

Development Management Report

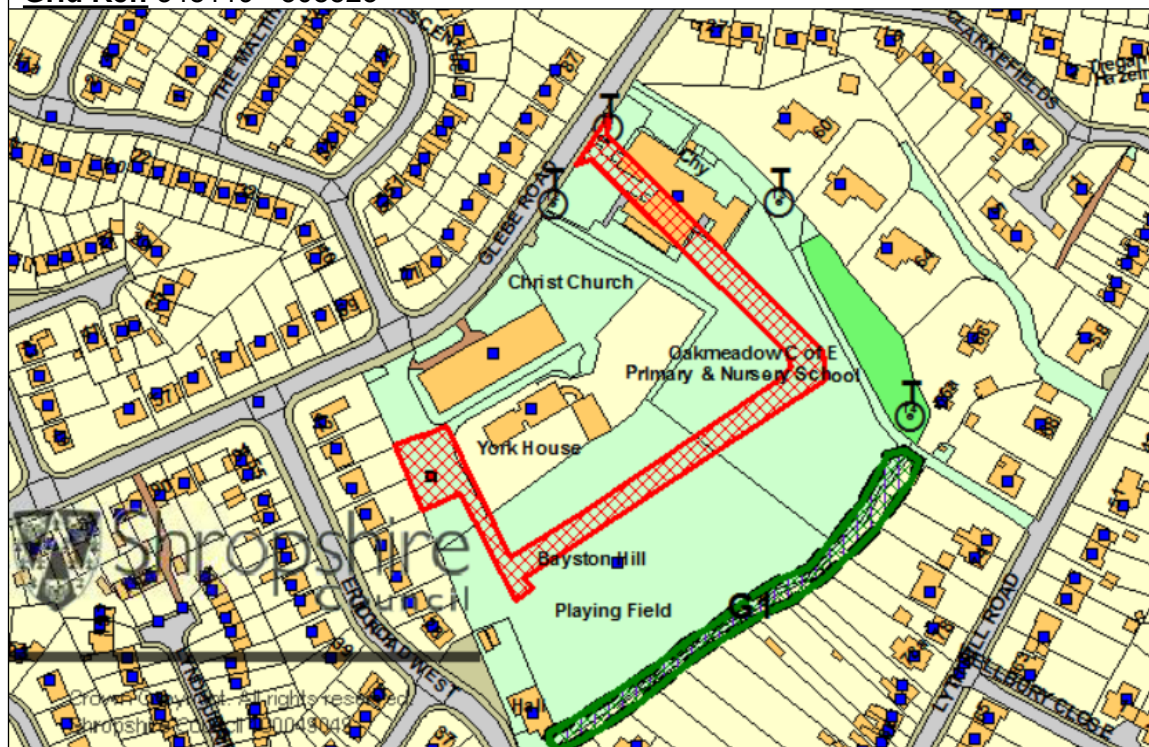
Responsible Officer: Tim Rogers

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Summary of Application

<u>Application Number:</u> 19/01865/FUL	<u>Parish:</u>	Bayston Hill
<u>Proposal:</u> Erection of one residential dwelling with integral community facilities; to include removal of trees and other tree works		
<u>Site Address:</u> Proposed Vicarage SW Of Christ Church Glebe Road Bayston Hill Shrewsbury Shropshire		
<u>Applicant:</u> Lichfield Diocesan Board of Finance		
<u>Case Officer:</u> Toby Cowell	<u>email:</u> planningdmc@shropshire.gov.uk	

Grid Ref: 348119 - 308523



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

Recommended Reason for Approval

REPORT**1.0 THE PROPOSAL**

1.1 Planning permission is sought for the erection of a two-storey 4-bedroom detached dwelling acting as a Vicarage in connection with the adjacent Christ Church. The vicarage would primarily function as an independent dwellinghouse/family residence for the Vicar/Reverend of Christ Church with a private entrance on the front elevation. However, a limited area of the ground floor would act as a congregational area (parsonage) with a separate access from the existing car park to the north-west, and incorporate a study, entrance hall and toilet. The Vicarage would be incorporated into the wider redevelopment of the Glebefield site for residential purposes (being considered separately under ref. 19/01873/OUT), however this application is being considered in 'FULL' in isolation. A new vehicular access is proposed as part of the application crossing the site of the former Oakland County Primary School and the Glebefield, which would also realistically provide access to the wider residential 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).
- ☐ 19/01859/OUT– Outline application (all matters reserved) for residential development including demolition of existing library building.
- ☐ 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 the former Oakland County Primary School building and associated playing fields access from Glebe Road, together with the open grassed area known as Glebefield and the local scout hut (access from Eric Lock Road West). The site also includes Christ Church and York House adjacent to the primary school, yet such elements are proposed to be retained as part of the site's wider redevelopment. The Glebefield, whilst an open grassed space that is typically used by local residents for recreational purposes, is owned by the

Diocese of Lichfield and therefore not designated as formal public open space.

- 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. A footpath currently runs through the site linking Glebe Road to Lyth Hill Road that crosses over the Glebefield. This also links to a less formal footpath which extends south-westward to the scout hut and Erick Lock Road West. Veteran trees are present along the site's southern boundary, the majority of which are located outside of the application site and within the rear gardens of properties in Lyth Hill Road. Additional mature trees and dense scrub/vegetation is present along the western edge of the site to the rear of nos. 28 – 36 Eric Lock Road West.

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**
No objection

- 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 proposal is for the construction of a new vicarage with access via the proposed new residential estate road which is to serve the whole residential development, although the residential aspect is being dealt with as part of a separate outline planning condition 19/01873/OUT.

Given the above it is implicit that the access road needs to be constructed in order to provide access to the Vicarage. This not considered an issue in itself and condition(s) can be imposed to ensure that the access road is constructed to base course level prior to the dwelling (Vicarage) being first occupied.

No objection, subject to conditions.

- 4.1.4 **SC Ecology**
No objection, subject to conditions requiring the submission of a landscaping plan, details pursuant to birds and bat boxes and external lighting on site.

4.1.5 SC Trees

I have reviewed the amended Proposed Vicarage Site Layout (drawing 1512-P-02-3) 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 full application to erect a new vicarage.

Construction of the dwelling itself will not require the removal of any trees, but creation of the new access off Glebe Road and new internal road through the site to serve the new dwelling will result in the loss of two trees (T4 and T14) and one group of trees (G23). T4 is a small category 'C' maple, T14 is a diseased category 'U' red horse chestnut and G23 is a category 'C' group of young trees of no particular arboricultural merit. The loss of these trees would not affect the arboreal nature of the site and could readily be compensated by suitable new tree planting as appropriate to enhance the development and its integration into the surrounding area.

I therefore have no objection to this application on arboricultural grounds, providing suitable measures are taken to prevent damage to retained trees and hedges during any approved development. In this respect, particular regard should be given to tree T5 (London Plane) which is the subject of a Tree Preservation Order and located next to the proposed new access of Glebe Road, and group of willow trees G51, which are located next to the proposed driveway at the front of the new vicarage.

Should permission for this application be granted, I would recommend applying the following tree protection and landscape (tree planting) conditions:

- ☐ 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 planted as a replacement for any retained tree.

a) During implementation of the development no retained 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 (LPA). Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.

b) Prior to commencement of development a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), prepared in accordance with and meeting the minimum tree protection requirements recommended in BS5837: 2012, or its current equivalent, shall be submitted to and approved in writing by the LPA. All tree works and protection measures detailed in the approved TPP and AMS must be fully implemented to the written satisfaction of the LPA before any equipment, machinery or

materials are brought onto the site for the purposes of the development.

c) The development shall be implemented in accordance with the approved AMS and TPP. 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 LPA.

d) All services will be routed outside the Root Protection Areas indicated on the approved TPP or, where this is not possible, a detailed method statement and task specific TPP will be submitted and approved in writing by the LPA prior to any work commencing.

e) 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 a responsible person has been appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The LPA will be informed of the identity of said person.

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.

- ☐ No works associated with the development will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a tree planting scheme, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape – Recommendations, or its current version, has been submitted to and approved in writing by the LPA. The approved scheme shall include:

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

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

- ☐ The approved tree planting scheme shall be implemented as specified and in full prior to occupation of the dwelling. If within a period of five years from the date of planting, any tree or shrub, or any tree or shrub planted in

replacement for it, dies or, in the opinion of the LPA becomes seriously damaged or diseased, or is otherwise lost or destroyed, another tree or shrub of a similar specification to the original shall be planted at the same place during the first available planting season.

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

4.1.6 **SC Affordable Houses**

No objection. There are no affordable housing obligations associated with this proposal.

4.1.9 **- Public Comments**

This application was advertised via notice at the site. Additionally, the occupants of 20 neighbouring properties were individually notified by way of publication. At the time of writing this report, 3 letters of objection had been received in response to this publicity. A summary of all comments received is as follows:

- Current vicarage could be altered as opposed to erecting a new one result in removal of existing trees;
- Lack of identified need for new vicarage.

5.0 **THE MAIN ISSUES**

5.1 **Principle of Development Character and Appearance Neighbouring Amenity Trees and Landscaping 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 erection of a Vicarage would amount to the construction of a single dwelling which, in isolation, only results in a marginal further increase above the housing guideline for Bayston Hill as outlined in the SAMDev. The new Vicarage, whilst providing the erection of a further dwelling, also allows for a purpose built facility to cater for the local parishioners of Bayston Hill that fully meets the Church Of England's requirements as set out in its Parsonage Design Guide, also known as the "Green Guide".
- 6.1.7 The submitted planning statement accompanying this application provides the following justification for the erection of a replacement Vicarage:
- "Bayston Hill is a thriving parish within the Diocese of Lichfield. As such the demands on the Vicar in practicing his Ministry are many and varied. Parishioners currently visiting the Vicar cannot do so without being on general view to their neighbours. Whilst the existing vicarage has a study, it is not of sufficient size to cater for these requirements, nor does it sufficiently enable the Vicar to separate the needs of their Ministry to their entitlement to a private family life. The proposed replacement vicarage enables the Diocese to design a purpose built Vicarage fit for both the present and future requirements of the Vicar in this demanding role.*
- This is the primary need for the replacement. Secondary to this is the ongoing need to provide better accommodation for the current & future clergy occupants, to improve the energy and operational efficiency of the Diocese vicarages and provide a Vicarage fit for the future."*
- 6.1.8 Such justification as provided is considered to be reasonable, and the enhancement/replacing of existing services or facilities that contribute to the

quality of life for residents is supported by Core Strategy Policy CS8. The principle of development is therefore considered to be acceptable.

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 The design, scale and built vernacular of the proposed Vicarage is considered to be acceptable employing a traditional and uncomplicated design. The Vicarage would not be readily visible within the context of the wider Glebe Road/Eric Lock Road West streetscene's and therefore have a limited impact upon the character of the same. The construction of the Vicarage would be incorporated into the wider redevelopment of the site for residential purposes, and therefore would appear from the indicative/concept site layout for the wider site to be well integrated into the rest of the residential development proposed at the site.

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 The rear elevation of the vicarage would be set in excess of 20m from the rear of elevation of the closest residential properties on Eric Lock Road West to the west, and therefore have a negligible impact upon the amenities of nearby residential properties with respect to overlooking, loss of light, overshadowing or general overdominance. It is also considered that the level of private amenity proposed for the Vicarage is acceptable, with clear demarcations between the private and public (parsonage) sections of the Vicarage.

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 Construction of the dwelling itself would not require the removal of any trees, however the proposed creation of the new access off Glebe Road and internal road through the site to serve the new dwelling will result in the loss of two trees (T4 and T14) and one group of trees (G23). T4 is a small category 'C' maple, T14 is a diseased category 'U' red horse chestnut and G23 is a category 'C' group of young trees of no particular arboricultural merit. The loss of these trees would not affect the arboreal nature of the site and could readily be compensated by suitable new tree planting as appropriate to enhance the development and its

integration into the surrounding area.

- 6.5.3 The Council's Tree Officer therefore raised no objection to this application on arboricultural grounds, providing suitable measures are taken to prevent damage to retained trees and hedges during any approved development. In this respect, particular regard should be given to tree T5 (London Plane) which is the subject of a Tree Preservation Order and located next to the proposed new access of Glebe Road, and group of willow trees G51, which are located next to the proposed driveway at the front of the new vicarage.
- 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. More detailed landscaping, likely to be incorporated into the landscaping scheme for the wider site's redevelopment, will be required for submission and approval via condition should planning permission be forthcoming.

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 objection has been raised to the principle of the access road running through the wider site, and therefore in reality serving the wider residential estate as proposed under a separate planning application, provided the access is constructed to base course level prior to the occupation of the Vicarage. The level of parking (3 spaces) and turning area proposed as part of this submission is also considered to be acceptable.

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 assessment has however outlined a number of mitigation and enhancement recommendations, which the Council's Ecologist is in agreement with. Compliance with the proposed recommendations, particularly in relation to an Ecological Clerk of Works (ECW) providing reports to the Local Planning Authority with respect to the identified RAMMS, would be secured through the imposition of a condition to the separate planning application for the site's wider redevelopment. In the case of this application, details pursuant to bird and bat boxes will need to be supplied via condition and implemented prior to occupation of the Vicarage. Details of any external lighting to be used on site will also be required for submission and approval prior to their erection.

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 principle of development, namely the erection of a new dwelling acting as a Vicarage in connection with Christ Church and incorporating a parsonage, is considered to be acceptable, without detriment to the visual amenities of the wider locality or the amenities of surrounding residential properties. No objections have been raised on arboricultural and ecological grounds in principle, with the proposed access and parking provision also found acceptable.

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
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:

PREAPP/11/00192 Installation of a solar Pv array on roof PRRQD 1st February 2011
11/00833/FUL Installation of 126 PV solar modules on south facing roof (Amended Description)
GRANT 3rd May 2011
19/01865/FUL Erection of one residential dwelling with integral community facilities; to include removal of trees and other tree works PDE
SA/83/0181 Formation of a car park for new church. PERCON 3rd May 1983
SA/83/0696 To site a demountable building to be used in connection with the Church.
PERCON 27th September 1983
SA/83/0998 To station a temporary caravan to use for church youth work. (a retrospective application). PERCON 17th January 1984
SA/83/0203 Erection of a temporary building for use as a Sunday School. PERCON 3rd May 1983
SA/84/0198 Erection of a building to use as a home for long term care of mentally handicapped adults. PERCON 21st June 1984
SA/75/0282 To use land as allotments. PERCON 16th December 1975
SA/79/1255 Continue use of land for allotments. PERCON 15th January 1980
SA/92/0937 Formation of a new vehicular access. For Christ Church. PERCON 27th October 1992
SA/82/0229 Erection of a new church building with formation of new vehicular and pedestrian accesses. PERCON 25th May 1982
SA/81/0080 Erection of a new church with alterations to existing vehicular and pedestrian accesses. PERCON 24th March 1981
SA/90/0594 Erection of single storey extensions to increase worship area and provide area for young church worship and teaching together with multi-purpose room for work amongst the local community. PERCON 1st August 1990
SA/08/1319/F Erection of a single storey flat roof extension to rear PERCON 17th December 2008

19/01865/FUL Erection of one residential dwelling with integral community facilities; to include removal of trees and other tree works 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)
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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. 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. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls 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.

4. 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 planted as a replacement for any retained tree.

a) During implementation of the development no retained 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 (LPA). Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.

b) Prior to commencement of development a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), prepared in accordance with and meeting the minimum tree protection requirements recommended in BS5837: 2012, or its current equivalent, shall be submitted to and approved in writing by the LPA. All tree works and protection measures detailed in the approved TPP and AMS must be fully implemented to the written satisfaction of the LPA before any equipment, machinery or materials are brought onto the site for the purposes of the development.

c) The development shall be implemented in accordance with the approved AMS and TPP. 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 LPA.

d) All services will be routed outside the Root Protection Areas indicated on the approved TPP or, where this is not possible, a detailed method statement and task specific TPP will be submitted and approved in writing by the LPA prior to any work commencing.

e) 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 a responsible person has been appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The LPA will be informed of the identity of said person.

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.

5. No works associated with the development will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a tree planting scheme, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape - Recommendations, or its current version, has been submitted to and approved in writing by the LPA. The approved scheme shall include:

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

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

6. 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.

7. 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

8. 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 1 external woodcrete bat box or integrated bat brick, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 1 artificial nest, 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

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

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

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. The use of soakaways should be investigated in the first instance for surface water disposal.

Percolation tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365. Full details, calculations, dimensions and location plan 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 calculations should limit the discharge rate from the site equivalent to 5.0 l/s runoff rate 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.

3. 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	

Note: where the inclusion of the appropriate allowance would increase the total impermeable area to greater than 100%, 100% should be used as the maximum.

Curtilage means area of land around a building or group of buildings which is for the private use of the occupants of the buildings.

4. If non permeable surfacing is used on the new access, driveway and parking area or the new access slopes toward the highway, the applicant should submit for approval a drainage system to ensure that no surface water runoff from the new access run onto the highway.

5. 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.

6. 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.

7. 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).