

Committee and date

South Planning Committee

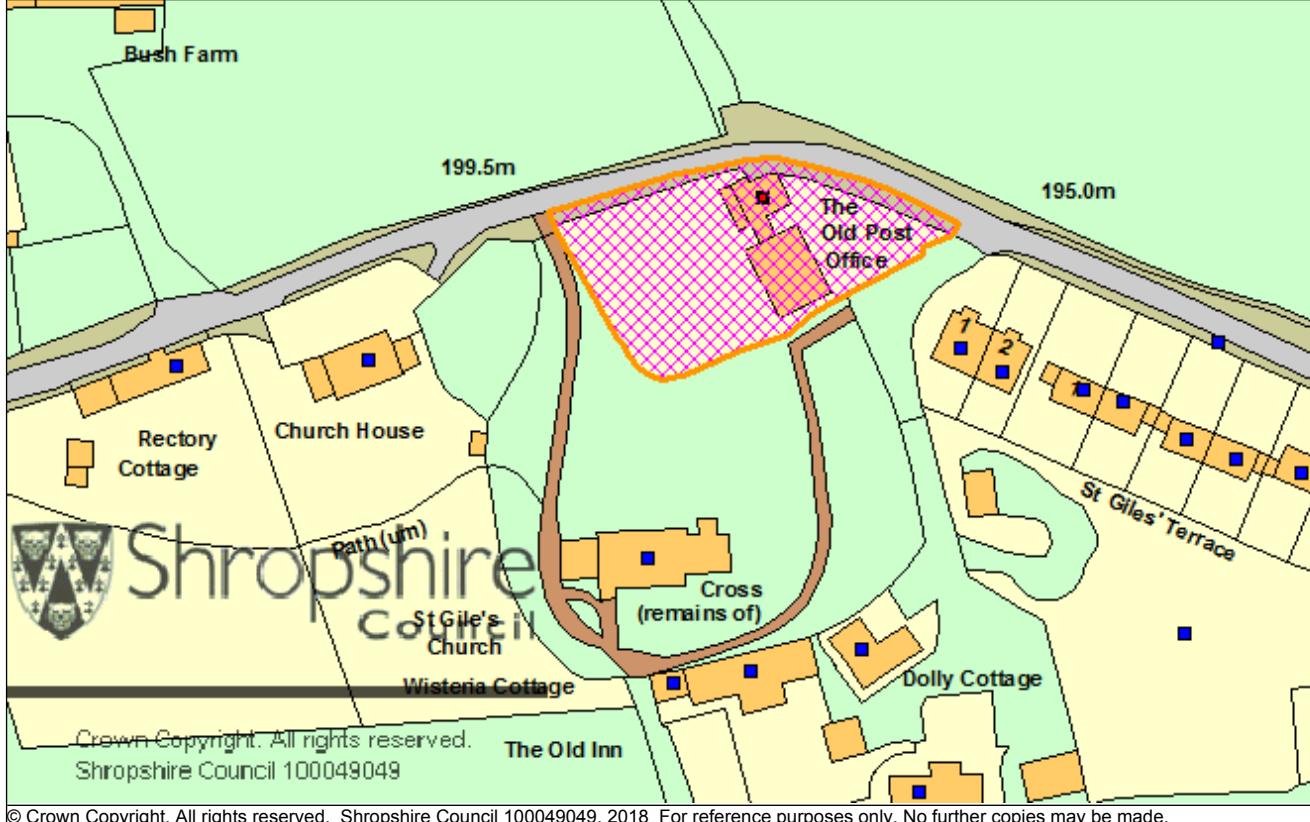
12 February 2019

Development Management Report

Responsible Officer: Tim Rogers

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

Summary of Application

Application Number: 18/03091/FUL**Parish:** Chetton**Proposal:** Replacement of existing bungalow with 1 / 1.5 storey four bedroom dwelling and associated landscaping (amended description and plans)**Site Address:** The Old Post Office Chetton Bridgnorth Shropshire WV16 6UF**Applicant:** Moore**Case Officer:** Emma Bailey**email:** planningdmse@shropshire.gov.uk**Grid Ref:** 366411 - 290427

Recommendation:- Permit, subject to the conditions set out in Appendix 1.**REPORT****1.0 THE PROPOSAL**

- 1.1 This application seeks full planning consent for the construction of a dwelling to replace The Old Post Office, Chetton, which is a bungalow with a dual pitched roof linked by a utility corridor to a garage and annexe area which has a shallow pitched roof.
- 1.2 The replacement dwelling would principally comprise of brick external walls with elements of timber and zinc cladding, a slate roof and dark grey aluminium windows and roof lights. On ground floor level, the dwelling would feature four bedrooms (two en-suite) a bathroom, lobby, large kitchen-dining area, utility room and lounge. A study room would feature above in part of the roof space.
- 1.3 This application is a resubmission of application ref: 17/06156/FUL for a replacement dwelling on this site which was withdrawn before a decision was issued.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is located within an area defined by planning policy to be open countryside. It is situated within the settlement of Chetton approximately four miles south-west of the market town of Bridgnorth. Chetton does not have its own development boundary.
- 2.2 The Old Post Office is a detached bungalow accessed down Chetton Lane, which serves Chetton from the B4364 road linking Bridgnorth and Ludlow. This lane is mostly single width, is not lit, and does not have a pavement. The site lies within the main core of Chetton, with the adjacent roadside sweeping around it. St Giles Church, a Grade II* listed building, and its respective churchyard abuts the site to the south.
- 2.3 The existing bungalow is clustered to the east of the application site and is set behind a dense hedgerow. It is set upon a plinth to accommodate the change in land levels, which rise upward away from the roadside.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Parish Council view is contrary to the officer recommendation and the Ward Member has requested Committee determination. The Chair and Vice-Chair of the South Planning Committee, in consultation with the Principal Officer, consider that the material planning considerations raised warrant this application being determined by Committee.

4.0 COMMUNITY REPRESENTATIONS

Please note that all comments are available to view in full on the Shropshire Council website.

Consultee Comments

4.1 Chetton Parish Council

Objection (11.09.18)

Councillors discussed the above application at the recent Parish Council meeting. The Architect had been invited to attend with full size drawing of the site, a depiction of the building from the churchyard and an explanation of where the proposed ground source heating equipment would be placed. Unfortunately the invitation had been declined but more information had been provided to the Case Officer. The proposals were discussed at length, however it was considered that there was little significant change from the previous application, the building would be completely out of place and not at all in keeping with the existing settlement. Councillors strongly objected and requested that the application be ‘called in’ to the Planning Committee if the Case Officer was minded to approve it.

4.1.1 Chetton Parish Council – Re-consulted following resubmitted plans

Objection (29.01.19)

Chetton Parish Council has considered the revised plans for The Old Post Office, Chetton and wish to make the following comments.

The new drawings show a modern designed bungalow situated in a traditional Shropshire village next to an ancient Grade 11* Listed church. The original bungalow now known as The Old Post Office was built prior to 1820 when it opened as a National School on land donated by the Church and used by local children until The Down School was built in 1884 when all pupils were transferred. The building then became the local post office and has been used as a private residence until it was recently placed on the market.

Whilst it is agreed that the Old Post Office is in urgent need of restoration Councillors consider that it should be carried out using traditional methods and materials which reflect its historic setting. They think that the amended design shows little or no improvement on the previous plans in that the roof height, materials used i.e. zinc cladding, aluminium guttering and large window panes are completely out of character with the adjacent properties and the village as a whole.

Councillors strongly object to the proposals and again request that if the Case Officer is minded to give consent, the application be called in to a meeting of Shropshire Planning Committee.

4.2 Shropshire Council (Drainage)

Recommend informatics if minded to approve.

- 4.3 Shropshire Council (Trees)
Recommend conditions if minded to approve.
- 4.4 Shropshire Council (PROW)
No comments to make.
- 4.5 Shropshire Council (Affordable Housing)
No affordable housing contribution required.
- 4.6 Shropshire Council (Highways)
Recommend informatics if minded to approve.
- 4.7 Shropshire Council (Conservation)
Recommend conditions if minded to approve amended drawings.
- 4.8 Shropshire Council (Archaeology)
Recommend condition if minded to approve.
- 4.9 Shropshire Council (Ecology)
Recommend conditions and informatics if minded to approve.
- 4.10 Historic England (re-consulted)
No comments to make on amended drawings.

Public Comments

- 4.11 A site notice was displayed on the 2 August 2018 and 21 December 2018 following the submission of amended plans on the site boundary. Neighbours and consultees were notified on both occasions.
- 4.12 A total of seven contributors have made written representations to the Council at the time of writing this Report, objecting to the development. The points below that are highlighted in **bold** are matters that were repeated in representations following the submission of amended plans. The key points raised by objectors that are material planning considerations are listed as follows:

- Discrepancies with the application form
- Visual impact (**Scale, Materials, Design**)
- Overlooking
- **Proximity to trees/existing hedgerows and trees should be protected**
- **Impact on St Giles Church**
- Lack of plans
- Application should be withdrawn
- Archaeology concerns

The following points raised by contributors that are not material planning considerations and cannot be considered as part of the determination of

this planning application are listed as follows:

- Matters relating to the construction process

5.0 THE MAIN ISSUES

- Principle of development
- Siting, scale and visual impact of replacement dwelling and on setting of listed building
- Residential amenity (Included under letters of representation)
- Other matters

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that all planning applications must be determined in accordance with the adopted development plan ‘unless material considerations indicate otherwise’.
- 6.1.2 Paragraph 11 of the revised National Planning Policy Framework (2018) builds on this wording by encouraging planning to look favourably upon development, unless the harm that would arise from any approval would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
- 6.1.3 The National Planning Policy Framework (NPPF) has been published by national government and represents guidance for local planning authorities. It is a material consideration to be given significant weight in the determination of planning applications.
- 6.1.4 Policy CS1 ‘Strategic Approach’ of the Shropshire Council Core Strategy and Policy MD1 ‘Scale and Distribution of Development’ of Shropshire Council’s Site Allocations and Management of Development (SAMDev) Plan seeks to steer new housing to sustainable locations described as Market Towns, Key Centres, Community Hubs and Clusters. This is repeated throughout Policies CS3 ‘The Market Towns and Key Centres’, CS4 ‘Community Hubs and Clusters’, CS5 ‘Countryside and Green Belt’ and CS11 ‘Type and Affordability of Housing’ of the Core Strategy. Community Hubs and Clusters were designated as part of the adoption of the SAMDev Plan in 2015.
- 6.1.5 SAMDev Plan policy MD7a(3) states that replacement dwelling houses will only be permitted where the dwelling to be replaced is a permanent structure with established continuing residential use; that replacement dwellings should not be materially larger and must occupy the same footprint unless it can be demonstrated why this should not be the case. It continues by stating that where the original dwelling had been previously

extended or a larger replacement is approved, permitted development rights will normally be removed.

- 6.1.6 Shropshire Council's Type and Affordability of Housing Supplementary Planning Document (SPD) states that the following considerations should be taken into account regarding replacement dwellings:
- The visual impact of the replacement dwelling on the surroundings and the need to respect the local character of the area, taking account of bulk, scale, height and external appearance of the resultant dwelling.
 - A requirement to be sympathetic to the size, mass, character and appearance of the original building. A replacement dwelling should ordinarily be sited in the same position as the original dwelling.
 - The existing balance of housing types and tenures in the local area, and the need to maintain a supply of smaller and less expensive properties in the local area that are suitable for the needs of many newly-forming households.

- 6.1.7 The existing dwelling in this case is a permanent structure with an established continuing residential use and the proposed replacement would be in the same position on the land. The principle of replacement dwellings is therefore accepted, subject to further planning considerations relating to details of the proposed replacement dwelling.

6.2 Siting, scale and visual impact of the replacement dwelling on setting of listed building

- 6.2.1 SAMDev Policy MD2 'Sustainable Design' and Core Strategy Polices CS6 'Sustainable Design and Development Principles' and CS17 'Environmental Networks' require development to be designed to a high quality by being sustainable in its design, inclusive and accessible in its environment and respecting and enhancing local distinctiveness. Furthermore, development is required to preserve and enhance the amenity value of the wider area to which it relates including the safeguarding of residential and local amenity and the setting of heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings or their settings, or any features of special architectural or historic interest that they possess in the exercise of planning functions.

- 6.2.2 Paragraph 127 of the revised NPPF reinforces that developments should be 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'.

- 6.2.3 The proposed replacement dwelling would be situated on a similar footprint to the existing dwelling to be demolished. The existing dwellinghouse has a footprint of around 195 square metres when measuring from the submitted plans. It is split into two principle sections,

linked by a galley utility room in a ‘H’ shape. The first section comprises of two bedrooms, a lounge, bathroom, hallway, and a small unnamed ‘snug’ type room; with the other section comprising of a large garage and annex.

- 6.2.4 The proposed replacement dwelling would have a footprint of around 175 square metres when measuring from the submitted plans. The ‘H’ shape would be loosely followed, but with the main bulk of the dwelling being in the central area. The arm of the ‘H’ nearest to St Giles church is proposed to be pulled back into the main bulk of the dwelling and would instead encroach forward towards the roadside.
- 6.2.5 The proposed dwelling would loosely follow the character of the existing dwellinghouse by virtue of its predominantly brick external walls and the main focus of accommodation being to the ground floor. It is however noted that a study area is proposed in the roof space above. At present, the existing dwellinghouse is a single storey, low slung building, which has been subject to alterations and additions over time. This property is of limited architectural merit, and while no case has been put forward to suggest that the dwelling is structurally unstable, a site visit has ascertained that it is in need of renovation.
- 6.2.6 It is pertinent to note that Paragraph 127 of the revised NPPF reinforces that developments should be ‘sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’. In this case, the agent has proactively worked with Council Officers and Historic England for a significant length of time in order to address design/impact concerns of the proposed a replacement dwelling. The revised design has resulted in Historic England withdrawing their original objections to the proposal. The Council’s Conservation Officer for the area considers that the amended plans submitted show a clear reduction in scale of the proposed replacement and have taken on board the comments and issues raised previously. Officers consider the revised represents careful consideration of its historic setting adjacent to the listed St Giles Church, responds to the comments received by Historic England and Shropshire Council’s Conservation team; and more widely preserves the visual amenity of the village by its predominantly brick exterior and simpler design. The roofline has also been reduced to more closely match that of the existing dwellinghouse to reduce its visual impact. It is therefore considered to satisfy Development Policies CS6, CS17 and MD2 with respect to being appropriate in scale and design and not detracting from the setting of the listed Church.

6.3 Letters of representation

- 6.3.1 At the time of writing this Report, seven letters of representation have been received, objecting to the development. Please note that all responses are available to view in full on the Council’s website. The key points raised are briefly considered in turn below.

6.3.2 Discrepancies with the application form

All valid documents that are submitted with a planning application are taken in good faith by the Council as being factually correct unless significant information comes forward which proves otherwise. In this case the inaccuracies alleged relate to the answer of ‘no’ to the question “Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?” Despite being incorrect, this discrepancy is not considered to hold significant weight as to affect the overall determination of the planning application, and Shropshire Council’s Trees team were consulted as part of this application in any event.

6.3.3 Overlooking

Core Strategy policy CS6 seeks to safeguard residential and local amenity. One window is proposed at first floor level that would overlook the roadside only, with all remaining windows being limited to the ground floor. The Old Post Office is a single detached dwelling on its own plot, and is separated from the dwellings at St Giles Terrace by a vehicular track. The submitted site plan shows that the proposed dwelling would be set back further away from the boundary nearest to the neighbouring dwelling 1 Church View than that which currently exists. In any event, the orientation of these dwellings ensures that any views between occupiers would be oblique, with a separation distance from each side elevation measuring around 20 metres, which is acceptable.

6.3.4 Visual impact (Scale, Materials, Design)

As discussed earlier in the report, the visual impact of the development is considered to be acceptable in its setting as a dwelling that provides a level of interest within the plot through the use of building materials and an appropriate degree of contemporary design. Samples of external materials would be required by planning condition to ensure that they would be appropriate in this location.

6.3.5 Proximity to trees/existing hedgerows and trees should be protected

Shropshire Council’s Trees team have been consulted as part of this application, who have requested the inclusion of conditions on any approval notice.

6.3.6 Impact on St Giles Church

Historic England, and Shropshire Council’s Archaeology and Conservation team have been consulted as part of this application, who have made comments in relation to the development. These are discussed within this Report.

6.3.7 Lack of plans

The Council considers there to be sufficient detail included as part of the

submitted application to make a sound and reasoned judgement on its acceptability. In any event, it is noted that this concern was not raised following the submission of amended plans. It is pertinent to note that all plans should be publicly available to view online using the Planning webpages of Shropshire Council's website.

6.3.8 Application should be withdrawn

This application is noted, however it would be the choice of the agent/applicant to withdraw an application.

6.3.9 Archaeological concerns

Shropshire Council's Archaeology team have been consulted as part of this application, who have requested that a condition is applied to any approval notice.

6.4 **Other Matters**

6.4.1 Affordable Housing

Paragraph 63 of the revised NPPF (July 2018) advises that affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas, where policies may set a lower threshold of 5 units or fewer. This site is not within a designated rural area and is for a replacement dwelling. There are no specific circumstances that would justify giving greater weight to Development Plan policies with respect to affordable housing which are older than the NPPF in this particular case. As such an affordable housing contribution is not required.

7.0 **CONCLUSION**

7.1 Based on the information submitted against the above considerations, the proposal as amended is considered to be acceptable and accords with the principal determining criteria of the relevant development plan policies.

7.2 Approval is therefore recommended subject to conditions.

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

Shropshire Core Strategy and SAMDev Plan Policies:

CS1 - Strategic Approach
CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles
CS11 - Type and Affordability of housing
CS17 - Environmental Networks
MD1 - Scale and Distribution of Development
MD2 - Sustainable Design
MD7A - Managing Housing Development in the Countryside
MD12 - Natural Environment
MD13 - Historic Environment

SPD Type and Affordability of Housing

RELEVANT PLANNING HISTORY:

12/00934/FUL Erection of extension to dwelling GRANT 27th April 2012
17/06156/FUL Replacement of existing bungalow with 1.5 / 2 storey three-bedroom dwelling with integrated garage and associated landscaping WDN 7th March 2018

11. Additional Information

View details online: <https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PBAY2ZTDMJK00>

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

Design and Access and Heritage Statement
Bat Roost Assessment

Cabinet Member (Portfolio Holder)

Cllr R. Macey

Local Member

Cllr Robert Tindall

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.

3. No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank or public holidays.

Reason: To protect the health and wellbeing of residents in the area.

4. 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 and subsequently installed. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Artificial lighting and wildlife: Interim Guidance: Recommendations to help minimise the impact artificial lighting (2014). The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To minimise disturbance to bats, which are European Protected Species.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

5. Prior to commencement of development a scheme to safeguard trees, woody shrubs and hedges to be retained on and adjacent the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared in accordance with and meeting the minimum tree protection requirements recommended in, British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations, or its current version. All pre-commencement tree protection measures detailed in the approved AMS and TPP shall be fully implemented before any development-related equipment, materials or machinery are brought onto the site.

The approved tree protection measures shall be maintained in a satisfactory condition throughout the duration of the development, until all equipment, machinery and surplus

materials have been removed from the site. The development shall be implemented in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

6. No works associated with the development shall commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a tree planting scheme has been submitted to and approved in writing by the Local Planning Authority . The approved scheme shall include:

- a) details of the trees and shrubs to be planted in association with the development, including species, locations or density and planting pattern, type of planting stock, size at planting, means of protection and support and measures for post-planting maintenance and replacement of losses;
- b) details as relevant of the specification and location of the barriers to be installed prior to commencement of development (and / or any other measures to be taken), for the protection of ground reserved for the planting identified in a) above.

The approved tree planting scheme shall be implemented as specified and in full prior to occupation of the completed dwelling. If within a period of three years from the date of planting, any tree or shrub, or any tree or shrub planted in replacement for it, dies or is otherwise lost, seriously damaged or diseased, another tree or shrub of a similar specification to the original shall be planted at the same place during the first available planting season.

Reason: to ensure satisfactory tree and shrub planting as appropriate to enhance the appearance of the development and its integration into the surrounding area.

7. Before development commences details of the proposed finished ground floor levels of the dwelling relative to those of the existing dwelling and existing site levels, referenced to an ordnance datum, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the relationship of the built dwelling with the listed St Giles Church is in accordance with the street scene drawings, for the avoidance of doubt and to safeguard the setting of the listed church.

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

8. No above ground works shall commence until details of all external materials, including hard surfacing, have been first submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approval details.

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

9. Prior to being incorporated into the building, details of the roof construction including details of eaves, undercloaks ridges, valleys and verges 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.

10. Prior to first occupation / use of the building[s], the makes, models and locations of bat boxes shall be submitted to and approved in writing by the Local Planning Authority and subsequently installed. A minimum of 2 external woodcrete bat box or integrated bat roost feature, suitable for nursery or summer roosting for small crevice dwelling bat species, shall be erected on the site. The boxes shall be sited at an appropriate height above the ground, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter maintained for the lifetime of the development.

Reason: To ensure the provision of roosting opportunities for bats, in accordance with MD12, CS17 and section 175 of the NPPF.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), the following development shall not be undertaken to the replacement dwelling hereby approved without express planning permission first being obtained from the Local Planning Authority:-

- Any extension or alteration to the dwellinghouse, including the insertion of any additional windows or dormer windows
- Any addition or alteration to its roof
- The erection of a porch
- The formation of additional hard surfacing
- The erection of any fences, gates or walls
- The construction of any free standing building within the curtilage of the dwelling

Reason: To enable the Local Planning Authority to monitor the amount of development occurring on site and to safeguard the character and visual amenities of the area.

Informatics

1. ECOLOGY INFORMATIVES

Nesting bird informative

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

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

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

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Only when there are no active nests present should work be allowed to commence. No clearance works can take place with 5m of an active nest.

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

Bats informative

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

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

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

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

Landscaping informative

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

2. DRAINAGE INFORMATIVES

A sustainable drainage scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Councils Surface Water Management: Interim Guidance for Developers document. It is available on the councils website at: <http://new.shropshire.gov.uk/media/5929/surface-water-management-interim-guidance-for-developers.pdf>.

The provisions of the Planning Practice Guidance, in particular Section 21 Reducing the causes and impacts of flooding, should be followed.

Preference should be given to drainage measures which allow rainwater to soakaway naturally. Soakaways should be designed in accordance with BRE Digest 365. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if it can be demonstrated that infiltration techniques are not achievable.

3. HIGHWAYS INFORMATIVES

Mud on highway

The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

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 new utility connection, or
- undertake the disturbance of ground or structures supporting or abutting the publicly maintained highway

The applicant should in the first instance contact Shropshire Council's Street Works team. This link

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

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

4. In arriving at this decision the Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required by the National Planning Policy Framework, paragraph 38.

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

Central Government Guidance:
National Planning Policy Framework

Shropshire Council Core Strategy:
CS01 - Strategic Approach

CS05 - Countryside and Green Belt

CS06 - Sustainable Design and Development Principles

CS11 - Type and Affordability of Housing

CS17 - Environmental Networks

Shropshire Council Site Allocations and Management of Development (SAMDev) Plan:

MD01 - Scale and Distribution of Development

MD02 - Sustainable Design

MD03 - Delivery of Housing Development

MD07A - Managing Housing Development in the Countryside

MD12 - Natural Environment

MD13 - Historic Environment

Type and Affordability of Housing Supplementary Planning Document (SPD)

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