

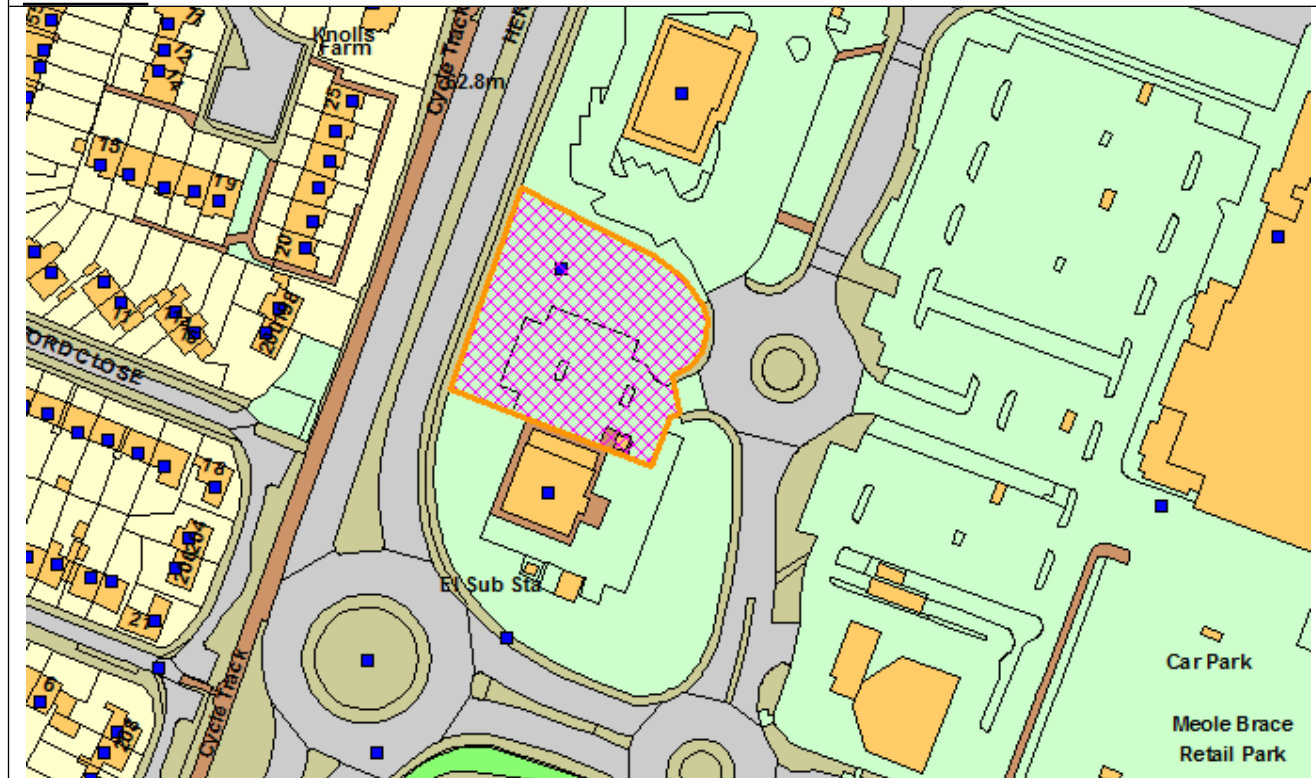
## Development Management Report

Responsible Officer: Tim Rogers  
Email: [tim.rogers@shropshire.gov.uk](mailto:tim.rogers@shropshire.gov.uk) Tel: 01743 258773 Fax: 01743 252619

### Summary of Application

<b>Application Number:</b> 17/05587/FUL	<b>Parish:</b>	Shrewsbury Town Council
<b>Proposal:</b> Erection of Class A1/A3 Use unit with drive through, provision of parking, servicing, landscaping and all associated works		
<b>Site Address:</b> Proposed Development Land To The West Of Meole Brace Retail Park Shrewsbury Shropshire		
<b>Applicant:</b> C/O Agent		
<b>Case Officer:</b> Shannon Franklin	<b>email:</b> <a href="mailto:planningdmne@shropshire.gov.uk">planningdmne@shropshire.gov.uk</a>	

**Grid Ref:** 349041 - 310310



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**Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.**

## REPORT

### 1.0 THE PROPOSAL

- 1.1 The application seeks planning permission erection of Class A1/A3 Use unit with drive through, provision of parking, servicing, landscaping and all associated works. The description of development has altered from the original submission to change the use classes referred to. As such the relevant consultees have been re-consulted where necessary.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is located within Meole Retail Park on the southern site of Shrewsbury. The wider site contains a number of retail and food units including coffee shops, sporting goods stores and supermarkets.
- 2.2 The proposed site for the additional unit is situated on the western side of the site between McDonalds to the north and Pizza Hut to the south. To the west the site is bounded by a culverted river, a landscaping belt and then Hereford Road. To the east the site is bounded by the mini roundabout providing internal road layout to access the wider retail park. The site is currently laid to grass with the southern portion laid to hardstanding and used as parking associated with Pizza Hut.

### 3.0 REASON FOR COMMITTEE/DELEGATED 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 Parish Council have submitted a view contrary to officers.

### 4.0 COMMUNITY REPRESENTATIONS

#### 4.1 - Consultee Comments

##### 4.1.1 Shrewsbury Town Council – 14.12.2017

The Town Council does not object to the principle of building another fast food restaurant with drive through but has concerns about the cumulative impact on the delicate access/egress to the retail park and the highway infrastructure in the environs of the retail park. This establishment would increase the number of car journeys joining a significant roundabout which is already heavily congested. Members also questioned whether the parking allocation is sufficient for the new premises and for Pizza Hut which will lose a significant number of parking spaces if this application was to go ahead.

##### 4.1.2 SC SUDS

##### No Objection – 09.01.2018

Our Drainage comments dated 30 November 2017 remained the same.

**No Objection – 30.11.2017**

No objection has been raised to the application however conditions and informatives have been recommended.

**4.1.3 SC Regulatory Services****No Objection – 03.01.2018**

I can see no additional information since my last comments were placed. I have noted a comment from the Town Council in relation to traffic related issues although am not qualified to make comment on this other than to state that I am aware that the access and egress from the retail park is often difficult and would agree that the proposal may add to the existing concerns.

**No Objection – 29.11.2018**

Having considered the location I have no objections to the proposals. I would advise the applicant to ensure that any external noise making equipment is positioned on facades that do not face nearest residential receptors and that noise from external plant and equipment is reduced wherever possible with silencers and baffling/louvres. Informatives have been recommended.

**4.1.4 SC Highways****Comments from Mark Wotton – Highways Area Manager North & Central****No Objection – 24.07.2018**

Whilst I remain to have concerns regarding the somewhat cramped layout of the site and the unwillingness of the site owner to deal more fundamentally with the traffic issues surrounding access, particularly traffic flow into the retail park, I consider that a highway objection would be difficult to sustain. I wish however to see the internal road improvements granted consent in relation to the new retail unit (adjacent next to Argos and TK Maxx) being implemented prior to the café being first brought into use/open to trading.

**Comments from Mark Wotton – Highways Area Manager North & Central****Additional Information Required – 23.07.2018**

Following our meeting with the applicant's land agent and consultant, I raised the issue of potentially improving the entry into Meole Brace Retail Park along the boundary of Pizza Hut. I have heard nothing back from either party, which I understood would be fed back from them.

The highway response provided by WSP included issues primarily relating to the TA submission. Whilst the issues raised are acknowledged, the fundamental issue of the highway authority's concern is the impact of this relatively small scale development upon the movement of traffic into and out of the retail park. As has been set out previously to the applicant and agents, there are traffic issues of entry in particular to the retail park and the site accesses onto the 2<sup>nd</sup> internal roundabout, which is effectively 5 arm. This internal roundabout is proposed to be improved in terms of circulatory space as part of the permission granted for the new unit between Argos and TK Max. This work should be carried out prior to the opening of the new unit, should permission be granted. The indication is that the development would provide a 'drive thro' coffee pod, taking up approximately half of

the current site and parking area accommodated by Pizza Hut.

It is acknowledged that the retail park already provides a number of coffee business both internally to individual units (including Next and Sainsbury's) and the stand-alone Costa Coffee unit at the northern end of the retail park area.

From the meeting held at the Shirehall, my understanding is that whilst the Pizza Hut and proposed unit car park are shown separately, there is not an issue with customers parking in either area irrespective of the customer choice. The submitted application supporting information include tracking of service vehicles entering and leaving the new unit, which show tracking across the disabled parking spaces. The transport agent informs me that the operator would not wish to be constrained by delivery specified periods and this is a concern set against service vehicles delivering to the site and the disabled spaces being occupied. In addition, no tracking information however has been provided in respect of the servicing arrangements and type of delivery vehicles associated with Pizza Hut. This suggests that in terms of deliveries the internal layout needs to coordinate with one another. This should therefore be clarified.

Subject to the above matters being clarified satisfactorily, I do not consider that a highway objection could be sustained based upon the scale of the development and potential impact upon traffic attracted to the retail park. This recognises that whilst the facility will attract some new passing traffic, there will be linked and cross visitation trips within the site.

#### **Objection – 13.12.2017**

The proposed development has failed to adequately demonstrate the proposed impact of this development, both in vehicular and pedestrian terms, on the local highway network (including the private service roads). Therefore, the Highway Authority cannot currently support this planning application.

## **4.2 - Public Comments**

- 4.2.1 The residents of eight neighbouring properties were individually notified by way of publication of this application together with the application being displayed on the online Public Access system. At the time of writing this report, no representation had been received either in support or objection to the scheme.

## **5.0 THE MAIN ISSUES**

- 5.1
- **Principle of development**
  - **Scale, design and appearance**
  - **Visual impact and landscaping**
  - **Highways**

## 6.0 OFFICER APPRAISAL

### 6.1 Principle of development

- 6.1.1 The application site is situated within Meole retail park to the south of Shrewsbury. Policy CS2 of the adopted Corse Strategy recognises the importance of this retail park; together with Sundorne retail park to the north of Shrewsbury, and acknowledges that there are enhancement and expansion opportunities available.
- 6.1.2 Since the adoption of Policy CS2 in 2011 expansion three additional retail units to the northern end of the site have been permitted and implemented under planning application reference 13/04101/FUL. These units are currently occupied by Costa Coffee, Card Factory and Carphone Warehouse. A Marks and Spencer's food hall has also been permitted and erected on the western side of the site under decision reference 13/01592/OUT. Additionally decision reference 17/00405/FUL granted planning permission for the erection of an additional retail unit between TKMaxx and Argos in the sites northeastern corner. It is understood that this unit, which has not been implemented to date will be occupied by Sports Direct.
- 6.1.3 It is therefore considered that Meole Brace Retail park and the facilities it offers has expanded significantly during the development plan period. The proposed development site, situated between McDonalds and Pizzahut, remains one of the last viable options for expansion of site due space constraints and the highways arrangements.
- 6.1.4 The applications proposes and A1/A3 use to provide a retail/café which it is understood will be occupied by Costa Coffee. This is considered to be a town centre A1/A3 use in an out of town centre location and both local and National planning policies are in place to ensure that development does not cause significant adverse impacts on the vitality of town centres, in this case Shrewsbury Town Centre. The NPPF states at paragraph 26 that applications which are not in accordance with the development plan and proposed town centre uses out to own, an impact assessment which assesses the impact of the scheme on the town centre should be submitted. An impact assessment is only required if the development is over a locally set threshold or where there is no local threshold the default is 2500sq m. Paragraph 24 of the NPPF also outlines that a sequential test should be applied to proposed main town centre uses that are not in an existing centre.
- 6.1.5 Policy SAMDev Policy MD10b follows this approach and encourages the use and consideration of town centre locations in the first instance. It also considers that where schemes for additional retails proposals are submitted in out of town locations with a floor area above 500 square metres, a town centre impact assessment should be submitted.
- 6.1.6 The development site is situated outside of Shrewsbury Town Centre but within and existing retail park. The proposal is for an A1/A3 unit with a floor area of 205m<sup>2</sup>, the scale of the development is therefor under the threshold of 500m<sup>2</sup> set by MD10b therefore a retail impact assessment is not required. Considering the location of the unit within the existing retail park it is likely that the majority of customers will already be using the nearby retail units. It is not appropriate in this instance to require the applicant to carry out a sequential assessment of alternative sites that might be available closer to the town centre. Given its size it is considered that the

proposal would not draw people away from the town centre and would have no impact on the vitality and viability of Shrewsbury town centre.

## **6.2 Scale, Design and Appearance**

- 6.2.1 Shropshire Core Strategy Policy CS6: Sustainable Design and Development Principles seeks to ensure that developments are sympathetic to the size, mass, character and appearance of the surrounding area and should also safeguard residential and local amenity. Policy MD2: Sustainable Design of the Site Allocations and Management of Development Plan (SAMDev) additionally seeks to achieve local aspirations for design where possible.
- 6.2.2 Section 7 of the National Planning Policy Framework reinforces these goals at a national level, by requiring development to display favourable design attributes which contribute positively to making places better for people, and which reinforce local distinctiveness.
- 6.2.3 The proposed building will be situated between McDonalds and Pizzahut on the western side of the existing retail park. The site is currently occupied by car parking and landscaping. The building will be of a similar scale to the adjacent buildings and of a modest footprint at 205m<sup>2</sup>.
- 6.2.4 While it is accepted that the drive thru facility and siting of the building will bring the built development of the retail park closer to the Hereford Road frontage, reducing the width of the landscape belt in this location, it is not considered that this will have a significant visual or amenity impact in considering the overall context of the development and the mature planting to the western boundaries of Pizza Hut and McDonalds which are to be retained and will continue to provide screening will the proposed landscaping on site matures.
- 6.2.5 Overall given the site context the scheme is considered acceptable in terms of scale, design and appearance and no adverse impact on the character and appearance of the locality.

## **6.3 Visual impact and landscaping**

- 6.3.1 The site will utilise an existing portion of landscaping providing a buffer between McDonalds and Pizza Hut, as such from a position inside the retail park the development along this boundary will have an increased visual density. Some soft landscaping between McDonalds and the proposed development site will be retained, this strip will have a width of approximately 6.4m. Between the development site and Pizza Hut there will be no soft landscaping defining the two sites.
- 6.3.2 As outlined above the proposals siting will reduce the width of the existing landscape buffer between the retail park and Hereford Road from 11.2m in width to 5.9m in width for a distance of around 40m. While it is acknowledged this will have some visual impact the landscaping to the north and south at the rear of the adjacent units is suitably mature to assist with screening the proposal while the landscaping proposed on site, which include some internal landscaping to the east site of the site, matures.
- 6.3.3 Should planning permission be granted a suitable landscaping condition will be imposed on any decision to ensure full details of the proposed landscaping scheme are submitted to and approved by the Council.

## **6.4 Highways**

- 6.4.1 The highways consultee initially objected to the scheme due to the failure to demonstrate the impact on the wider highways network for both traffic and pedestrians. Additionally there are acknowledged issues with service vehicles and traffic entering and exiting the retail park which it was initially considered could be exacerbated by the cumulative impact of this development.
- 6.4.2 Following the provision of information regarding the internal highways improvements and consideration of amending the whole site access from Hereford Road, the highways consultee has confirmed the scheme is acceptable as an objection on highways grounds is unlikely to be sustainable. It is therefore concluded by officers that on balance the scheme is acceptable in highways terms.
- 6.4.3 Conditions will be implemented on any approval relating to the highways and parking arrangements on site in addition to ensuring the internal highways improvements detailed in submitted plan 1656-01 are implemented before the proposed unit is brought into use.

## **7.0 CONCLUSION**

- 7.1 It is considered that the proposed development is acceptable in principle as it relates to the provision of an A1/A3 unit with 205m<sup>2</sup> in floor space at an existing retail park and would not threaten the viability of Shrewsbury town centre. The scale, design and appearance of the building are acceptable given the context of the site and the existing and proposed landscaping mean the development would have no adverse impact on the character and appearance of the locality. A safe means of access and adequate parking and turning space will be available for customers and service vehicles. The proposal is therefore considered to comply with Core Strategy policies CS2 and CS6 and SAMDev policies MD2 and MD10b.

## **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:



## West Midlands Regional Spatial Strategy Policies:

## Core Strategy and Saved Policies:

CS2 - Shrewsbury Development Strategy  
 MD10B - Impact Assessments for Town and Rural Centres  
 National Planning Policy Framework  
 CS6 - Sustainable Design and Development Principles  
 MD2 - Sustainable Design

RELEVANT PLANNING HISTORY:

10/03195/FUL Minor external works, new drive thru lane and additional signage. GRANT 22nd September 2010  
 10/03196/ADV Erect and display three internally illuminated rotating double 3-sided menu units and one non-illuminated customer order display unit GRADV 22nd September 2010  
 10/04732/VAR Variation of Condition No.10 attached to Planning Permission Ref.91/0085 and dated 03/04/1991 to allow the premises to open 24 hours. GRANT 22nd December 2010  
 11/05423/VAR Removal of Condition No. 10 of Planning Permission 91/85/417/74 to allow for the premises to open 24 hours a day seven days a week GRANT 25th January 2012  
 15/02508/FUL Alterations in association with refurbishment of the restaurant to include new roof cladding, single storey extension and associated works GRANT 5th August 2015  
 15/02509/ADV Installation of seven internally illuminated replacement fascia signs GRANT 5th August 2015  
 15/03280/ADV Erect and display 9No internally illuminated fascia signs GRANT 28th September 2015  
 17/05587/FUL Erection of Class A1/A3 Use unit with drive through, provision of parking, servicing, landscaping and all associated works PDE  
 18/02559/ADV Erect and display various internally illuminated signage (see attached schedule) PCO  
 SA/87/0671 Retail development including food supermarket, DIY store and garden centre, non-food units, restaurants, licensed premises, petrol station, leisure centre and associated open recreational facilities, services area, car parking and landscaping and new vehicular and pedestrian accesses REFUSE 4th October 1989  
 SA/88/0580 Retail Development Including Food Supermarket DIY Store & Garden Centre Non Food Units Restaurants Licensed Premises Petrol Filling Station Associated Road Access Service Areas Car Parking & Landscaping CALLIN 1st July 1988  
 SA/91/0904 Erect And Display A 3metre High Internally Illuminated Mcdonalds Sign And An Internally Illuminated Drive Thru Sign Both Mounted On A 6 Metre High Pole For Mcdonalds Restaurant Ltd REFUSE 18th September 1991  
 SA/91/0472 Erection Of 1 No Mcdonalds Flag On 7200 High Flag Pole For Mcdonalds Restaurants Ltd PERCON 19th June 1991  
 SA/91/0454 Erect And Display Various Illuminated And Non-Illuminated Building Signs For Mcdonalds Ltd PERCON 19th June 1991  
 SA/90/0023 Details Of New J Sainsbury & Homebase Stores Together With Associated Roads + Car Parking + Landscaping PERCON 12th June 1990  
 SA/91/0712 Erection Of A 6m High Flag Pole To Fly The Union Flag For Mcdonalds Restaurants Ltd PERCON 31st July 1991

- SA/91/0471 Erection Of 1 No Mcdonalds Flag And 7200 High Flag Pole For Mcdonalds Restaurants Ltd PERCON 19th June 1991
- SA/92/1283 Reserved Matters Pursuant To Outline Ref 88 580 417 74 Dated 30 11 89 For Siting Design External Appearance Means Of Access And Landscaping Of 632 Sq Metres Of Retail Space Within Use Class A1 Together With Associated Road & Car Parking REFUSE 20th January 1993
- SA/91/0453 Erect And Display Various Illuminated And Non Illuminated Building Signs PERCON 19th June 1991
- SA/91/0452 Erect And Display Various Illuminated And Non-illuminated Directional Signs PERCON 19th June 1991
- SA/91/0451 Erect And Display Various Illuminated And Non-illuminated Directional Signs PERCON 19th June 1991
- SA/91/0086 Erection Of A Single Storey Brick Freestanding Building To Provide Fast Food Retail Outlet With Drive Thru Facility And Ancillary Office And Storage Space PERCON 3rd April 1991
- SA/91/0085 Erection Of Single Storey Brick Freestanding Building To Provide Fast Food Retail Outlet With Drive Thru Facility And Ancillary Office And Storage Space PERCON 3rd April 1991
- SA/90/0972 Erection Of A New Fast Food Unit With Car Park + Construction Of A Stormwater Retention Lagoon WDN 18th September 1990
- SA/90/0743 Application Under Section 31a Of The Planning Act 1971 For The Development Of The Site In Accordance With The Outline Planning Permission Dated 30/11/89 Without Complying With Condition No. XIII PERCON 10th October 1990
- SA/97/1193 Extension to existing restaurant to provide additional space for the crew room and extension to refuse area. PERCON 6th January 1998
- SA/97/0503 Erect and display an internally illuminated pole mounted sign. REFUSE 2nd July 1997
- SA/97/0290 Erect and display 4 internally illuminated freestanding menu boards. PERCON 30th April 1997
- SA/96/1149 Variation of condition 2 attached to planning permission reference 93/1047/var/417/74 dated 15/12/93 to extend the period for the submission of reserved matters. WDN 23rd December 1996
- SA/97/0015 Erection of an extension to provide third booth order taker. PERCON 19th February 1997
- SA/95/1238 Extension to restaurant. PERCON 14th February 1996
- SA/95/0372 Erect and display an internally illuminated pole sign. REFUSE 24th May 1995
- SA/93/1047 Application under section 73 of the 1990 act for the development of land without complying with condition No.3 of planning permission ref. 90/743/417/74 dated 10/10/90. PERCON 15th December 1993
- SA/93/1046 Renewal of outline planning permission (ref 90/743/417/74) dated 10/10/90 for retail and associated development including restaurants, licensed premises, petrol filling station, access roads, service areas, car parking and landscaping. PERCON 15th December 1993
- SA/08/0640/F Refurbishment of existing restaurant and installation of customer order display unit PERCON 30th July 2008
- SA/08/0620/ADV Erect & display 5 internally illuminated fascia signs, 1 internally illuminated freestanding signs, 1 internally illuminated monument sign, 1 internally illuminated height restrictor monolith sign, 4 internally illuminated rotating units, 3 internally illuminated post mounted banner signs and 1 non-illuminated grill order bay sign SPLIT 13th August 2008

SA/08/0090/VAR Variation of Condition No. 10 attached to planning permission ref: 91/0085/417/74 dated 3rd April 1991 to allow the restaurant to open between 06:00hrs to 00:00hrs Sunday to Thursday and between 06:00hrs to 03:00hrs Friday and Saturday REFUSE 20th March 2008

SA/07/0468/F Installation of 3 x 8m high columns and 1 x 5m high column with CCTV cameras PERCON 15th June 2007

SA/07/0051/VAR Variation of Condition No 13 attached to planning permission ref: 90/743/417/74 dated 10th October 1990 to allow the provision of 840sq.m at Unit 3 for the sale of convenience goods PERCON 1st November 2007

SA/02/0456/F Erection of an extension to existing store to include new exit lobby, customer toilets, customer restaurant and raising of roof, extension to provide 1400 sq. m. additional sales area and rearrangement of parking areas PERCON 21st May 2003

SA/01/0812/ADV Erect and display 1 no. internally illuminated fascia sign (950 x 275mm) on single storey building housing automatic teller machine PERCON 19th July 2001

SA/01/0811/F Erection of single storey building to house automatic teller machine PERCON 19th July 2001

17/05587/FUL Erection of Class A1/A3 Use unit with drive through, provision of parking, servicing, landscaping and all associated works PDE

18/02559/ADV Erect and display various internally illuminated signage (see attached schedule) PCO

#### Appeal

89/00445/UN Retail Development Including Food Supermarket DIY Store & Garden Centre Non Food Units Restaurants Licensed Premises Petrol Filling Station Associated Road Access Service Areas Car Parking & Landscaping ALLOW 30th November 1989

#### Appeal

89/00479/REF Retail development including food supermarket, DIY store and garden centre, non-food units, restaurants, licensed premises, petrol station, leisure centre and associated open recreational facilities, services area, car parking and landscaping and new vehicular and pedestrian accesses ALLOW 30th November 1989

#### Appeal

91/00649/REF Erect And Display A 3metre High Internally Illuminated Mcdonalds Sign And An Internally Illuminated Drive Thru Sign Both Mounted On A 6 Metre High Pole For Mcdonalds Restaurant Ltd DISMIS 22nd June 1992

#### 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 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. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and any necessary tree surgery. All proposed planting shall be clearly described with species, sizes and planting numbers.**

Reason: In order to protect the visual amenities of the area.

**5. Prior to the development being first opened to trading the internal highway measures, as shown on Drawing No.1656-01, shall be implemented in accordance with engineering details to be first submitted to and approved in writing by the Local Planning Authority. As part of these works the pedestrian crossing on the southern raised platform shown to be removed shall be re-instated at highway level and maintained as such in perpetuity.**

Reason: In the interests of highway safety.

**6. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plans have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to**

**be submitted to and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for those uses at all times.**

**Reason: In the interests of highway safety and to ensure the free flow of traffic using the surrounding highways.**

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

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

7. The unit hereby permitted shall only be used for A1 Retail and / or A3 Restaurant & Cafes Uses as defined by The Town and Country Planning (Use Classes Order) 1987 (as amended).

Reason: In order to control the occupation of the units.

**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. The above conditions have been imposed in accordance with both the policies contained within the Development Plan and national Town & Country Planning legislation.
3. Where there are pre commencement conditions that require the submission of information for approval prior to development commencing at least 21 days notice is required to enable proper consideration to be given.
4. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.
5. As this application contains the proposal for a food premises I would like to inform the applicant that if this application is granted consent a food premise registration form will need to be completed. The form can be found at the following address:

<https://new.shropshire.gov.uk/environmental-health/food-safety/food-safety-for-business/register-a-food-business/>

The completed form should be completed and returned to the Health Promotion and Prevention team, Public Protection, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND and it is recommended that it is returned prior to the food premise opening.

The applicant should ensure that the design and layout ensures that all food safety and hygiene legislation can be complied with in full.