing rate and the extra care accommodation would address a growing need for specialist accommodation for the elderly.

7.3 The proposed internal road network would not be detrimental to highway safety; and the site is within walking distance of local services and facilities. The proposed layout would not prejudice an eventual through road between Kingswood Road and the northern end of Shaw Lane and would provide a pedestrian and cycle connection to the residential development land to the south. The layout would allow for integration with future development on the safeguarded land over the long term. Station parking would be provided in response to the housing allocation development guideline, with appropriate operation of these spaces achieved through a management plan secured through a planning condition.

7.4 There is no fundamental access junction capacity or local road capacity constraints for the scale of development proposed. Taking account of the amendments made to the proposals during the course of considering the application, the highway related measures which can be secured through the recommended conditions and the Section 106 Agreement, and that a safe and suitable site access would be achieved for vehicles and pedestrians which takes into account the presence of the school premises, it is considered the residual cumulative transport related impacts of the development would not be severe. In such situations the National Planning Policy Framework states clearly that development should not be prevented or refused on transport grounds.

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

**Shropshire Core Strategy:**

CS1 Strategic Approach  
CS3 The Market Towns and other Key Centres  
CS6 Sustainable Design and Development Principles  
CS9 Infrastructure Contributions  
CS11 Type and Affordability of Housing  
CS17 Environmental Networks  
CS18 Sustainable Water Management

**Site Allocations and Management of Development Plan:**

MD1 Scale and Distribution of Development  
MD2 Sustainable Design  
MD3 Delivery of Housing Development  
MD12 The Natural Environment  
MD13 The Historic Environment  
S1 Albrighton Area

SPD on the Type and Affordability of Housing  
Open Space IPG

Albrighton Neighbourhood Plan 'Light' June 2013

RELEVANT PLANNING HISTORY:

15/02448/FUL: Residential Development of 65 dwellings with access and associated works (Amended Description) at land east of Shaw Lane, Off Kingswood Road, Albrighton. (Relates to land south of the current application site, but originally included this land as well).

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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  
Landscape Management Plan  
Transport Assessment  
Arboricultural Survey and Report  
Flood Risk Assessment  
Noise Report  
Ecological Report

Newt Survey and Mitigation Strategy  
Heritage Statement

Cabinet Member (Portfolio Holder)  
Cllr R. Macey

Local Member  
Cllr Malcolm Pate

Appendices  
APPENDIX 1 - Conditions  
APPENIX 2 – Report to March 2018 South Planning Committee incorporating updates to that meeting.

## 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.

3. Before the first occupation of any houses and bungalows in the development a Travel Plan for those properties shall be submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented within one month of the first occupation of any house or bungalow.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with guidance in the NPPF.

4. Before the first occupation and use of extra care apartments and associated facilities, a Travel Plan for the residents and staff shall be submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented within one month of the first occupation or use of the extra care apartments and associated facilities.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with guidance in the NPPF.

5. Prior to the commencement of the development full engineering details of the new access roads, footways, pedestrian safety barriers, parking areas, highway surface water drainage, street lighting and carriageway marking/signs shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details with the estate roads, footways, vehicle manoeuvring and turning areas constructed to at least base course macadam level and made available for use before the dwellings and extra care apartments that they would serve are first occupied, and the pedestrian safety barrier adjacent to the school entrance installed in accordance with a timetable which has been approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory access to the site, dwellings and associated facilities, in the interests of highway safety.

6. Before the dwellings on plots 55 to 59 are first occupied details of the construction, width and alignment of pedestrian and cycle path from the head of the turning head adjacent to plot 55 to the south western site boundary shall be submitted to and approved in writing by the Local Planning Authority. The path shall be constructed in accordance with the approved details prior to the first occupation of plots 55 to 59.

Reason: To provide pedestrian and cycle connectivity through the allocated housing site, in accordance with SAMDev Plan policy S1.1a (ALB002), in the interests of achieving a sustainable development and options to the use of the private car for local trips.

7. Before the first occupation of any residential property the station parking spaces shall be constructed and details of a management plan for the operation of those parking spaces, together with details of signage, shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be installed and the use of the parking area shall commence in accordance with a timetable which has been approved in writing by the Local Planning Authority and the station parking spaces shall thereafter be operated in accordance with the approved management plan.

Reason: In the interests of highway safety and residential amenity.

8. Notwithstanding the details shown on drawing number ADL192 Revision A, before the extra care apartments and associated facilities are brought into use visibility splays shall be provided at the car park entrance to those premises in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The visibility splay areas shall thereafter be maintained and kept clear of obstruction.

Reason: In the interests of highway safety.

9. 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:

- o the parking of vehicles of site operatives and visitors
- o loading and unloading of plant and materials and timing of traffic movements to and from the site
- o storage of plant and materials used in constructing the development
- o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- o wheel washing facilities
- o measures to control the emission of dust and dirt during construction
- o 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.

10. Demolition and construction work shall not take place outside the following times:

- Monday to Friday 0730hrs to 18.00hrs
- Saturday 08.00hrs to 13.00hrs
- Nor at any time on Sundays, bank or public holidays.

Reason: In the interest of the amenity of the occupants of surrounding residential properties.

11. The development shall be carried out in accordance with the recommendations of the Arboricultural Report by Tree Heritage Ltd in respect of land at Shaw Lane, Albrighton (Ref: TH17-74, dated 24th July 2017).

Reason: To safeguard existing trees and hedgerows on site and prevent damage during building works in the interests of the visual amenity of the area.

12. 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

13. 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.

14. No development approved by this permission shall commence until a programme of archaeological work has been secured based on a specification (written scheme of investigation) submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work shall thereafter be carried on in complete accordance with the approved specification.

Reason: The site is known to hold archaeological interest and as such the information is required prior to commencement to ensure that any archaeology is recorded and taken into account in the development of the site.

15. Before any dwelling is first occupied a scheme of fencing to secure the south western boundary of the application site adjacent to the school premises shall be submitted to and approved in writing by the Local Planning Authority, and shall have been installed in accordance with the approved details. The fence shall thereafter be maintained in place.

Reason: In the interests of maintaining school security and to safeguard visual and residential amenity.

16. a) No development, with the exception of demolition works where this is for the reason of making areas of the site available for site investigation, shall take place until a Site Investigation Report has been undertaken to assess the nature and extent of any contamination on the site. The Site Investigation Report shall be undertaken by a competent person and conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. The Report is to be submitted to and approved in writing by the Local Planning Authority.

b) In the event of the Site Investigation Report finding the site to be contaminated a further report detailing a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy must ensure that the site will not qualify as



contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) The works detailed as being necessary to make safe the contamination shall be carried out in accordance with the approved Remediation Strategy.

d) In the event that further contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.

e) Following completion of measures identified in the approved remediation scheme and prior to occupation a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the contamination identified has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land. Any long term monitoring and maintenance plan that forms part of the remediation scheme shall be adopted and implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

17. Before first occupation of the dwellings on plots 13-16 and 27-40, glazing and ventilation with the ability to provide the mitigation stated in Table 5 and table 7 of the noise.co.uk noise report reference 17522-1 shall be installed to all facades marked in section 13.7 of the same report. In addition a 1.8m high close boarded fence with a minimum density of 15kg per square metre shall be installed along the boundary of the site that adjoins the railway to the north. Glazing and ventilation that conforms to the minimum standards set out in the noise report and the close boarded fence along the boundary with the railway shall be maintained in place for the life time of the development.

Reason: to protect the health and wellbeing of future residents.

18. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and the Environment Agency's approach to Groundwater Protection (formerly Groundwater Protection Principles and Practice (GP3)).

19. 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.

20. No development shall take place (including demolition, ground works and vegetation clearance) until a habitat management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a works schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
- g) Personnel responsible for implementation of the plan;
- h) Detailed monitoring scheme with defined indicators to be used to demonstrate achievement of the appropriate habitat quality;
- i) Possible remedial/contingency measures triggered by monitoring;
- j) The means through which the plan will be implemented.

The plan shall be carried out as approved, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect and enhance features of recognised nature conservation importance, in accordance with MD12, CS17 and section 118 of the NPPF.

21. Prior to first occupation / use of the buildings, 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 newt RAMMS, as set out in section 4 of the Great Crested Newt Habitat Suitability Survey and Newt Mitigation Strategy (Stefan Bodnar, October 2017).

Reason: To demonstrate compliance with the great crested newt RAMMS.

22. 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. 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.

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

- A minimum of 10 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.

- A minimum of 10 artificial nests, of either integrated brick design or external box design, suitable for swifts (swift bricks or boxes).
- A minimum of 5 artificial nests, of either integrated brick design or external box design, suitable for sparrows (32mm hole, terrace design).
- A minimum of 5 artificial nests, of either integrated brick design or external box design, suitable for small birds (32mm hole, standard design).
- A minimum of 5 hedgehog boxes.
- A minimum of 1 barn owl box.

The boxes shall be sited in suitable locations where they will be unaffected by artificial lighting and in accordance with a schedule which has been approved in writing by the Local Planning Authority. 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.

24. The extra care residential units of accommodation (Sui generis) shall not be used for any other purposes including those uses within Use Class C2 or C3 of the Town and Country Planning (Uses Classes) Order 1987 as amended, and the occupation of the extra care units hereby approved shall be limited to persons who have reached the age of 55 and who are in need of extra care.

Reason: The extra care apartment block is unsuitable for general needs housing due to the limited parking and amenity provision.

25. The extra care units shall solely be occupied by those demonstrating a local connection as defined in the Shropshire Affordable Housing Allocation Policy.

Reason: To meet the identified extra care housing need in Shropshire

26. The extra care accommodation made up of 74 units shall be made available as Affordable Rent extra care accommodation and shall not be let or occupied other than under a tenancy in accordance with the normal letting policy of a registered Provider.

Reason: To ensure compliance with the requirements of Shropshire Core Strategy Policy CS11 to ensure affordability in perpetuity.

27. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials and colour finishes to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

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

### **Informatives**

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

2. In determining this application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:  
National Planning Policy Framework  
National Planning Practice Guidance

Shropshire Core Strategy policies:  
CS1 Strategic Approach  
CS3 The Market Towns and other Key Centres  
CS6 Sustainable Design and Development Principles  
CS9 Infrastructure Contributions  
CS11 Type and Affordability of Housing  
CS17 Environmental Networks  
CS18 Sustainable Water Management

Site Allocations and Management of Development Plan:  
MD1 Scale and Distribution of Development  
MD2 Sustainable Design  
MD3 Delivery of Housing Development  
MD12 The Natural Environment  
MD13 The Historic Environment  
S1 Albrighton Area

SPD on the Type and Affordability of Housing  
Open Space IPG

Albrighton Neighbourhood Plan Light June 2013

3. 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. The S106 may include the requirement for a financial contribution and the cost of this should be factored in before commencing the development. By signing a S106 agreement you are legally obliged to comply with its contents, irrespective of any changes to Planning Policy or Legislation.

4. You are obliged to contact the Street Naming and Numbering Team with a view to securing a satisfactory system of naming and numbering for the unit(s) hereby approved. At the earliest possible opportunity you are requested to submit two suggested street names and a layout plan, to a scale of 1:500, showing the proposed street names and location of street nameplates when required by Shropshire Council. Only this authority is empowered to give a name and number to streets and properties, and it is in your interest to make an application at the earliest possible opportunity. If you would like any further advice, please contact the Street Naming and Numbering Team at Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or email: [snn@shropshire.gov.uk](mailto:snn@shropshire.gov.uk). Further information can be found on the Council's website at: <http://new.shropshire.gov.uk/planning/property-and-land/name-a-new-street-or-development/>, including a link to the Council's Street Naming and Numbering Policy document that contains

information regarding the necessary procedures to be undertaken and what types of names and numbers are considered acceptable to the authority.

5. Barn owls are protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to kill, injure or take a barn owl; to take or destroy an active nest; to take or destroy an egg; and to disturb their active nests. An active nest is one that is being built, contains chicks or eggs, or on which fledged chicks are still dependant. Barn owls can breed at any time of the year in the U.K. There is an unlimited fine and/or up to six months imprisonment for such offences.

6. The European hedgehog is a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act 2006. To avoid harming hedgehogs during the works, site clearance (including removal of piles of deadwood and other potential hibernation sites) should be undertaken between April and October. Materials should not be stacked in the working area before then unless they are raised up on pallets, or similar.

If a hibernating hedgehog is found on the site then 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.

7. 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 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 any of the buildings and begin nesting, work must cease until the young birds have fledged.

8. 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.

9. Dewatering the proposed excavation may lower groundwater levels locally and may affect nearby domestic and licensed groundwater sources and other water features. Should the proposed activities require dewatering operations, the applicant should locate all water features and agreement should be reached with all users of these supplies for their protection during dewatering. Subject to a detailed impact assessment, to be carried out by the applicant, compensation and/or monitoring measures may be required for the protection of other water users and water features. The applicant should note that under the New Authorisations programme abstraction for dewatering to facilitate mineral excavation or construction works will no longer be exempt from abstraction licensing. On 31st October 2017, DEFRA/Welsh Government (WG) announced that the transitional arrangements for licensing of the currently exempt abstractions for trickle irrigation, quarry dewatering, geographically exempt areas and other exempt abstractions will come in to force on 1st January 2018. The applicant should contact the National Permitting Service (NPS) to confirm the legal requirements. When scheduling their work, the applicant should be aware that it may take up to 3 months to issue an abstraction licence. We consider any infiltration Sustainable Drainage System (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection position statements G1 to G13. In addition, they must not be constructed in ground affected by contamination.

10. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters or groundwater.

