

Development Management Report

Responsible Officer: Tim Rogers

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Summary of Application

Application Number: 18/04386/FUL

Parish:

Shrewsbury Town Council

Proposal: Mixed residential development of seven dwellings following demolition of all buildings on site; alterations to existing vehicular access; formation of driveway and parking areas

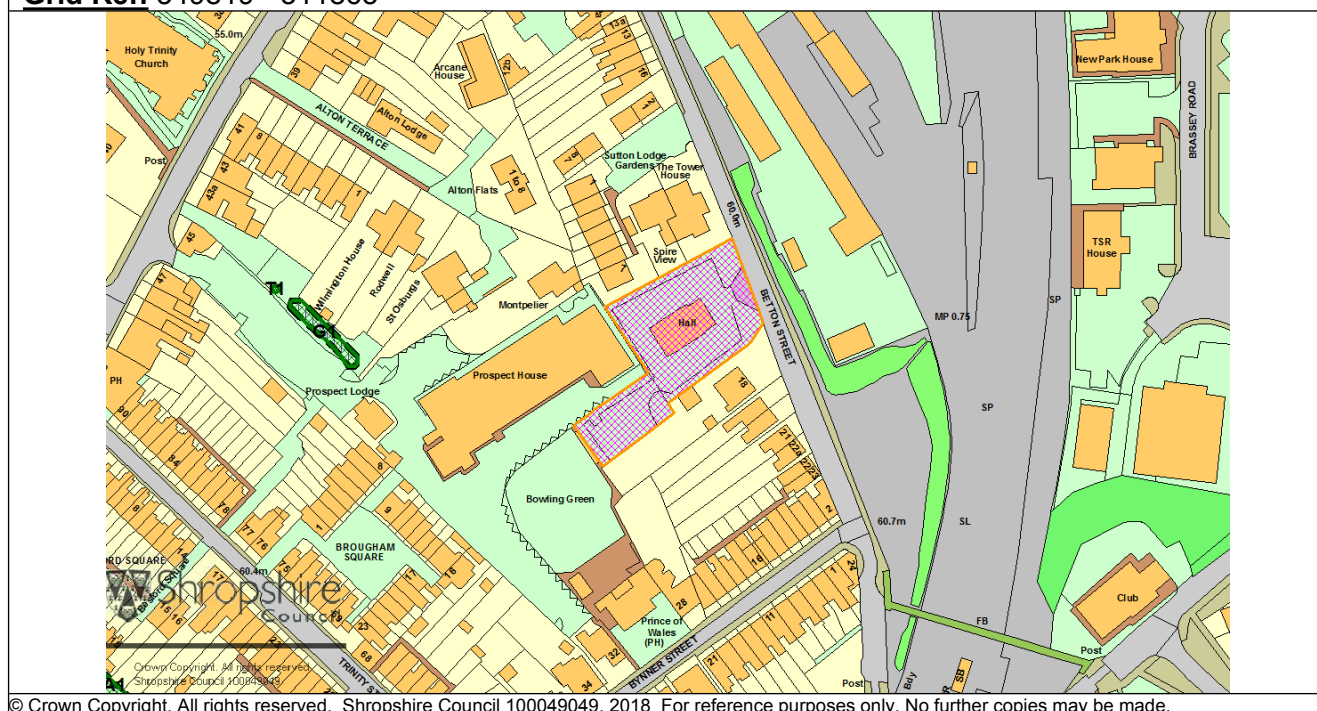
Site Address: Meeting Room 17 Betton Street Shrewsbury Shropshire

Applicant: S & T (Betton Street) Ltd

Case Officer: Kelvin Hall

email: planningdmc@shropshire.gov.uk

Grid Ref: 349819 - 311865



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

REPORT

1.0 THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of seven open market houses on land at Betton Street, Shrewsbury. The application has been amended since its original submission and this report relates to the most recent design and layout. There would be three blocks, as follows:
- 1.2 Block 1: a pair of two-storey, two bedroomed semi-detached houses, measuring approximately 4.9 metres to eaves and 7 metres to ridge. The ground floor of each would include open plan kitchen, dining and lounge space, and WC. The first floor would include two bedrooms, and a bathroom.
- 1.3 Block 2: a terrace of four 2.5 storey, three bedroomed houses, measuring approximately 5.2 metres to eaves and 8.7 metres to ridge. Ground floor of each would include open plan lounge, kitchen and dining space, and a WC. First floor would include two bedrooms (one with en-suite) and a bathroom. There would be a third bedroom in the roofspace.
- 1.4 Block 3: a single two-storey, three bedroomed house, measuring approximately 5.2 metres to eaves and 7 metres to ridge. The ground floor would include a lounge, kitchen/dining room, central hall, and WC. The first floor would have three bedrooms (one with en-suite) and a bathroom.
- 1.5 External materials for the houses would include brick walls and cement fibre slate roof tiles, with timber sash windows. There would be two parking spaces per house. The positioning of the existing access to the site from Betton Street would be relocated further to the south.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is located in the Belle Vue area of Shrewsbury. The site measures approximately 1.6 hectare and currently includes a single storey brick building, formerly used as a meeting room. This building measures 17.5 metres long x 10 metres wide. There are a number of trees around the perimeter of the site. The remainder of the site is hard surfaced. The access gate is set back from Betton Street. Either side of the gate is a low sandstone wall with a timber panelled fence above.
- 2.2 Surrounding land is principally in residential use. To the west of the site is Prospect House, a nineteenth century building which is currently being converted into residential units over three storeys. To the north is Sutton Lodge, a former detached house which has now been converted into two separate residential units – The Tower House and Spire View. To the west of these is a modern terrace development of seven houses. To the south of the site is a two-storey Victorian detached dwelling. There is a bowling green beyond the western boundary. To the east, on the opposite side of Betton Street, is a railway yard and railway. The site lies on the eastern side of the Belle Vue Conservation Area.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The views of the Town Council are contrary to the Officer recommendation. The Planning Manager in consultation with the Committee Chairman considers that the views of the own

Council are based on material planning reasons and that it is appropriate for the application to be determined by Planning Committee, in line with the provisions of the Council's scheme of delegation.

4.0 **Community Representations**

4.1 -Consultee Comments

4.1.1 **Shrewsbury Town Council** Objects. Members reconsidered the amended plans for this application which saw a new layout more similar to the original one submitted. Members still considered the proposals to be overdevelopment of the site, which would have a detrimental effect to the public and visual amenity value of the site due to the massing of these properties. The amended plans did not address the other concerns previously raised by the committee including traffic congestion, loss of trees and the loss of light and privacy to the neighbours. Members felt that their original objections to this planning application were therefore, still valid.

4.1.2 **SC Conservation** Objects. There have been several revisions made to this scheme and we would note that the matter of better addressing the frontage of the property with a street-facing residential block and enhanced landscaping has now been considered which is noted as an improvement to the proposal. While we would reiterate that residential redevelopment of this property to an appropriate design and scale would likely be supported in principle, with these revisions however the issue of overdevelopment of this awkwardly-shaped site does not appear to have been fully addressed, where the number of units proposed remains the same and the amount and positioning of buildings behind proposed Block Three does not appear to have been improved or reduced in extent. When considered as a whole the revised scheme has not demonstrated satisfactorily that it would preserve or enhance the character and appearance of the Conservation Area, and we are therefore unable to support the scheme in this latest revision.

Background: The application site is located within the boundaries of the Belle Vue Conservation Area, the easterly boundary of which runs along Betton Street to the front of this property and other properties along this west side of the street. The site is occupied by a relatively modern and modest brick meeting hall positioned centrally on the site where in terms of historic environment matters there would be no objection raised to its removal from this site where it is a relatively neutral feature within the street scene and the neighbourhood.

We had previously advised on a formal Pre-application submission that, in addition to the Conservation Area status of the site and area, there are designated and non-designated heritage assets adjacent to and in the immediate vicinity of the site, including Sutton Lodge to the immediate north, the large former Maltings building to the rear and the row of traditional dwellings to the south of the property facing Betton Street, while further north fronting Betton Street is the Grade II listed early 19th Century 'Rosehill'.

We had advised that formal application for redevelopment of this site would need to be accompanied by a heritage impact assessment which considers impact on adjacent heritage assets and heritage assets in the wider area, as well as impact on the character and appearance of the Conservation Area itself, including impact on the immediate and wider street scene, with the aim being that the redevelopment scheme would fully minimize impact on these heritage assets and would fit comfortably within the grain and pattern of

existing development here, where it would need to be fully demonstrated satisfactorily that this scheme would preserve or enhance the character and appearance of the Conservation Area. To that end this current planning application for residential redevelopment of the site has as part of the supporting documents a 'Historic Assessment and Heritage Impact Assessment' as required by local policies and the NPPF, and this is acknowledged.

In considering this planning application, due regard to the following local and national policies, guidance and legislation would be required in terms of historic environment matters: CS6 Sustainable Design and Development and CS17 Environmental Networks of the Shropshire Core Strategy, Policies MD2 and MD13 of the SAMDev component of the Local Plan, the revised National Planning Policy Framework (NPPF) and relevant planning practice guidance and Historic England Good Practice Advice. As the proposal is located within the Belle Vue Conservation Area, special regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also required in terms of the extent to which this proposal would preserve or enhance the character or appearance of the Conservation Area. We would also highlight the relevant sections of the NPPF which emphasise the importance of ensuring that developments respond well to local character and identity.

4.1.3 **SC Archaeology** No comments to make.

4.1.4 **SC Highways Development Control** No objections. Further amendments have been made to the house types and layout within the site. The amendments are considered acceptable from a highways perspective subject to conditions to require the implementation of the access layout, visibility splays, and parking and turning areas prior to occupation; adherence to a Construction Method Statement which has received the approval of the local planning authority; retention of sight lines at all times (see Appendix 1).

Background: Pre-application discussions regarding redevelopment of the site accepted that the proposed traffic demand on the site, supporting this development, is unlikely to exceed the demands that could reasonably be expected from the potential use and activities associated with the full utilization of the current building and site. The site is located in a predominantly residential area, relatively close to amenities and services. Betton Street has limited on street parking and waiting restrictions are in force in the vicinity of the site. Each dwelling will have two parking spaces with turning, enabling vehicles to exit the site in a forward gear. Further details submitted indicate that refuse will be collected from the roadside on Betton Street, with no refuse lorries entering the development. Bin stores are located close to the entrance of the site.

4.1.5 **SC Drainage** No objections. Recommends a condition requiring the submission of a scheme for surface water and foul water drainage for approval (see Appendix 1).

4.1.6 **SC Public Protection** The demolition and construction may affect neighbouring dwelling in respect of noise and dust, and a demolition and noise and dust construction management should be provided.

4.1.7 **SC Ecology** Recommends conditions requiring the erection of bat and bird boxes.

4.1.8 **SC Trees** No objections. The revised site layout satisfactorily addresses the concerns raised regarding the proximity of the proposed dwellings to the retained and proposed trees.

The addendum to the Arboricultural Impact Assessment is an excellent example of a planting scheme for a challenging urban site and, provide it is implemented in full, will ensure that the proposed planting becomes established and is able to grow to maturity and make an important contribution to the future urban forest. No objections are raised to this iteration of the proposed development. A condition is recommended to restrict tree removal to that shown on the approved plans; to require that trees are protected in line with the submitted tree reports; to require that services are routed outside of Root Protection Areas; and to require that tree planting is carried out in line with the submitted tree reports (see Appendix 1).

4.1.9 **SC Affordable Housing** If the development is policy compliant then whilst the Council considers there is an acute need for affordable housing in Shropshire, the Council's housing needs evidence base and related policy pre dates the judgment of the Court of Appeal and subsequent changes to the NPPG, meaning that on balance and at this moment in time, then national policy prevails and no affordable housing contribution would be required in this instance.

4.1.10 In addition to the above the former **Local Member, Cllr Harry Taylor**, has made the following comments (these relate to an earlier design):

I consider these proposals to constitute an over-development of the site with the proposed buildings bringing forward the building line. The redevelopment of this site should have no greater mass than the current building and be in keeping with the local vernacular. Of significant concern is the loss of privacy and light to neighbouring residents' properties which this development represents. Traffic in the area has increased considerably in recent years and the additional cars this development will generate for an already narrow, one-way street is unsustainable. There are already considerable difficulties in navigating this road at certain times of day. This site is in the heart of the Belle Vue Conservation Area yet this development neither preserves nor enhances the area.

4.2. -Public Comments

4.2.1 The application has been advertised by site notice, and also in the local press. In addition seven properties within the vicinity of the site have been directly notified. 33 objections have been received. It should be noted that some of these were made in response to the application as originally submitted and do not necessarily reflect the current layout and design.

4.2.2 The objection reasons are summarised as follows, and full details are available on the planning register:

- Too many houses built recently on Betton Street
- Number of units should be reduced
- Danger to pedestrians, motorists and animals due to increased traffic
- Traffic assessment required
- Will cause additional congestion
- Inadequate access
- Insufficient parking spaces; no visitor parking
- On-site parking will cause noise, pollution and dust
- Will cause additional damage to the pavement
- Adverse impact on Conservation Area

- Adverse impact on heritage assets
- Orientation not in keeping with local vernacular
- Overdevelopment
- Overbearing size
- Impact on privacy due to Juliet balconies and velux windows
- Direct overlooking to property to rooms where we spend majority of time
- Overlooking of living room, bedroom and bathroom from first floor windows
- Would result in being looked in to from all sides
- Overlooking of gardens
- Street view renders are required
- Adverse light pollution
- Density too high
- Houses too high
- Impact from tree loss
- Impact from construction works
- Land should be earmarked for public use
- Contrary to Human Rights Act

4.2.3 In addition a petition signed by 26 people has been submitted, stating that the proposal would heavily impact the residential amenity of local residents and will add further traffic and parking problems to what is already a very congested area.

5.0 THE MAIN ISSUES

- 5.1
- ☐ Principle of development
 - ☐ Design, scale and character; impact on heritage assets
 - ☐ Residential and local amenity considerations
 - ☐ Highway and access considerations
 - ☐ Drainage issues
 - ☐ Developer contributions

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The site lies within the Development Boundary of Shrewsbury and on previously developed land. Core Strategy policy CS2 states that Shrewsbury is to provide the primary focus for development for Shropshire, providing approximately 25% of its additional housing. It advises that priorities for the allocation/release of land for development in Shrewsbury will include making the best use of previously developed land and buildings for housing and other uses within the built-up area. The Town's Development Strategy, as set out in the SAMDev Plan, includes encouraging appropriate development and redevelopment on suitable sites within the development boundary. The site is not specifically allocated for alternative development however its redevelopment as a windfall site is supported in principle under Development Plan policy.

6.2 Design, scale and character, impact on heritage assets

6.2.1 Core Strategy policies CS6 and CS17 requires development to protect and conserve the natural, built and historic environment and be appropriate in scale, density, pattern and design taking into account the local context and character. SAMDev Plan policy MD2 requires that development contributes to and respects locally distinctive or valued character and existing amenity value. SAMDev Plan policy MD13 seeks to protect, conserve,

enhance and restore Shropshire's heritage assets. In addition, Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 specifies that 'special' attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area. The NPPF requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account (para. 197).

- 6.2.2 The application includes a Historic Assessment and Heritage Impact Assessment which identifies the relevant heritage interests in the area and provides an assessment of the impact of the proposal in this context. The report acknowledges that the site lies with the Conservation Area, and also identifies that surrounding buildings including Sutton Lodge, Prospect House and the Victorian house to the south can be considered to be non-designated heritage assets. The proposal would result in the loss of a building which has previously been in use as a meeting room. It is considered that the building has limited architectural or historic significance and that its removal would not impact negatively on the character of the Conservation Area.
- 6.2.3 The proposed external materials would include elements consistent with the local area, including timber sash windows, brick corbelling, stone cills and chimneys. It is considered that the design is sympathetic to the local area, which includes Victorian houses and a more modern terrace, and is acceptable in this part of the Conservation Area. The proposal would provide relatively modest-sized units of two and three bedrooms which is appropriate for this area.
- 6.2.4 The shape of the site, the juxtaposition of existing dwellings to the site boundary, and on-site trees, presents some constraints to the way in which it can be developed. A number of concerns have been raised as part of the planning process in relation to the layout of the site and the design of the properties. Amended plans have been submitted to seek to address these, however concerns of the Conservation Officer, the Town Council and some adjacent residents still remain.
- 6.2.5 The revised layout has satisfactorily addressed initial concerns over the impact on existing trees within the site. The proposed development would necessitate the removal of five Category C trees (low quality and value), one tree group of low quality, and three Category B trees (moderate quality). The latter three are a Norway maple at the front of the site where the revised access point will be, and a cedar and sycamore to the rear of the site. The Council's tree officer has raised no objections to the proposal and it is considered that the proposed compensatory planting of 12 new trees around the perimeter of the site would be an appropriate level of mitigation for the loss of trees.
- 6.2.6 The alignment of the front-facing block has been amended in line with the concerns of the Council's Conservation Officer. This is now more sympathetic to the pattern of development along Betton Street, and represents an improvement to the scheme. It is considered that the pair of semi-detached properties would sit relatively well at the rear of the site and have little adverse impact on the character of the Conservation Area.
- 6.2.7 Officers consider that the design of the site could be improved through a reduction in the number of units, as this would enable greater flexibility in terms of layout and positioning of the houses. However it is considered that the open spaces proposed within the site, including the central roadway, the parking spaces and the gardens, would reduce the extent

to which the proposal would appear as overly dense.

- 6.2.8 The surrounding area includes a mix of property types and sizes, including the relatively high three storey units of Prospect House and the relatively modest-sized terrace of modern houses to the north. The proposed ridge height of the semi-detached and single dwelling is no greater than those of the existing modern terrace to the north of the site. The visibility of the proposed terrace from street views would be limited due to its alignment and being positioned to the rear of the single dwelling. Concerns raised that the proposal represents overdevelopment are noted and this is a matter of judgement. The NPPF at para. 122 provides support to development that makes efficient use of land, and requires that account is taken of the desirability of maintaining an area's prevailing character and setting. The Case Officer considers that the proposal includes satisfactory private amenity space, that the circulation and parking provision is adequate, and that the density of development is appropriate for the area. Taking account of the context of the area, it is considered that the proposal would satisfactorily protect the character of the Conservation Area. The proposal would have some impact upon the significance of the adjacent non-designated heritage assets, however on balance it is considered that the level of harm is not sufficient to outweigh the benefits of the development of the site for residential purposes.

6.3 **Residential and local amenity considerations**

- 6.3.1 Core Strategy policy CS6 states that development should safeguard residential and local amenity. Policy CS8 seeks to protect existing facilities and amenities. The proposal would result in the loss of the former meeting room, however it is considered that the redevelopment of the site for residential use would significantly outweigh any negative impacts of this.
- 6.3.2 Surrounding dwellings have views into the site and amended plans have been submitted to seek to overcome objections raised regarding overlooking and massing. However it is acknowledged that concerns of some residents remain. The single dwelling would be situated approximately 12 metres from The Tower House to the north. There would be no openings above ground floor level along the facing elevation of this proposed house. The existing boundary fence would restrict overlooking between ground floor windows. The rear elevation of the proposed terrace would face towards Spire View. The terrace would be 15.5 metres from the nearest window (ground floor) of Spire View, and approximately 23 metres from the nearest first floor window. The existing fence would provide some privacy, however direct views would be possible between the first floor bedroom windows of the proposed block and the first floor windows of Spire View. The residents have pointed out that, as they are overlooked on all other sides of their property, the privacy of the remaining side (towards the site) holds much greater value. These comments are do have substance, and the applicant has been invited to provide a layout to address these expressed concerns. Nevertheless Officers are of the view that 23 metres represents an acceptable separation distance between facing houses, and as such on balance consider that the positioning is not unacceptable.
- 6.3.3 The western elevation of the proposed terrace block would be approximately 7 metres from Prospect House. The only opening on this elevation would be a small bathroom window, and a condition can be imposed to require that this pane is obscure glazed to protect privacy. There would be some impact on views from the apartments at this side of Prospect House due to the massing and proximity of the block however it is not considered that this would

result in unacceptable impacts on living conditions. The distance between the pair of semi-detached houses at the back of the site and Prospect House would be approximately 8.7 metres. The only opening facing towards the apartments would be a small stairway window, and this can be obscure glazed. There would be some detrimental impact on outlook from the apartments on this side of Prospect House, however it is considered that the offset is adequate. It is not considered that there are significant amenity issues raised in relation to the house on the south of the site on Betton Street due to the absence of openings on its northern elevation.

- 6.3.4 A condition can be imposed on the decision notice to require that a construction and demolition plan is submitted for approval in order to minimise disturbance to surrounding residents.

6.4 **Highways and access considerations**

- 6.4.1 Core Strategy policy CS6 states that development should be designed to be safe and accessible to all. SAMDev Plan policy MD2 (Part 6) requires that development proposals demonstrate that there is sufficient existing infrastructure capacity, in accordance with MD8, and should help to alleviate infrastructure constraints through design.

- 6.4.2 The proposed visibility splay and access design is satisfactory, and the layout would allow vehicles to turn within the site so that they can exit in forward gear. Whilst concerns that the proposal would exacerbate traffic congestion and local parking issues are noted, the proposed two parking spaces per unit are acceptable for this type of development. The bin muster point is in an acceptable location adjacent to the site entrance to facilitate bin collections.

6.5 **Drainage issues**

- 6.5.1 Core Strategy policy CS18 (Sustainable Water Management) advises that development should integrate measures of sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity. It is proposed that foul and surface water drainage would connect to the main sewer, and details of this aspect of the design can be agreed as part of a planning condition, as recommended by the Council's drainage consultant.

6.6 **Developer contributions**

- 6.6.1 Given the number of residential units proposed, and in line with the guidance set out in the NPPF, the proposal would not be required to provide any affordable housing contributions. However the development would be liable for CIL contributions.

7.0 **CONCLUSION**

The proposal to provide seven dwellings on land at Betton Street would constitute an appropriate redevelopment of the site which is currently occupied by a meeting room. The loss of this meeting room would not have a negative impact on the character of the Conservation Area. The proposed units are of a satisfactory design, sympathetic to the surrounding area, and would respect the character of this part of the Conservation Area. Whilst concerns have been raised regarding the amount of development proposed and the number of units, it is considered that the layout would include an appropriate level of private amenity space and open space, and the density is not unacceptable. A satisfactory level of compensatory tree planting is proposed to mitigate against the impacts that would result

from the loss of some trees from the site. An appropriate level of parking provision is included and the layout of the site and access design is acceptable. The juxtaposition of the proposed units with surrounding dwellings will result in some impact on living conditions and privacy particularly due to the distance between facing windows and garden space. However on balance it is considered that the separation distances are not unacceptable. Overall, taking into account the benefits of the proposal which include the provision of residential units as part of a redevelopment scheme, it is considered that the application can be accepted in relation to Development Plan and national policies. As such it is recommended that planning permission is granted subject to the conditions set out in Appendix 1.

8. Risk Assessment and Opportunities Appraisal

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 - written representations, a hearing or inquiry.
- ☐ The decision is 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 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.

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.

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. Financial Implications

There are likely financial implications of 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 dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this application – in so far as they are material to the application. The weight to be given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework

Core Strategy and Saved Policies:
CS2 - Shrewsbury Development Strategy
CS6 - Sustainable Design and Development Principles
CS8 - Facilities, Services and Infrastructure Provision
CS17 - Environmental Networks
CS18 - Sustainable Water Management
MD2 - Sustainable Design
MD12 - Natural Environment
MD13 - Historic Environment
Settlement: S16 - Shrewsbury

Relevant Planning History:

09/02656/TCA To fell one Horse Chestnut tree within Belle Vue Conservation Area NOOBJC
21st October 2009
17/05599/FUL Erection of replacement garage and conservatory GRANT 15th May 2018
17/05731/TCA To fell 1no Sycamore Tree within Belle Vue Conservation Area WDN 8th
January 2018
SA/81/0815 Formation of a new vehicular access and blocking up part of existing. PERCON
22nd September 1981
PREAPP/16/00291 Demolish existing hall and redevelopment for residential PREAIP 4th
August 2016
PREAPP/17/00178 Redevelopment of site to 9 no. 2 bed apartments and 2 no. 1 bed
bungalows within a gated community with communal amenity area, sensory garden and
parking space. PREAMD 11th May 2017
18/04386/FUL Mixed residential development of seven dwellings following demolition of all
buildings on site; alterations to existing vehicular access; formation of driveway and parking
areas PDE

SA/81/0331 Erection of a single storey building for use by Christians as a place of worship with provision for car parking and the formation of new vehicular access. PERCON 23rd June 1981

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)
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Cabinet Member (Portfolio Holder) Cllr R. Macey
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Local Member Vacant

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, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- a Traffic Management Plan to include a community communication protocol.

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

4. No development shall take place until a scheme of the surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

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

5. Prior to the above ground works commencing samples and/or details of all external materials, including walls, roofs, joinery and rainwater goods, 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 and to protect the character and significance of heritage assets.

6. In this condition 'retained tree' means an existing tree, large shrub or hedge which is to be retained in accordance with the approved plans and particulars; or any tree, shrub or hedge plant planted as a replacement for any 'retained tree'. Paragraph a) shall have effect until expiration of 5 years from the date of occupation of the first dwelling for its permitted use.

a) No existing tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.

b) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until all tree protection measures specified in the submitted Tree Protection Plan, forming part of the Addendum to the Arboricultural Appraisal ref: SC:143v2 (21.12.18) have been fully implemented on site and the Local Planning Authority have been notified of this and given written confirmation that they are acceptable. All approved tree protection measures must be maintained throughout the development until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered nor any excavation be made, without the prior written consent of the Local Planning Authority. A responsible person will be appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The Local Planning Authority will be informed of the identity of said person.

c) All services will be routed outside the Root Protection Areas indication on the TPP or, where this is not possible, a detail method statement and task specific tree protection plan will be submitted and approved in writing by the Local Planning Authority prior to any work commencing.

d) All soft landscaping and tree planting will be undertaken in complete accordance with the details provided in the Addendum to the Arboricultural Appraisal ref: SC:143v2 (21.12.18) and submitted layout plan. The site remediation measures must be undertaken under supervision of the consultant arboriculturalist and details of this supervision, including the reporting of findings, are to be provided in writing to the Local Planning Authority prior to the commencement of any construction activities associated with the approved development.

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.

7. All hard and soft landscape works shall be carried out in accordance with the approved plan 1157-01H rev C. The works shall be carried out prior to the occupation / use of any part of the development hereby approved. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

8. Prior to the development hereby permitted being first brought into use/occupied the access layout and visibility splays shall be implemented in accordance with Drawing No. 1157-01H rev C.

Reason: To ensure a satisfactory means of access to the highway.

9. The development hereby permitted shall not be brought into use until the areas shown on the approved plans for parking 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.

10. Prior to first occupation / use of the buildings, a minimum of two 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.

11. Prior to first occupation / use of the building, a minimum of two artificial bird boxes, of either integrated brick design or external box design, suitable for House Sparrow, Swallow & Wren should be installed on site. The boxes should be sited in an appropriate location and thereafter maintained for the lifetime of the development.

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

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

12. Notwithstanding the provisions of the Town and Country General Development Order 1995 (or any order revoking or re-enacting that order with or without modification), any fence or other means of enclosure at the road junction/access shall be set back to the sight lines shown on the approved plan Drawing No. 1157-01H rev C and those areas shall thereafter be kept free of any obstruction at all times.

Reason: In the interest of highway safety.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without

modification), no development relating to schedule 2 part 1 class A, B, C, D or E shall be erected, constructed or carried out.

Reason: To maintain the scale, appearance and character of the development and protect the character of heritage assets, and to safeguard residential and / or visual amenities.

14. (a) The windows in the first floor of the north elevation of Block One (as defined on the approved drawings) shall be glazed with obscure glass and shall thereafter be retained. No further windows or other openings shall be formed above ground floor level in that elevation.

(b) The windows in the first floor of the west elevation of Block Two (as defined on the approved drawings) shall be glazed with obscure glass and shall thereafter be retained. No further windows or other openings shall be formed above ground floor level in that elevation.

Reason: To preserve the amenity and privacy of adjoining properties.

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 38.

2. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £116 per request, and £34 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

3. Advice from highways authority:

Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

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

The applicant should in the first instance contact Shropshire 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.

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.

Waste Collection

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

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

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

Extraordinary maintenance

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

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.

4. Advice from Council's ecology team:

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.

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.

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.

5. In order to make the properties ready for electric vehicles, the applicant should consider the installation of appropriate charging points.

6. The developer should consider the provision of next generation access (nga) broadband to all properties within the development, and consider ensuring that all premises are fully connected with minimum cabling in those rooms likely to benefit from a physical connection i.e. rooms containing main TV and the home office.

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