

## Development Management Report

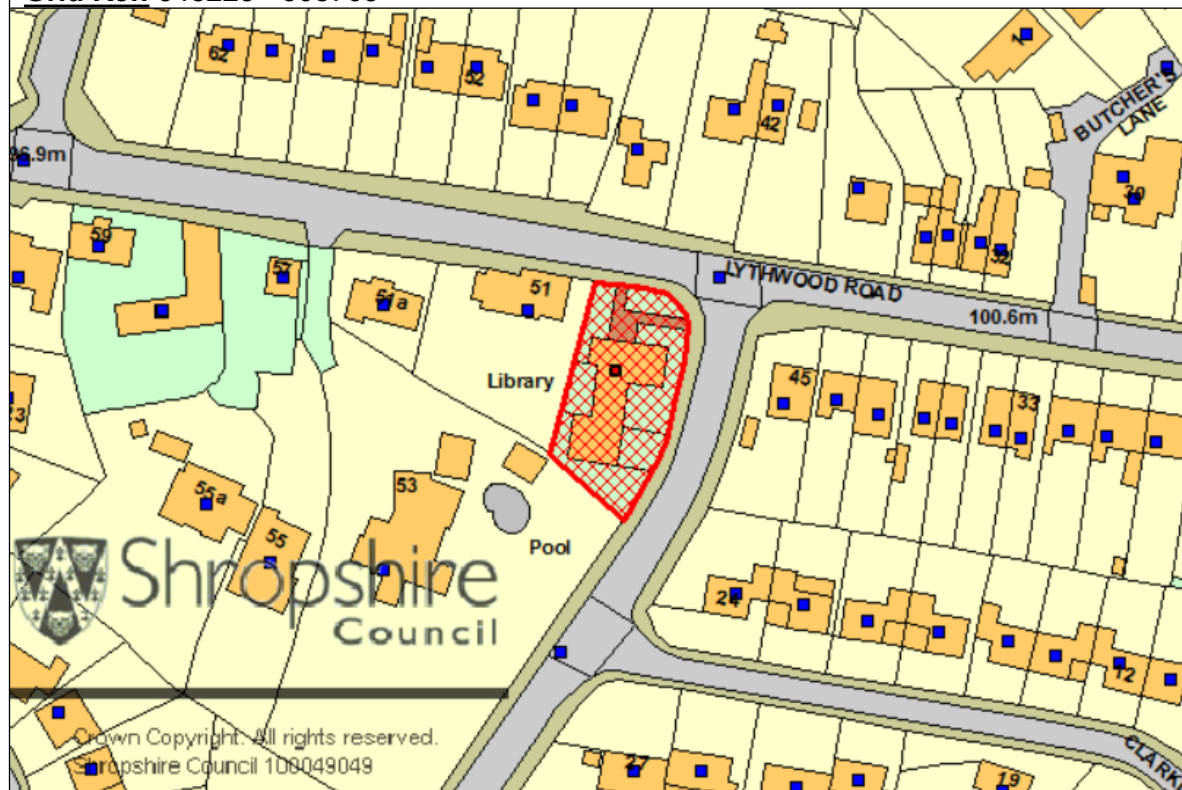
Responsible Officer: Tim Rogers

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### Summary of Application

<b><u>Application Number:</u></b> 19/01859/OUT	<b><u>Parish:</u></b>	Bayston Hill
<b><u>Proposal:</u></b> Outline application (all matters reserved) for residential development including demolition of existing library building		
<b><u>Site Address:</u></b> Mary Webb Library Lythwood Road Bayston Hill Shrewsbury Shropshire		
<b><u>Applicant:</u></b> Shropshire Council		
<b><u>Case Officer:</u></b> Toby Cowell	<b><u>email:</u></b> <a href="mailto:planningdmc@shropshire.gov.uk">planningdmc@shropshire.gov.uk</a>	

**Grid Ref:** 348225 - 308765



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

Recommended Reason for Approval

**REPORT****1.0 THE PROPOSAL**

- 1.1 Outline planning permission with all matters reserved is sought for the redevelopment of Mary Webb library for residential purposes. The indicative layout plan submitted indicates that 3 dwellings could be provided on site.
- 1.2 The application is submitted concurrently with 3 additional planning applications, which are intrinsically linked to this application and comprise as follows:
- ☐ 19/01873/OUT – Hybrid (full and outline) application for residential development (outline) and the erection of community building with car parking (full).
  - ☐ 19/01865/FUL – Erection of a vicarage associated with Christ Church on land currently occupied by informal parking to the immediate south of York House. The application includes a proposed access route running through the primary school/Glebefield site which would, realistically, also provide access for the residential development proposed within the wider site.
  - ☐ 19/01866/OUT – Redevelopment of existing community hall on Lythwood Road to provide a new scout hut. The purpose of this is to provide replacement facilities that would be lost following the demolition of the existing scout hut within the wider Glebefield site adjacent to Eric Lock Road West.

All applications have been presented together to planning committee as each are, from a planning policy perspective, reliant upon the other for approval.

**2.0 SITE LOCATION/DESCRIPTION**

- 2.1 The application site comprises Mary Webb library, a single storey flat roofed concrete building in a fairly poor state of repair located on the corner of Glebe Road (east) and Lythwood Road (north). A small grouping of mature trees are located within the northern portion of the site adjacent to the Lythwood Road streetscene, with limited open space surrounding the library.
- 2.2 The site is located within the development boundary of Bayston Hill, a large village located within relative proximity to the County town of Shrewsbury to the north.

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

- 3.1 This application does not meet the criteria for delegated decisions as set out in the Council's adopted 'Scheme of Delegation' given the application has been submitted by Shropshire Council to itself which also acts as the Local Planning Authority. The application is therefore presented to the Central Planning Committee for determination.

### 4.0 **Community Representations**

#### 4.1 **- Consultee Comments**

##### 4.1.1 **Bayston Hill Parish Council**

*Initial comments:* Bayston Hill Parish Council has carefully considered the documents submitted in connection with the proposed redevelopment of the Oakland School site off Glebe Road (Ref 19/01873/OUT) and identified a number of documents that have not been provided. We consider that without these documents a full response cannot be developed at this time. We have accordingly requested an extension of time for public comments to allow for the new information to be provided and reviewed.

As this application relies upon relocation of the existing library to the Oakland School site the Parish Council requests an extension of time to comment once sufficient information on that site is available. The Parish Council is currently funding the ongoing costs of the Mary Webb Library and would be entirely opposed to any redevelopment of this site that did not provide for satisfactory alternative provision for the library.

[Officer note: Bayston Hill PC have now raised no objection to the principle of redeveloping the former primary school/Glebeland site (ref.19/01873/OUT) however no subsequent comments have been received in respect of this particular application.]

##### 4.1.2 **SUDS**

The technical details submitted for this Planning Application have been appraised by WSP UK Ltd, on behalf of Shropshire Council as Local Drainage Authority. No objection, subject to conditions and informatives.

##### 4.1.3 **SC Highways**

The land is situated on the corner of Lythwood Road and Glebe Road. The proposal is for residential properties.

The streets that abut the site currently serve residential properties, this type of development of the library area is not expected to have a significant highway

impact locally.

Consideration should be given to ensuring the positioning of any driveways is as far away as is possible from the junction, the setting out on drawing 1512-P-03B is acceptable for the vehicle driveway positions.

Guidance on Parking ratio:

1 bedroom = 1 car park space

2 or 3 bedroomed properties 2= car park space for

4 or more bedrooms = minimum 3 car parking spaces

The site is constrained for space, as such careful planning will be expected to ensure the construction phase does not have an unacceptable detrimental impact on the local residents.

No objection, subject to conditions and informatives.

[Officer Note: Highways have clarified that conditions would be applied as part of a future Reserved Matters permission]

#### 4.1.4 **SC Ecology**

No objection, subject to conditions requiring the submission of details pursuant to birds and bat boxes and external lighting on site.

#### 4.1.5 **SC Trees**

I have reviewed the indicative Proposed Development Site plan (drawing 302-001-70-PSR-01) and the Indicative Site Layout (drawing 1512-P-03-B) and taken into account the original tree survey and report (S Reedy, 28-07-2014) and the updated Arboricultural Impact Assessment (ref: OBH/AIA/08/19). I wish to comment as follows regarding arboricultural aspects of this outline application to demolish the existing library in preparation for future use as residential development.

The indicative access and footprint of the suggested pair of semi-detached dwellings to the northern end of the site and single detached dwelling to the southern end of the site would require the removal of trees T1 and T2 to enable construction. T1 is a dying category 'U' elm tree and T2 is a small purple leaved cherry plum. The loss of both these trees would not unduly affect the arboreal nature of the location and could be compensated by suitable new tree planting as appropriate to enhance the development and its integration into the surrounding area. The most important trees on site are the group of silver birch (G3) that front Lythwood road. These trees have significant amenity value and should be retained and protected during any demolition and redevelopment of the site.

In this regard, I consider that the indicated footprint of the semi-detached units is

located too close to the group of birch, taking account of 'liveability' issues for future residents. (See sections 6.5, 7.7 – 7.9 and 7.11 of the Arboricultural Impact Assessment: OBH/AIA/08/19). I would recommend any future application for development of this site should pay particular attention to the juxtaposition of new dwellings and other structures and the group of birch, G3. The suggested new vehicular access and parking bays off Lythwood Road will also require particular attention and potentially specialist construction techniques, in order to avoid damage to the roots of the group of birch and also those of a neighbouring offsite yew tree, not recorded in the tree reports but shown from aerial GIS and Google Streetview to be located adjacent the suggested parking bays.

On balance, I have no objection to this application on arboricultural grounds, providing suitable measures are taken to prevent damage to be retained on site and adjacent offsite trees and hedges during any approved demolition and redevelopment of the site. In this respect, particular regard should be given to the group of silver birch G3 located next to the proposed new access of Lythwood Road, and any significant neighbouring trees that may affect or be affected by the proposed development.

No objection, condition recommended.

#### 4.1.6 **SC Affordable Houses**

If this site is deemed suitable for residential development, the scheme would be required to contribute towards affordable housing in accordance with Policy CS11 of the adopted Core Strategy. The level of contribution would need to accord with the requirements of the SPD Type and Affordability of Housing and at the prevailing housing target rate at the time of Reserved Matters application.

The current prevailing target rate for affordable housing in this area is currently 15%. The assumed tenure split is 70:30 split in favour of rented tenure, unless otherwise discussed and agreed by the Housing Enabling team. The size, type and tenure of the affordable housing needs to be agreed in writing with the Housing Enabling team before any Full or Reserved Matters application is submitted. The S106 would need to reflect the broad range of tenures identified in the SPD Type and Affordability of Housing.

#### 4.1.7 **SC Parks and Recreation**

Under Shropshire Councils SAMDev Plan and MD2 policy requirement, adopted 17th December 2015, all development will provide adequate open space, set at a minimum standard of 30sqm per person (equivalent to 3ha per 1,000 population). For residential developments, the number of future occupiers will be based on a standard of one person per bedroom.

The Design and Access plan now acknowledges the need for open space as set out under SAMDev Policy MD2. The development includes 150 bedrooms equating to 150 people. Working on 30 square metres per person it equates to an area of 4500m<sup>2</sup>, as the development appears to offer 6238m<sup>2</sup> Officers are happy

that the development fulfils the planning criteria.

#### **4.1.9 - Public Comments**

This application was advertised via notice at the site. Additionally, the occupants of 9 neighbouring properties were individually notified by way of publication. At the time of writing this report, 4 letters of representation had been received in response to this publicity, 3 of which object to the proposed development with a further 1 providing comments, yet raising various concerns. A summary of all comments received is as follows:

- Overdevelopment of the site;
- Insufficient amenity for properties;
- Mature trees on site;
- Existing building should be reused;
- Highways safety issue adjacent to junction.

### **5.0 THE MAIN ISSUES**

- 5.1 **Principle of Development**  
**Character and Appearance**  
**Neighbouring Amenity**  
**Trees, Landscaping and Public Open Space**  
**Highways and Access**  
**Ecology**  
**Drainage**

### **6.0 OFFICER APPRAISAL**

#### **6.1 Principle of Development**

- 6.1.1 Core Strategy Policies CS1, CS3, CS5 and CS11 seek to steer new housing to sites within market towns, other 'key centres' and certain named villages. Policy CS4 also allows for the identification of 'Community Hubs and Clusters' within the rural area where further housing development can happen; these hubs and clusters were designated as part of the adoption of the Council's Site Allocations and Management of Development (SAMDev) plan.

- 6.1.2 The NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF also states that one of its core planning principles is to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

- 6.1.3 Policy CS6 of the Core Strategy seeks to ensure development protects, restores,

conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character.

- 6.1.4 The provision of housing within the urban area of Bayston Hill accords with the adopted SAMDev Plan Policy S16.2(ii), with Core Strategy Policy CS2 and MD1 of the SAMDev identifying Bayston Hill as a Community Hub. S16.2(ii) states that Bayston Hill a housing guideline of around 50-60 dwellings for the period 2006-2026, where development by infilling, groups of houses and conversion of buildings may be acceptable on suitable sites within the development boundary identified on the Policies Map.
- 6.1.5 The Council's latest 5 year housing land supply position document indicates that a tot of 66 dwellings have been delivered over 2006-2026 plan period, of which 51 relate to completions with an additional 15 comprising planned commitments where planning permission has been granted.
- 6.1.6 The proposed redevelopment of the site, whilst only made in Outline (with respect to the residential element) indicates that the site could include provision for 3 dwellings which, together with the current level of housing delivered in Bayston Hill, would result in the housing guideline figure for Bayston Hill being exceeded. SAMDev Policy MD3 states that the housing guideline is significant policy consideration, and where development would result in this figure being exceeded, decision must have regard to the following:
- ☐ The increase in number of dwellings relative to the guideline; and
  - ☐ The likelihood of delivery of the outstanding permissions; and
  - ☐ The benefits arising from the development; and
  - ☐ The impacts of the development, including the cumulative impacts of a number of developments in a settlement; and
  - ☐ The presumption in favour of sustainable development.

With respect to the above, the proposed development would result in the redevelopment of what comprises a brownfield site. Section 11 of the NPPF places great importance on planning policies and decisions giving substantial weight to the value of using suitable brownfield land within settlements for homes. Paragraph 38 of the NPPF also states that decision-makers at every level should seek to approve applications for sustainable development where possible, and it is considered that the proposed development would constitute a sustainable and effective re-use of an existing brownfield site within a settlement boundary where the principle of additional residential development is acceptable.

- 6.1.7 Bayston Hill has been indicated as comprising a highly sustainable settlement in the current local plan which includes a range of local services and facilities with good public transport links connecting the village to Shrewsbury and Church Stretton. The site is also located within relative proximity to Meole Brace Retail

Park, with a sizeable range of shops (Sainsbury's, Marks and Spencer, Next, TK Maxx, Sports Direct, Home Bargains etc.) that also serves a large catchment area. Additional shopping facilities also exist within a 5-8 minute drive of the site, which include a Lidl supermarket and an Aldi (currently under construction).

- 6.1.8 It is therefore considered that the proposals would constitute a highly sustainable form of development, which the NPPF and local planning policy applies significant weight to with respect to planning decisions. It is also noted that the redevelopment of the site providing up to 3 additional dwellings in isolation would only result in a marginal increase in dwellings relation to Bayston Hill's housing guideline, therefore rendering the principle of residential development at the site to be acceptable.
- 6.1.9 Core Strategy Policy CS8 seeks to protect and enhance existing facilities, services and amenities that contribute to the quality of life of residents and visitors. The proposals would result in the demolition of the existing library facility which, in isolation, would be in conflict with Policy CS8. Notwithstanding this however, library facilities would be incorporated into the new community hub on the adjacent former primary school site, and would therefore satisfactorily offset the loss of the existing library.
- 6.1.10 The principle of the loss of the existing library is therefore considered to be acceptable on this basis, provided the new community hub is developed and operational prior to the closure and demolition of the existing library facilities. Such assurances can be controlled via condition should permission be forthcoming, and also facilitated through a future S106 legal agreement between the developer and Shropshire Council if necessary.

### **6.3 Character and Appearance**

- 6.3.1 Policy CS6 of the Core Strategy requires development to be designed to a high quality using sustainable design principles, which should be responsive to the local character and context of existing development and its wider surroundings. Likewise, SAMDev Policy MD2 requires development to respond positively to local design aspirations, and be reflective of locally characteristic architectural design and details.
- 6.3.2 This application is made in Outline with all matters aside from access to be considered as part of a future Reserved Matters application. Therefore, the current scheme cannot be fully assessed at this time as to the perceived impact of the development with respect to design and the subsequent impact upon the visual amenities of the wider locality. Any future Reserved Matters application would need to ensure that the design, scale, bulk and massing of the dwellings would be reflective of the built form and vernacular of surrounding development. Notwithstanding this however, it is considered likely that an appropriate scheme with respect to design can be achieved at the site, however there are concerns that the 3 dwellings proposed within the site may constitute an overdevelopment



of the site as whole. The Parish Council has also indicated a preference for bungalows on the site, which could be revisited as part of a future Reserved Matters application.

#### **6.4 Neighbouring amenity**

- 6.4.1 Policy CS6 and MD2 seek to ensure that development contributes to the health and wellbeing of communities, including safeguarding residential and local amenity. Paragraph 127 of the NPPF states that planning policies and decisions should ensure that development *‘creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users’*.
- 6.4.2 This application is made in Outline with all matters aside from access to be considered as part of a future Reserved Matters application. Therefore, the current scheme cannot be fully assessed at this time as to the perceived impact upon the residential amenities of surrounding properties and the quality of amenity provided for future occupants of the dwellings.
- 6.4.3 Notwithstanding this however, the indicative site layout submitted with the application is considered such that the amenities of surrounding residential properties, would unlikely be adversely impacted in terms of overlooking, overshadowing or loss of light. Likewise, the indicative site layout demonstrates that each dwelling would be provided with a good standard of associated outdoor amenity space, and it is considered that it would be feasible for each dwelling to comply with the Nationally Described Space Standards with regards to the Gross Internal Floor Area for each dwelling.
- #### **6.5 Trees and Landscaping**
- 6.5.1 In accordance with SAMDev Policy MD2 and Core Strategy Policy CS17, landscaping is expected to form an important part of development schemes with the new planting of trees, woodland and hedges required to be incorporated to reinforce existing landscape features.
- 6.5.2 The indicative access and footprint of the suggested pair of semi-detached dwellings to the northern end of the site and single detached dwelling to the southern end of the site would require the removal of trees T1 and T2 to enable construction. T1 is a dying category ‘U’ elm tree and T2 is a small purple leaved cherry plum. In the opening of the Council’s Arboricultural Officer, the loss of both these trees would not unduly affect the arboreal nature of the location and could be compensated by suitable new tree planting as appropriate to enhance the development and its integration into the surrounding area. The most important trees on site are the group of silver birch (G3) that front Lythwood road. These trees have significant amenity value and should be retained and protected during any demolition and redevelopment of the site.
- 6.5.3 In this regard, it is consider that the indicated footprint of the semi-detached units is located too close to the group of birch, taking account of ‘liveability’ issues for

future residents. It is therefore recommended that any future application for development of this site should pay particular attention to the juxtaposition of new dwellings and other structures and the group of birch, G3. The suggested new vehicular access and parking bays off Lythwood Road would also require particular attention and potentially specialist construction techniques, in order to avoid damage to the roots of the group of birch and also those of a neighbouring offsite yew tree, not recorded in the tree reports but shown from aerial GIS and Google Streetview to be located adjacent the suggested parking bays.

6.5.4 On balance, the Council's Arboricultural Officer raises no objection to this application on arboricultural grounds, providing suitable measures are taken to prevent damage to retained trees on site and adjacent offsite trees and hedges during any approved demolition and redevelopment of the site. In this respect, particular regard should be given to the group of silver birch G3 located next to the proposed new access of Lythwood Road, and any significant neighbouring trees that may affect or be affected by the proposed development.

6.5.5 At this stage, limited information has been provided with respect to landscaping, aside from high level details shown on the indicative site layout plan. Such information includes the retention of existing mature trees within the north of the site, and a detailed landscaping scheme would be required for submission as part of a future Reserved Matters application.

## **6.6 Highways and Access**

6.6.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that proposals likely to generate significant levels of traffic should be located in accessible locations where there are opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced. This policy also indicates that development should be designed to be safe and accessible to all.

6.6.2 No concerns have been raised from the highways authority, who have indicated that such development would not result in a significant impact upon the highway locally given the dominance of residential properties within the locality. The indicative site layout has also been considered acceptable with respect to the location of the proposed parking relation to the Glebe Road/Lythwood Road junction. Additional information in relation to details of access, parking and a Construction Method Statement would be required as part of a future Reserved Matters application.

## **6.7 Ecology**

6.7.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development will identify, protect, expand and connect Shropshire's environmental assets to create a multifunctional network and natural and historic resources. This will be achieved by ensuring that all development protects and enhances the diversity, high quality and local character of the natural environment and does not adversely affect the ecological value of the assets,

their immediate surroundings or their connecting corridors. This is reiterated in national planning guidance in policy 11 'Conserving and Enhancing the Natural Environment' of the National Planning Policy Framework. This indicates that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, minimising impacts on biodiversity and providing net gains where possible.

- 6.7.2 An Ecological Assessment has been submitted in support of the application (apT, December 2018), with priority and protected species surveys undertaken at the site demonstrating the probably absence of great crested newts, widespread reptiles, roosting bats and badgers. The site was also seen to support only low levels of bat activity. The Council's Ecologist has raised no objections to the proposed development provided that details pursuant to bird/bat boxes and a lighting plan are submitted via condition, should planning permission be forthcoming.

## **6.8 Drainage**

- 6.8.1 Policy CS18 'Sustainable Water Management' of the Shropshire Core Strategy indicates that development should integrate measures of sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity and provide opportunities to enhance biodiversity. The proposal has been assessed by the Council's Drainage Engineer who has not raised any objection, provided that details pursuant to surface and foul water drainage are provide prior to the commencement of development by way of condition and an informative in relation to sustainable drainage principles is attached to any approval notice issued. In view of the above it is considered that an appropriate drainage system can be installed to meet the requirements of the NPPF and Policy CS18 of the Core Strategy.

## **7.0 CONCLUSION**

The proposed redevelopment of the existing library for residential purposes is considered to be acceptable in principle, with new library services to be provided within a community hub proposed as part of a separate application at the adjacent primary school/Glebefield site. It is also considered that a scheme which would be acceptable from a visual impact perspective and ensuring that the amenities of surrounding residential properties would not be unduly impacted could be developed at the site, whilst providing a good standard of living for future occupants. No concerns are raised provisionally from a highway safety standpoint, and the proposals have also been found acceptable by the Council's Arboriculturalist and Ecologist.

The application is therefore recommended for approval, subject to conditions outlined within Appendix 1 of this report.

## **8.0 Risk Assessment and Opportunities Appraisal**

### **8.1 Risk Management**

There are two principal risks associated with this recommendation as follows:

- ☐ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- ☐ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

## 8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

## 8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

## 9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10. Background

### Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

CS1 - Strategic Approach  
 CS4 - Community Hubs and Community Clusters  
 CS6 - Sustainable Design and Development Principles  
 CS8 - Facilities, Services and Infrastructure Provision  
 CS17 - Environmental Networks  
 CS18 - Sustainable Water Management  
 MD1 - Scale and Distribution of Development  
 MD2 - Sustainable Design  
 National Planning Policy Framework  
 Settlement: S16 - Shrewsbury

### RELEVANT PLANNING HISTORY:

19/01859/OUT Outline application (all matters reserved) for residential development including demolition of existing library building PDE

## 11. Additional Information

View details online:

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder)  Councillor Gwilym Butler
Local Member  Cllr Ted Clarke

Cllr Jane Mackenzie

Cllr Tony Parsons

Appendices

APPENDIX 1 - Conditions

## **APPENDIX 1**

### **Conditions**

#### **STANDARD CONDITION(S)**

1. Approval of the details of the design and external appearance of the development, access arrangements, layout, scale, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Article 4 of the Development Management Procedure Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

4. 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**

5. 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.

6. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes (required under a separate planning condition). The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK. 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 DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT**

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

- A minimum of 2 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), swifts (swift bricks or boxes) and/or house martins (house martin nesting cups).

The boxes shall be sited in suitable locations, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.

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

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

8. The existing library shall not be demolished, and shall remain fully open and operational, until such a time that the community hub (as applied for under ref. 19/01873/OUT) has been constructed, opened and become fully operational.

Reason: To ensure that continuous library facilities are provided within the village.

**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. All bat species found in the U.K. are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2017 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.



3. 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 and/or conversion, renovation and demolition work in buildings 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 if there are no active nests present should work be allowed to commence.

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

4. The following procedures should be adopted to reduce the chance of killing or injuring small animals, including reptiles, amphibians and hedgehogs.

If piles of rubble, logs, bricks, other loose materials or other potential refuges are to be disturbed, this should be done by hand and carried out during the active season (March to October) when the weather is warm.

The grassland should be kept short prior to and during construction to avoid creating attractive habitats for wildlife.

All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife.

Where possible, trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a close-fitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

Any common reptiles or amphibians discovered should be allowed to naturally disperse. Advice should be sought from an appropriately qualified and experienced ecologist if large numbers of common reptiles or amphibians are present.

If a great crested newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.

If a hibernating hedgehog is found on the site, it should be covered over with a cardboard box and advice sought from an appropriately qualified and experienced ecologist or the British Hedgehog Preservation Society (01584 890 801).

Hedgerows are more valuable to wildlife than fencing. Where fences are to be used, these should contain gaps at their bases (e.g. hedgehog-friendly gravel boards) to allow wildlife to move freely.

5. 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.

6. This planning permission does not authorise the applicant to:

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

7. No work on the site should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 184 of the Highways Act 1980 entered into. Please contact: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND to progress the agreement.

8. The site is classed as brownfield, therefore a 50% betterment to the current surface water flows should be provided in accordance with Shropshire Council requirements. The use of soakaways should be investigated in the first instance for surface water disposal. The betterment requirement will be assumed to have been achieved if all surface water is disposed of via soakaways.

Percolation tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365 to cater for a 1 in 100 year return storm event plus an allowance of 35% for climate change. . Full details, calculations and location of the percolation tests and the proposed soakaways should be submitted for approval.

Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway.

Should soakaways are not feasible, drainage details and calculations to limit the proposed discharge, for the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event as in accordance with the Non- Statutory Technical Standards for Sustainable Drainage Systems dated March 2015 should be submitted for approval. The attenuation drainage system should be designed so that storm events of up to 1 in 100 year + 35% for climate change will not cause flooding of any property either within the proposed development or any other in the vicinity.

9. Information on the proposed maintenance regime for any sustainable drainage system proposed, including details of who will take responsibility should be provided to ensure that the drainage system remains in good working order throughout its lifetime.

10. Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas.

The appropriate allowance for urban creep must be included in the design of the drainage system over the lifetime of the proposed development. The allowances set out below must be applied to the impermeable area within the property curtilage:

Residential Dwellings per hectare	Change allowance % of impermeable area
Less than 25	10
30	8
35	6
45	4
More than 50	2
Flats & apartments	0

11. Highway gully spacing calculations should be provided.

Where a highway is to be adopted and gullies will be the only means of removing surface water from the highway, footpaths and paved areas falling towards the carriageway, spacing calculations will be based on a storm intensity of 50mm/hr with flow width of 0.75m, and be in accordance with DMRB CD526 Spacing of Road Gullies (formerly HA102)

Gully spacing calculations must also be checked in vulnerable areas of the development for 1% AEP plus climate change 15 minute storm events. Storm water flows must be managed or attenuated on site, ensuring that terminal gullies remain 95% efficient with an increased flow width.

The provision of a finished road level contoured plan showing the proposed management of any exceedance flows should be provided.

Vulnerable areas of the development are classed by Shropshire Council as areas where exceedance flows are likely to result in the flooding of property or contribute to flooding outside of the development site. For example, vulnerable areas may occur where a sag curve in the carriageway vertical alignment coincides with lower property threshold levels or where ground within the development slopes beyond the development boundary.

Shropshire Councils Surface Water Management: Interim Guidance for Developers, paragraphs

7.10 to 7.12 (Local Standard D of the SUDS Handbook) requires that exceedance flows for events

up to and including the 1% AEP plus CC should not result in the surface water flooding of more vulnerable areas (as defined above) within the development site or contribute to surface water flooding of any area outside of the development site.

12. The proposed method of foul water sewage disposal should be identified and submitted for approval, along with details of any agreements with the local water authority and the foul water drainage system should comply with the Building Regulations H2.

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