

## Development Management Report

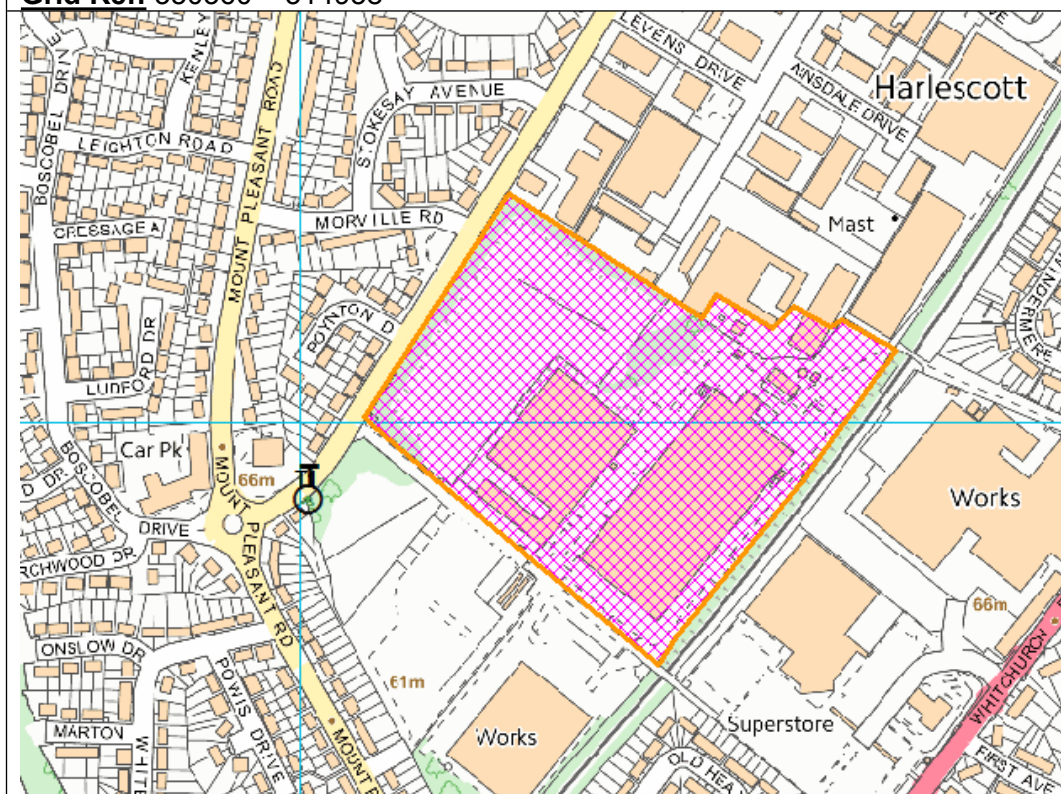
Responsible Officer: Tim Rogers

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

### Summary of Application

<b><u>Application Number:</u></b> 16/04558/FUL	<b><u>Parish:</u></b>	Shrewsbury Town Council
<b><u>Proposal:</u></b> Erection of new reception building, works to existing industrial, office and welfare buildings including external alterations, construction of a canopy structure between Buildings 2 and 3, clearance of space to accommodate the future expansion of Building 3 and the laying out of a replacement 275 space car park together with all associated landscape, engineering and accommodation works		
<b><u>Site Address:</u></b> Caterpillar Defence Perkins Engines Lancaster Road Shrewsbury		
<b><u>Applicant:</u></b> Mr Stephen Brown		
<b><u>Case Officer:</u></b> Tim Rogers	<b><u>email:</u></b> <a href="mailto:planningdmsw@shropshire.gov.uk">planningdmsw@shropshire.gov.uk</a>	

**Grid Ref:** 350360 – 314958

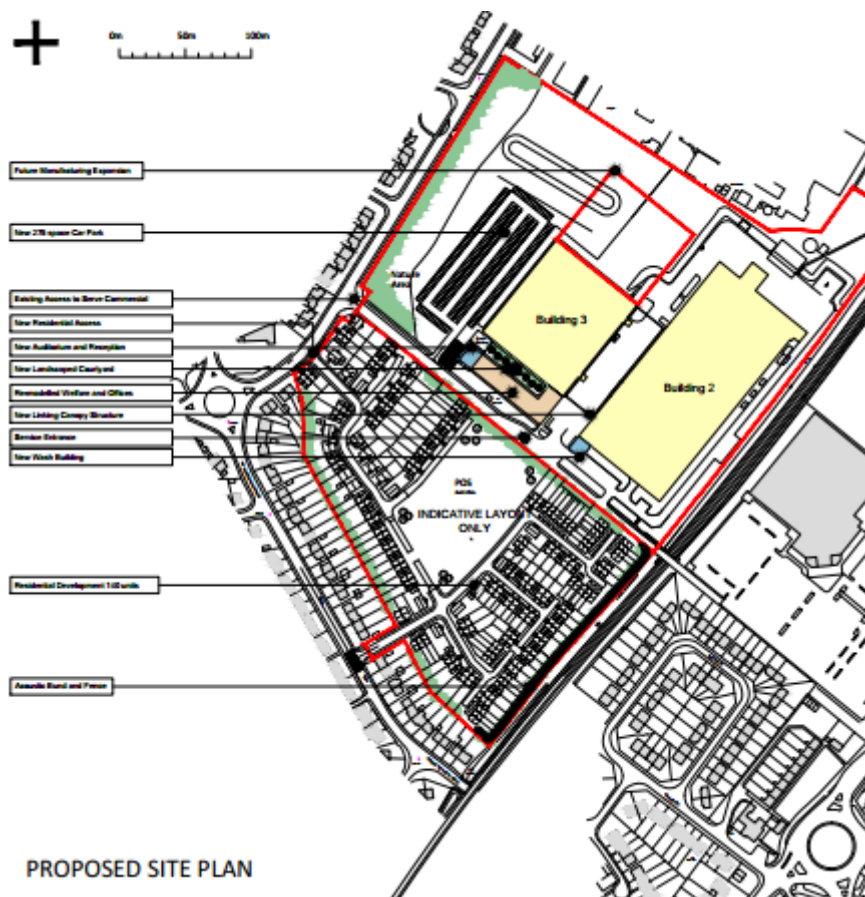


**Recommendation:-** Grant planning permission subject to the developer entering into a legal agreement under s106 of the Town and Country Planning Act 1990 with the Council to fund the monitoring of a green transport plan and in accordance with the conditions set out in Appendix 1 to this report, the final schedule of which will be finalised by the Planning Services Manager.

## 1.0 THE PROPOSAL

- 1.1 The proposed development comprises a number of extensions and alterations to this employment site to the north of the town. This is the retained site to be kept for the continuation of the Caterpillar business. The southern third of the site is surplus to requirements and the authority is currently considering an application to demolish the existing building and redevelop the site for housing for up to 140 homes (16/04559/OUT) as set out in Figure 1 below.

**Figure 1 Site plan showing two adjacent planning applications (16/04558/FUL and 16/04559/OUT)**



This particular application proposes the following:

- Retention of the Lancaster Road access to serve the retained site
- A new 275 Space car park and circulatory areas and roads to the west of the buildings

- Recladding of the retained buildings in powder coated aluminium panels to upgrade their appearance and environmental performance
- A new two storey flat roofed extension on the southern end of the western-most building to form additional offices and reception areas, constructed using powder coated aluminium cladding
- Linking of the two retained buildings with a canopy to provide a weather proof loading and unloading area beneath.
- An area set aside at the north eastern side of the smaller of the two retained buildings (Building 3) for future expansion of the business.
- A “wash down” facility (12m x 12m) on Building 2.

- 1.2 The proposals are closely linked to the separate proposals to redevelop the southern part of the site for housing which is being reported separately on this agenda. If approved, the applicant has said the release of a capital receipt from the sale of housing land will enable this money to be reinvested in the retained site. Part of that reinvestment includes the works proposed in this application as well as additional plant on the site.
- 1.3 The proposals also include a small landscaped courtyard area in between the existing offices/welfare building at the front of the site and Building 3 at the rear, to provide an attractive amenity area acting both as an improved setting for the main reception area and as an area for staff to use.
- 1.4 The north western area of the site between the Lancaster Road frontage and the car park is marked as a nature area on the master plan and contains a pond, retained trees along the frontage and additional planting at the rear and open grassland to be planted as a wild flower meadow.
- 1.5 This application has been accompanied by an extensive amount of information including a transport assessment, landscaping (tree) and ecological information, a flood risk assessment, energy assessment, waste management plan, an acoustic report and a design and access statement. The investment on this site would be about £4.8m.

## 2.0 **SITE LOCATION/DESCRIPTION**

- 2.1 The site is located within the Lancaster Road Employment Area north of Shrewsbury town centre. The whole of the Caterpillar site extends to around 12.19ha. The retained employment area is around 7.88 ha and is roughly rectangular in shape. It contains two major buildings referred to as “Buildings 2 and 3”. The remainder of the site (4.31ha) contains “Building 1” which is currently surplus to Caterpillar’s requirements and where an outline planning permission for housing is being assessed separately. While the site is industrial in character, the surrounding area is predominantly residential especially to the south and west. To the north lies the retained part of the Caterpillar premises. The Shrewsbury to Crewe railway line runs to the east of the site. Beyond that lies Morrison’s supermarket, which is part of a larger commercial enclave. Immediately east of the site across the railway line is the residential development of Old

Heath. The houses on the northern edge of Mount Pleasant Road run along the south western boundary of the site up to the roundabout that forms the intersection between Mount pleasant Road and Lancaster Road around which lies a small neighbourhood shopping centre.

- 2.2 Access to the site is currently via the main entrance on Lancaster Road, which runs directly east into the site serving the staff/visitors car park on the southern side (within the development area) before passing through a staffed checkpoint. It then proceeds into the built up part of the site, where it forms a series of service roads that encircle each of the main buildings.

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

- 3.1 The proposed development site lies within the defined settlement boundary for Shrewsbury as shown on the SAMDev Plan Proposals Map where new sustainable employment related development is acceptable in principle. However due to the scale of this development, in combination with the proposed housing to the south, and a Shrewsbury Town Council objection the Area Planning Manager in consultation with the Chair/Vice Chair of the Committee consider that it should be determined by the Planning Committee

### 4.0 **Community Representations**

#### **- Consultee Comments**

**Shrewsbury Town Council** – objects on the following grounds:

Members expressed concerns over the impact of this development on the existing traffic problems in this area. Traffic is regularly stationary, and not just at peak times. The vehicles generated from additional housing will only exacerbate this issue. Anomalies and inconsistencies in the traffic survey results have been identified.

- \* Members feel there is insufficient off-road parking
- \* Whilst some public open space is included in the indicative plan, members feel this is insufficient in relation to the density of the development
- \* The road layout enables all traffic to cut through the new development from Lancaster Road to Mount Pleasant Road and visa-versa. This is sure to become a rat run and a shortcut for motorists wanting to avoid congestion at the roundabout.
- \* Members feel the business and residential traffic should be separated for safety reasons.

In conclusion, Members are not opposed to this site being developed but feel the current plans are a missed opportunity, the site is overdeveloped and the layout could be significantly improved.

**SC Highways – No Objection - Subject to the development being carried out in accordance with the approved details and the following highway conditions for a construction method statement, parking , travel plan.**

**Observations/Comments:**

It should be noted that this advice generally considers this development as a 'standalone' application. Although, it is recommended that the comments made on the outline application for the proposed adjacent residential application (16/04559/OUT) are considered as the sites are specifically linked.

The existing access on Lancaster Road is considered adequate to serve the consolidated and new manufacturing/administration buildings being proposed together with the re-located staff car parking provisions on the site.

It is noted that in the submitted Design and Access Statement an alternative access on Lancaster Road has been considered to the north of this specific site. It is considered that this proposal has significant merit and should be further pursued in respect to improving the sites functionality. As well as separating it from the adjacent residential proposals.

The proposed relocated staff car parking facilities appear generous for the scale of development on the site. However it is acknowledged that the number of spaces is similar to that currently available within the existing site, and there is no proposed cessation of activities associated with the Caterpillar work. Indeed, it has also been proposed that there is likely to be some form of expansion in the future.

It is known that the local highway network is regularly congested, several times a day and the proposed development is unlikely to improve this situation. In this regard it would be beneficial if the Applicant considered the introduction of a Staff Travel Plan, in an attempt to reduce the impact this development has on the adjacent streets and improve the sustainable credentials of the site in general.

Recommends conditions for a construction method statement; travel plan; requirement for restriction of access into housing site to the south.

**SC Economic Development:** Support. (see detailed comments on 16/04559/OUT).

**SC Tree Officer – Comments:**

Having read the submitted Tree Condition report and proposed landscape scheme, unclear if the existing mature bund / edge planting to the site is to be removed and replaced which could have a significant impact on local amenity.

**SC Drainage Team – Comments:**

Proposed drainage details, plan and calculations should be conditioned and submitted for approval at the reserved matters stage if outline planning permission were to be granted. Flood risk and drainage strategy report technically acceptable.

**SC Rights of Way– Comments:**

No legally recorded public rights of way abut or cross the site or will be affected by this application.

**SC Public Protection – No objection. :**

Recommends a condition in relation to contaminated land is placed to ensure that the new buildings and people within are not impacted on by unacceptable levels of contamination:

**Natural England – Comments:****Statutory nature conservation sites – no objection**

Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which Old River Bed, Shrewsbury SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

Offers its usual Standing Advice on protected species.

**Local sites**

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

**SC Ecology – Comments:**

The Preliminary Ecological Assessment refers to a bat survey report (Daytime Bat Survey, Report RTMME-118846-02) but this does not seem to have been submitted with the application. Has asked to be consulted.

*Officers have consulted SC Ecology again and will report any final comments received at the Committee.*

**Sustainable Transport Shropshire – Comments:**Generally

The emphatic demand for proper provision of facilities for sustainable

modes of transport is a major theme of recent planning policies. This coincides with the remit of Sustainable Transport Shropshire.

### Planning Policies

Shropshire Council has both a duty and aspiration to improve uptake of sustainable forms of transport. We share that aspiration, but do not find the current application reflects it as well as it could.

There are many policies which focus on this aim. Policy A9 of Shropshire's Local Transport Plan puts it very clearly:

- \* cycle infrastructure aims to encourage more people to cycle for local journeys by improving conditions for cycling through a range of measures including:
- \* designing new residential, business and retail areas in ways which prioritise access by cycle and foot;
- \* provision of cycle tracks, cycle lanes, junction improvements, toucan crossings and other route enhancements as appropriate to provide safe, convenient and continuous routes for cyclists;
- \* signing and promotion of advisory routes for cyclists;
- \* working with partners to provide appropriately designed and positioned cycle parking at key destinations;
- \* provision of appropriate storage for cycles in all new residential, business and retail developments.'

These goals apply equally for pedestrians.

Information on access to the Caterpillar works is not easy to find. There is to be a new 275-space car park. Access for sustainable modes of transport to the renewed industrial site is scarcely mentioned. The very word 'sustainable' appears boldly in headlines (design and access statement), but not at all in the subsequent text. Clearly more information needs to be provided.

This part of Shrewsbury has always had above average cycling and walking rates. It is also considered to be relatively deprived which may be linked with poor overall health, another theme of policy.

### Summary

Sustainable transport modes could make a highly useful contribution to reducing congestion, but facilities to support them have not yet been given the priority they need. Planning policies to this end have not been given positive backing. More information on access to the industrial site is awaited.

### **- Public Comments**

No representations have been received in respect of this particular application. Many objections have been received in relation to the housing element of this proposal which is reported separately.

## **5.0 THE MAIN ISSUES**

- Principle of development
- Siting, scale and design of development and associated transport issues
- Visual impact and landscaping
- Ecology and Biodiversity
- Drainage and Flood Risk
- Land Contamination
- Impact on neighbouring residents including potential new residents on a new adjacent housing site
- S106 obligation

## **6.0 OFFICER APPRAISAL**

### **6.1 Principle of development**

- 6.1.1 The site forms part of a larger employment site that is protected for employment purposes in the SAMDev Plan. Policy MD9 identifies the site as a 'Key Shropshire Site' and this policy seeks to protect such sites, according to their significance to the Shropshire economy, for employment uses to safeguard key employers, facilitate inward investment and to ensure that an appropriate range and choice of employment land and premises is maintained. Policy MD4 also broadly supports economic development activity on employment land. CS Policy CS13 commits the Council to promote development which supports enterprise and delivers economic growth. Paragraph 80 of the new NPPF (24 July 2018) tells decision makers that they should help create the conditions in which businesses can invest. It further advises that significant weight should be placed on the need to support economic growth and productivity, taking into account both business needs.
- 6.1.2 This proposal equates to new inward investment on the site and it will safeguard Caterpillar's presence in the town. The applicant is an important and long established local employer. Supporting documentation with the application explains that 300 local people are employed at the site and that the refurbishment and upgrading of retained facilities are essential if the site is to remain competitive. It is considered that the proposed development sits easily with Policy MD9. The principle of the development is acceptable.
- 6.1.3 As well as the retention of employment generally, significant weight should also be given to the type of skilled employment that the company provides. This investment will not only support the retention of skilled employment but it will also allow Caterpillar to continue its current Apprentice schemes

and Community involvement. In this respect, Caterpillar advise that they currently employ 20 engineering apprentices in assembly, fabrication/ welding, inspection, machining, maintenance, quality control and engineering design. Caterpillar also plan to take in a further eight apprentices in September 2018 in engine/transmission testing.

6.1.4 In addition Caterpillar support:

- Young Enterprise with sponsorship and Business Mentors
- Science, Technology, Engineering and Mathematics (STEM) with ambassadors.
- Severndale Specialist Academy by allowing the use of their land for outdoor activities.
- Local schools with tours around the factory and work experience opportunities.

Caterpillar have graduate work placements in all areas of the office to include design, procurement and quality. They fundraise for Severn Hospice, have a CAT float at the Shrewsbury Carnival and participate in the Shrewsbury Dragon Boat Race raising money for charity as well as other work undertaken including at local schools, support for ex military personnel with career advice and contract labour provider with engineering career advice for the unemployed.

6.2 **Siting, scale and design of development and associated transport issues**

- 6.2.1 The site is of significant size extending to more than 12 hectares overall with just under 8 hectares retained for commercial purposes. The two retained engineering buildings and the associated office structures cover less than 50% of the site and the majority of the works to the buildings involve cosmetic changes to the exterior of them. In terms of scale and design, these alterations are considered to be acceptable and comply with CS Policy CS6 and SAMDev Policy MD2.
- 6.2.2 The new reception/entrance extension is of relatively modest scale. Its design involves full height glazing that creates a strong focal point and a modern enhancement of the more functional engineering buildings on the site. The curved canopy structure that will link both engineering buildings is discreetly located between the two buildings and will be at a level that is lower than both. It performs an important all weather function that will help to increase the efficiency of the business and it is an interesting foil for the otherwise functional appearance of the site. The washdown facility will not be visible from the public domain. These alterations to the site accord with CS Policy CS6 and SAMDev Plan Policy MD2.
- 6.2.3 The most significant change to the site arises from the new 275 space car park and associated drives and circulation spaces. CS Policies CS6 and CS7 seek to promote sustainable design and CS Policy CS7 seeks to

promote more sustainable transport options. The revised NPPF places new emphasis on development proposals aiming to support healthy lifestyles including cycling (paragraph 91) and promoting sustainable transport at the earliest stages of plan making and development proposals (refer section 9). This means addressing traffic impacts and pursuing opportunities to promote walking, cycling and public transport. The application in part acknowledges this through the provision of secure on site cycle parking provision.

- 6.2.4 The applicant has indicated that the new car park has been designed to replace the existing car park on the surplus site and is located close to the reception and office accommodation. Operationally, it is a logical location. It will occupy an area currently laid to grass, which is both featureless and of no real ecological interest. It contributes little to the setting of the buildings and, as a key employment site, appears to be under-utilised space. The car park area is not visible from outside the site and it is considered that the proposed car park development would have no impact on the character and appearance of the area. There will be ample open space retained on the site and this will be the subject of a new landscaping and ecology regime that will provide greater environmental benefits than exist at present.
- 6.2.4 Sustainable Transport Shropshire has queried the proposal in this respect. The scale of the car park has also been queried by the Highway Engineer although he has noted that the car park is similar in size to that which it will replace and that the master plan shows the siting of a possible future extension and its size also takes account of the fact that the company operates shifts so that on occasions car parking spaces will be occupied by workers arriving to work at the same time as workers leaving their shift. The proposed car park is intended to account for future expansion
- 6.2.5 The revised NPPF (released 24 July 2018) advises local authorities to identify and pursue sustainable transport options from the outset and design of schemes. To address this, while recognising the fact that this site operates on a shift basis, SC Highways has asked for a Transport Plan and the applicant has agreed to this. Typically, a Transport Plan for a business would involve them considering how employees and visitors travel to and from the site, vehicles owned and operated through the business and to identify, promote and monitor measures to reduce congestion through car share, promoting green vehicles and encouraging cycling.
- 6.2.6 The highway authority would be responsible for monitoring this and, for this reason, it would be necessary to secure funding through a s106 agreement to do this. The monitoring may reveal good practice that can be shared with other local businesses in the area. Given all of the above, it is considered that the new car park is acceptable in terms of siting and scale. There are no highway related objections to it either.

### 6.3 Visual impact and landscaping

- 6.3.1 The site is relatively well screened from public vantage points and the scale and appearance of the proposed extensions, cladding and car park are all considered to be acceptable. The existing landscaping that exists around the edges of the site will be retained and reinforced where necessary with new planting and this would be covered via a planning condition. In particular, the Lancaster Road frontage will receive additional tree planting and a new wild flower meadow to the northern side of the proposed car park to be covered via a planning condition. This will create additional screening and it is considered that the visual and landscape impact of the development is acceptable and meets the requirements of Policies CS6, CS17, MD2 and MD12 of the development plan.

### 6.4 Ecology and biodiversity

- 6.4.1 The applicant has submitted an up to date preliminary ecological assessment along with bat, reptile and great crested newt surveys. The surveys in combination confirm that the site can be developed safely subject to measures to protect bats (the nearest siting being 370m from the site). The ecologist acting for the applicant has recommended a number of site management conditions including measures to protect bats.
- 6.4.2 Natural England has not raised any objection to this scheme. The scheme does not conflict with SAMDev Plan Policy MD12.
- 6.4.3 SC Ecology's comments will be reported to the Committee including any recommended conditions or informatives.

### 6.5 Drainage and flood risk.

- 6.5.1 CS Policy CS18 indicates that development should integrate measures for sustainable water management to reduce flood risk and development sites within flood risk areas should be developed in accordance with national planning guidance (refer Section 14 of the new NPPF).
- 6.5.2 The site is not in a high risk flood zone. SC SUDS has reviewed the application and the flood risk assessment that accompanies it and supports it subject to it achieving sustainable development principles.

### 6.6 Land contamination

- 6.6.1 The new NPPF places significant emphasis on minimising pollution risks and land instability, including from natural hazards or former activities such as mining and pollution arising from previous uses and any remediation proposals. Policy CS6 of the Core Strategy requires all development proposals to take proper account of potential hazards and to undertake necessary remedial measures to ensure that development is safe.
- 6.6.2 The site has been in use for several decades as a heavy engineering centre and there is the potential for ground pollution arising from on-site

activities. The Council's Public Protection Officer has recommended inclusion of a pre-commencement condition requiring detailed site investigation for contaminants and pollutants together with a mitigation and remediation strategy, if necessary.

**6.7 Impact on neighbouring residents including potential new residents on a new adjacent housing site**

6.7.1 The proposed works are some distance from existing residents on Lancaster Road. The Council's public protection officer does not object to this scheme. The construction management condition recommended by SC Highways will protect the living conditions of existing nearby residents during construction and it is necessary to impose this condition given the scale of the works and the site's interface with housing on Lancaster Road.

6.7.2 However, consideration needs to be given to the potential impacts of this existing and future activity on the site affecting residents of the proposed adjacent housing site. The applicant notes this potential conflict and has recommended a condition requiring noise emissions associated with the use of the employment land not to exceed background levels for daytime and night time working. This condition, along with a condition requiring a bund on the proposed housing site will theoretically allow Caterpillar to operate without affecting the living conditions of new residents. Thus, a manufacturing use and housing will be successfully segregated from one another.

**6.8 S106 Obligations**

6.8.1 The developer has agreed heads of terms for a S106 agreement for this site. The developer has committed to cover the costs of a transport plan monitoring for £10,000 for the retained employment site.

6.8.2 The negotiation of travel plan monitoring funding is justified to ensure the development addresses development plan policies set out in Core Strategy Policies CS6, CS7 and CS8. The sum sought is reasonably related to this scheme. Thus the agreement would accord with Regulation 122 of the CIL Regulations 2010.

**7.0 CONCLUSION**

7.1 The development accords with the development plan. It will support an important and long established local employer to stay in the town. Significant weight must therefore be given to the economic benefits of this scheme as well as the social benefits associated with activity with the applicant does in the town especially in the field of local apprenticeships and outreach with schools. There are no environmental constraints that would prevent this from being supported provided the developer enters into a green transport plan. For this reason, the scheme is recommended

for approval.

## 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 (July 2018)

Core Strategy

CS1 - Strategic Approach

CS2 - Shrewsbury Development Strategy

CS6 - Sustainable Design and Development Principles

CS13 - Economic Development, Enterprise and Employment

Economic Development, Enterprise and Employment

CS17 - Environmental Networks

SAMDev Plan

MD2 - Sustainable Design

MD4 - Managing Employment Development

MD9 - Protecting Employment Areas

MD12 - Natural Environment

### RELEVANT PLANNING HISTORY:

There is an extensive planning history relating to this site. The following are considered to be most relevant to this case:

1. SA/BR/0832/89/9 - Construction of single storey factory and two storey office block. Approved.
2. SA/00/0363 - Erection of 9 no. exhaust stacks, formation of 18 no. new openings in external walls for air intake to exhaust stacks after removal of existing 20 no. exhaust stacks. Approved.
3. SA/75/0103 - To erect single storey factory building No.2 with test beds, office and mess room facilities and separate fuel farm, 380ft. long x 270ft.wide x 39ft/40ft high or thereabouts parallel with the railway and opposite existing works. Approved.
4. SA/76/0152 - Erect bicycle sheds 24.2888m x 7.560m. Approved.
5. SA/77/0818 - Extension to existing car park. Approved.

#### 11. Additional Information

[View details online on the Shropshire Council Planning Portal:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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Cabinet Member (Portfolio Holder) Cllr R. Macey
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Local Member Cllr Ioan Jones
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Appendices APPENDIX 1 - Conditions
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## 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 above ground works shall be commenced until full details of both hard and soft landscape works (in accordance with Shropshire Council Natural Environment Development Guidance Note 7 'Trees and Development') have been submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall upon written notification from the local planning authority 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

4. Prior to the commencement of the development, including any works of demolition, a Construction Method Statement shall have been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period.

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

5. Contaminated land
  - 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 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.

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.

Information on how to comply with conditions and what is expected of developers can be found in the Shropshire Council's Contaminated Land Strategy 2013 in Appendix 5. The following link takes you to this document:

<http://shropshire.gov.uk/committee-services/Data/Council/20130926/Agenda/18%20Contaminated%20Land%20Strategy%20-%20Appendix.pdf>

7. No development shall proceed until full drainage details, plan and calculations of the surface water drainage proposals consistent with sustainable urban drainage principles have been submitted to the local planning authority for approval in writing. The details shall include any maintenance regime for any sustainable drainage system on the site including who will manage it for the lifetime of its operation.

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

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

8. Prior to the commencement of the development a Staff Travel Plan demonstrating measures to promote greater use of sustainable transport measures shall be developed and submitted to and approved in writing by the Local Planning Authority. The approved Staff Travel Plan shall be implemented immediately on completion the new car park and relate to the entirety of the development, as well as reflect the phasing of occupation of buildings, etc. as appropriate.

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 National Planning Policy Framework and Shropshire Council Local Development Framework Adopted Core Strategy Policies CS6 and CS7.

9. The development hereby permitted shall not be brought into use until the areas shown on the approved plans for parking, loading, unloading and turning of vehicles has been provided properly laid out, hard surfaced and drained. The space shall be maintained thereafter free of any impediment to its designated use.

Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

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

10. Noise emissions (as measured at the shared boundary) associated with the use of the employment land, for its intended purpose (manufacturing), shall not exceed the background levels for daytime and night time working as recorded in Acoustic Feasibility Report dated April 2015 (Ref: B7771/FEAS/P1) prepared by RPS Group.

Reason: To protect the living conditions of residents in the vicinity including potential new residents associated with a planning application on adjacent land (16/04559/OUT)

11. The means of access to the development shall be from Lancaster Road only. There shall be no means of access, either vehicular or pedestrian from Mount Pleasant Road or via the proposed new residential streets shown in the application reference number 16/04559/OUT.

Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users.

**Informatives**

1. Your attention is drawn to the fact that your development site is close to Network Rail land. You are advised to contact Network Rail's Asset Protection Wales Team well in advance of mobilising on site or commencing any works. The initial point of contact is [assetprotectionwales@networkrail.co.uk](mailto:assetprotectionwales@networkrail.co.uk). The department will provide all necessary Engineering support subject to a Basic Asset Protection Agreement.

2. Disabled needs  
The attention of the applicant is drawn to Section 175A(3) of the Highways Act 1980 within which the Highway Authority shall have regard to the needs of disabled persons when considering the desirability of providing ramps at appropriate places between carriageways and footways.

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

Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

- construct any means of access over the publicly maintained highway (footway or verge) or
- carry out any works within the publicly maintained highway, or
- authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or
- undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

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

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

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

3. The Council's drainage officer has submitted detailed advice on how to discharge the drainage condition included in this permission. You will be expected to have full regard to and comply with Shropshire Council's Surface Water Management: Interim Guidance for Developers in this respect.