



Committee and date

Central Planning Committee

3 April 2014

Item

6

Public

Development Management Report

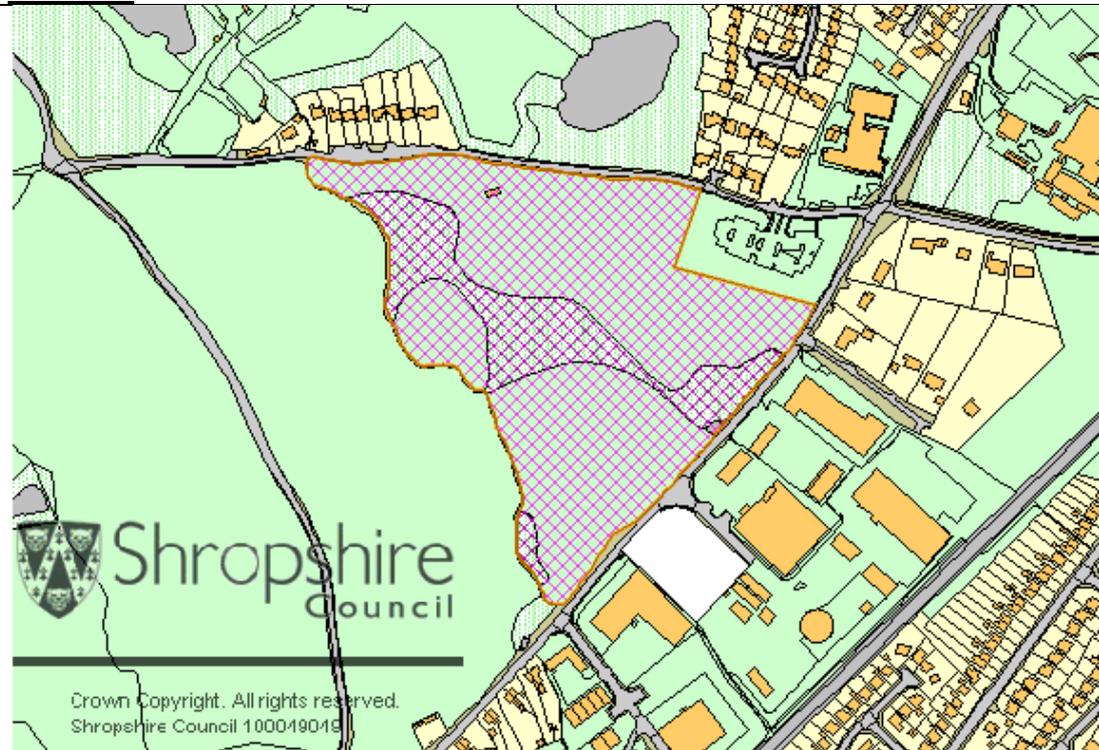
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Summary of Application

Application Number: 13/03920/OUT	Parish:	Shrewsbury Town Council
Proposal: Outline application (including access with mini island off Longden Road) for a residential development of up to a maximum of 175 dwellings; amenity space and associated works (amended description).		
Site Address: Land Between Mousecroft Lane And Longden Road Shrewsbury Shropshire		
Applicant: Wyro Developments Ltd		
Case Officer: Andrew Gittins	email: planningdmc@shropshire.gov.uk	

Grid Ref: 347739 - 310614



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Recommendation:- Grant delegated powers to the Area Planning Manager to grant consent subject to the conditions set out in Appendix 2 and a Section 106 legal agreement to secure the developer contributions as set out in draft in SC Policy response within the report.

REPORT

1.0 PURPOSE OF REPORT

- 1.1** The purpose of this report is to update Members on negotiations which have taken place following the 9th January 2014 Central Planning Committee where it was resolved to defer the application to enable further negotiations to be undertaken with the applicant with regard to the number of dwellings at the site, provision of recreation and leisure facilities, and the potential for highway improvement works.
- 1.2** The applicant has confirmed that the scheme would deliver a maximum of 175 dwellings, which accords with the indicative figure for the site set out in the Council's Pre-Submission Draft SAMDev Plan, and amended plans have been received illustrating a proposed mini- island in place of the priority T-junction. A 14 day re-consultation was undertaken on the 5th March 2014 to advertise the amended description and amended plan; the additional consultee and public comments are recorded below.
- 1.3** The Town Council have expressed an interest in developing the play and open space facilities subject to Town Councillor approval and commuted maintenance payments being approved. The Town Council would need to meet with the developer to discuss the scheme and the Town Council's specific requirements on play provision. As the application is for Outline consent with all matters excluding access reserved for later approval, the amount and location of the open space is reserved for later approval.
- 1.4** Amended plans which illustrate the mini island have been commented on in full by Shropshire Council Highways Development Control in the Additional Comments section below.

4.0 REPRESENTATION

4.1 CONSULTEE COMMENTS

4.1.1 SC Planning Policy:

The site is a Pre-Submission Draft (or Final) SAMDev Plan site – land west of Longden Road, proposed to be allocated for approximately 175 dwellings subject to provision of funding for local highways improvements.

Overall infrastructure costs and contributions required to address impacts arising from the development have been identified in accordance with the approach agreed by Cabinet on 24th July 2013 in the report on Place Plans Review, linked to Core Strategy Policies CS2 and CS9, and the Council's Developer Contributions SPD. The package of total costs for the delivery of infrastructure for the site, based on a 175 home development, has been agreed with the applicants to be £1,002,325, with the overall contribution being £1,143,445m when the CIL Neighbourhood Fund at 15% and administration at 5% are added. The infrastructure costs package is made up of:

Contribution to Strategic Road Network: £245,700
Contribution to town-wide highways network and sustainable transport: £202,500
Contribution to local highways network: £80,000
Education contribution: £349,125
On-site play area provision and maintenance: £125,000
Total: £1,002,325

The infrastructure contributions will be provided through a combination of CIL and S106 Agreement payments. Final CIL liability will be determined when firm floorspace figures are submitted as part of a subsequent detailed application. The costs of the provision and management/maintenance of amenity open space and natural/semi-natural open space provided as part of the development's 'on-site design' requirements are separate and additional. Officers confirm that the contributions package is in accordance with the Council's agreed approach to ensuring that adequate funding is secured for infrastructure provision from major housing developments in Shrewsbury, and as agreed to be necessary to address identified impacts of the development and to meet the tests set out in Regulation 122 of the CIL Regulations.

The agreed contributions form part of the benefits from the development to which regard should be had in assessing the proposals in line with the NPPF presumption in favour of sustainable development. The Council should also have regard to the aims of the NPPF in terms of boosting housing supply, with the degree that the proposed development would contribute to housing supply in Shrewsbury, and evidence provided by the applicant regarding planned delivery, material considerations.

4.1.2 SC Highways DC: We refer to the above application which was deferred by the Central Planning Committee on 9th January 2014 to "...enable further negotiations to be undertaken with the applicant with regard to the number of dwellings at the site, provision of recreation and leisure facilities, and the potential for highway improvement works."

Since the committee meeting the local highway authority representatives have been in discussion with the applicant and their agents in order to resolve the highway concerns raised by the councillors. Principally, the highway issues raised by the members concerned the following points:

- Would a mini-roundabout be more appropriate for the site access off Longden Road?
- Further information required for the Shropshire Council proposed improvement works to Longden Road/Roman Road Roundabout.
- Concern was raised over the timing of the development traffic survey in July 2013 and that any congestion/delays may not have been properly assessed.
- The impacts to Stanley Lane and Mousecroft Lane should be considered again and mitigation works proposed if required.

As requested by the committee, the local highway authority and the applicant's transport agent have now investigated each of the above points and we are now in a position to provide further information which should enable the committee to reconsider the application. A meeting was held on 13th February with Councillors Owen, Roberts and Evans and the applicant to discuss the forthcoming details. Please find below a summary of the additional information and our supplementary comments in response to this application:

Would a mini-roundabout be more appropriate for the site access off Longden Road?

The applicant's transport consultants Mayer Brown Ltd. have investigated the possibility of constructing a mini-roundabout for the site access, in place of the priority T-junction previously proposed. Through discussion with the local highway authority, a junction design has been developed which is considered acceptable in principle. However if the application is approved, the detailed design of this junction would require technical approval by the local highway authority, and an agreement made under the relevant section of the Highways Act 1980.

Referring back to our initial advice on this application, the T-junction previously proposed was acceptable in principle for the scale of development proposed and we view the mini-roundabout now proposed as an 'enhancement' offered by the development. In our opinion the mini-roundabout design provided follows good practice as it offers deflection on both Longden Road approaches and would have a raised central 'dome'. The junction would constitute a traffic calming feature on Longden Road and coupled with the new visible frontage introduced by this development, these changes offer the opportunity to extend the existing 30mph speed limit on Longden Road.

The proposed mini-roundabout junction also provides a refuge type crossing point on the rural approach to the junction, so this crossing point would be beneficial to people walking to the adjacent business park from the site and Mousecroft Lane.

The applicant has provided an ARCADY assessment for the proposed junction, which demonstrates that all arms of this junction would operate well within capacity with no queues predicted during peak times. To clarify, even when considering five year traffic growth at this junction no 'queues' should occur at this junction under normal operating conditions. A swept path analysis has also been carried out which demonstrates the junction can accommodate large HGV's travelling to the adjacent business units.

Further information required for the Shropshire Council proposed improvement works to Longden Road/Roman Road Roundabout.

As we have previously outlined, the focus of the traffic impact from this development would be at the Roman Road/Longden Road roundabout which is demonstrated in the Transport Assessment provided with the application. Due to the constrained nature of this junction and the volume of daily traffic using each of the arms, delays are experienced here during busy times. During the SAMDev process, this junction was one of several locations identified as requiring

improvement works to accommodate development in the west and south of Shrewsbury and therefore it is considered to be included as a 'critical priority' in the Shrewsbury Place Plan 2013/14 on page 69 under the heading 'Junction capacity and local highway network capacity improvements'.

Consequently as a larger development, this site is required to pay a local highway network contribution under a s106 agreement which would be used towards the financing of improvements at Roman Road/Longden Road and the other junctions along this corridor. However, being as this development would have a targeted impact at the above junction an additional local contribution of £50k has been agreed with the applicant. For clarity, an improvement scheme is planned to be delivered here by Shropshire Council on the back of this and other developments and beyond providing the required s106 funding, no actual works are required to be undertaken here by the applicant.

Since the committee's deferral of this application, Shropshire Council highways and our term consultant; Mouchel have carried out a conceptual design investigation at this junction with the objective of preserving capacity and balancing out the needs for all road users here, particularly students walking and cycling to the adjacent schools. One of the principal limiting factors to this junction is simply space; the junction is very compact and the relatively small size of the circulatory carriageway limits capacity. In basic terms, to increase capacity of a roundabout it must increase in size and the approaches should increase in width; but given the constrained nature of this location it is not feasible to increase the size of the roundabout, nor would this provide any benefit for people (particularly children) crossing the junction arms. Moreover it is likely this would result in overall reduced safety at the junction, as with an increase in roundabout size usually results in increased vehicle speeds.

Consequently the most suitable option available to balance out the needs of all road users at this junction is to provide a traffic-signal controlled cross roads with push-button controlled pedestrian/cycle 'Toucan' crossings where required. A conceptual design has been produced for the junction and is shown in Annex A to this note, however we must remind the committee that this information is not material to the consideration of this application as this is a Shropshire Council scheme, with us undertaking our statutory duties as the local highway authority. Also, we remind the committee that an improvement scheme will be required at this location in the future irrespective of this development under consideration, if other developments are built in the west and south of Shrewsbury at SAMDev allocated sites.

Mouchel were commissioned to evaluate the conceptual design and a LINSIG traffic model has been produced which assesses the capacity of the traffic signal layout and includes 'controlled' pedestrian crossing movements (I.E. those made under a green man signal). This has been compared with the junction assessment of the existing roundabout provided by the applicant in their Transport Assessment. Without going in to the specific technical details of this assessment, the overall results show that the proposed traffic signal junction would operate more efficiently than the current roundabout junction layout which is a very positive result considering the introduction of controlled crossing points. We also point out that a signal junction here would be 'intelligently' controlled which would yield further capacity benefits which we are unable to accurately model.

We must point out that a traffic signal scheme at this junction is subject to further investigation and design, which would be timed to coincide with developer funding, as the payment of s106 contributions is linked to the construction and sale of houses. Also, the scheme will be subject to a public consultation exercise once further design work has been carried out. As a ball-park figure, we estimate that a traffic signal scheme here will cost in the region of £500k.

Concern was raised over the timing of the development traffic survey in July 2013 and that any congestion/delays may not have been properly assessed.

A number of objectors to this application and the committee raised concern over the timing of the applicant's traffic surveys, as these were carried out on or leading up to 16th July 2013 when year six students had left both the nearby secondary schools; the argument has been put forwards that this would have resulted in a lower number of vehicles being recorded. The local highway authority has always maintained that the counts collected were valid, on the basis that older secondary school students tend to travel to school independently and are therefore not dropped off by their parents.

In response to this, we requested that the applicant 'validate' their traffic surveys by comparing the data collected with a new count and recent survey data provided by Shropshire Council. We supplied a number of recent existing traffic surveys carried out on Longden Road and Roman Road and the applicant carried out a new survey during the first week of February 2014. This data was used to 'validate' the July 2013 surveys by comparing the new data to the original data collected, in order to check the numbers used in the assessment were robust. The results of this assessment showed that the results of the new survey were in-line with the original data collected, with a maximum variation of -6% to +3% when comparing the new data for each of the peak traffic periods counted (I.E. during the most recent survey data in one period 6% LESS traffic was recorded and in another 3% MORE traffic was recorded). In fact, in comparing the cumulative counts for the peak periods there was a variation in just 5 vehicles less in the most recent count (2059 vehicles counted in 2013 and 2054 vehicles counted 2014).

As the results of the validation assessment show that the July 2013 survey data was representative of the normal traffic conditions in the area of Shrewsbury, a wholesale repeat of the traffic surveys and traffic models is not required.

The impacts to Stanley Lane and Mousecroft Lane should be considered again and mitigation works proposed if required.

We have given further consideration to the potential for increased traffic movements along Stanley Lane and therefore Meole Village and the local highway authority maintain the opinion that a notable increase in vehicle movements along this route as a result of this development is unlikely for the following reasons: a traffic calming scheme and 20mph zone is due to be delivered during the summer break outside Meole School on Stanley Lane which includes speed cushions. Also the junction between Upper Road and Roman Road suffers some delay at peak

times. Considering both of these points, this would make this route unattractive to 'rat-run' movements. Granted the alternative route along Longden Road suffers from delay, but queues here are slow moving and journey times are normally reliable so this route is more desirable. Even if a traffic signal scheme is provided at the Upper Road junction, the delays to Upper Road would remain and only the reliability of tuning movements on to Roman Road would improve.

With regards to Mousecroft Lane, we accept that some people from the development site will chose this route to access the A5 by-pass via Edgebold Roundabout, but again we maintain our view that due to the narrow, rural nature of this lane it will not be attractive for a significant increase in vehicle movements and will 'self regulate'. However, accepting the members and residents concerns we propose that either a 30mph speed limit or a 'Quiet Lanes' scheme be provided on the route between Longden Road and Hanwood Road. We have discussed this with the local councillors who are generally supportive of a scheme, but we are yet to agree the exact details. In either case, the scheme would be delivered by Shropshire Council as the local highway authority and we would use some of the local highway s106 contributions from this development to fund this.

Other highway issues recently raised regarding this development:

During the consideration of this development, both Meole Brace School and the Priory School have raised concern over the number of blue-light emergency response trips made by ambulances on Longden Road and that this has the potential to increase risk to students travelling to and from the schools. Shropshire Council officers and members are due to meet with the schools to discuss this in , however we would advise the following in considering this application:

Clearly the construction of (up to) 175 new houses off Longden Road will increase the number of vehicles travelling past both secondary schools, however leading up to and during school opening and closing times this area of Longden Road is generally busy with slow-moving traffic queues. These queues are caused by a number of factors including people using the two pedestrian crossings, vehicles turning in to the schools and nearby junctions, parent's vehicles stopping to drop off students on Longden Road and queues back from the Longden Road/Roman Road roundabout. Therefore traffic conditions here during peak times tend to be high-volume but slow moving below the posted 30mph speed limit. Consequently any increase in traffic movements on Longden Road may extend queue lengths but should have little or no effect on traffic speeds and nor should it impact the safety of students travelling to the schools.

We agree that it is not desirable for blue light response vehicles to be travelling past the schools during the peak periods, as was raised by the local highway authority during the consideration of the West Midlands Ambulance Service (WMAS) ambulance maintenance hub (note this is maintenance hub and not a response unit). However, emergency response vehicle drivers are specifically trained to deal with busy traffic conditions and to make progress whilst being mindful of public safety at all times; these are rigorously trained professional drivers and WMAS have a specific risk assessment for negotiating this area of Longden Road during busy periods.

This is an existing issue, which is unlikely to be affected by this development and therefore we advise that this should not be a material consideration in the determination of this development. As a separate matter, the local highway authority will continue to hold discussions with the schools and if required, WMAS over this issue.

A s106 contribution has been agreed in principle to extend the existing off-carriageway Longden Road cycle route from Meole Brace School down the hill to the development site. Upon initial inspection of the Land Registry title plans and highway records for the frontage along the south eastern side of Longden Road to the west of Stanley Lane, it appeared that there may be sufficient highway verge available to widen the existing footpath. However following a discussion with the resident of Fourways, it has become apparent that the land records are misleading and therefore some sections of the verge here are private. As the residents do not wish to sell any land here, instead the extended cycle route will be terminated at the Stanley Lane crossroads and people cycling will be directed to either rejoin Longden Road or to use Mousecroft Lane to access the new development site. We will consider the provision of measures on Mousecroft Lane in developing a speed limit or quiet lanes scheme as referenced above.

Conclusion:

The local highway authority is of the opinion that the applicant has now addressed the concerns raised by the Central Planning Committee and therefore we recommend the application be approved by committee.

APPENDIX A.

Proposed Shropshire Council highways improvement scheme at Longden Road/Roman Road Roundabout. (SEE DRAWING NUMBER 1058764-P-03-1202).

4.2 PUBLIC COMMENTS

4.2.1 In total 43 letters of objection have been received objecting to the proposal on the following material planning grounds:

- Principle of development on greenfield site, outside urban area boundary which would have an adverse impact on the character of the countryside.
- Time, duration and location of traffic survey not true representation of congestion during peak times on the local highway network which already accommodates traffic from two secondary school, hospital and ambulance hub.
- Impact of construction traffic on local highway network.
- Additional plans fails to show details of carriageway width and the location of pedestrian and cycle paths. It is considered that the carriageway is of an insufficient width to safely accommodate the increased traffic.
- Proposed highways improvements are insufficient to solve existing problems and no further development should be permitted until link to A5 and school zones are established.
- Housing projections based on data from Office for National Statistics which

have proved to be inaccurate resulting in more homes for Shrewsbury than required, leading to irreversible loss of green land.

- Revised plan fails to illustrate details of specific house types, positioning or green space areas. With regard to the existing waterlogging problems these details are needed to make an informed decision.
- Impact on surface water flooding of neighbouring properties.
- Adverse impact on local amenities.
- Impact on local school places.
-

4.2.2 One letter received supporting the scheme for the following reasons:

- Integration of roundabout will aid with the traffic speeds and crossing points will provide safer access for future residents to schools and surrounding area and will provide better infrastructure for the evolving commercial hub.
- Concerns about drainage however this can be controlled by SUDS.

4.2.3 Officers are of the opinion that the material planning reasons raised have previously been addressed in the report to Committee on the 9th January 2014, with additional comments in respect of the revised highway details addressed by Shropshire Council's Highways Development Control Managers comments above.

7.0 CONCLUSION

7.1 Officers are of the opinion that the revised indicative maximum number of 175 dwellings; the amended plans illustrating the proposed mini island; the other highway improvements and traffic management measures planned in the area to be delivered by the Council but to which the development is contributing appropriately; and the additional discussions which have taken place between the development and Shrewsbury Town Council in respect of the provision and maintenance of the play and open space facilities adequately address the reasons for deferral and the recommendation remains as set out above for the reasons previously recorded in the report to Committee on the 9th January 2014 (attached as Appendix 1).

APPENDIX 1



Committee and date
9 th January 2014

Item
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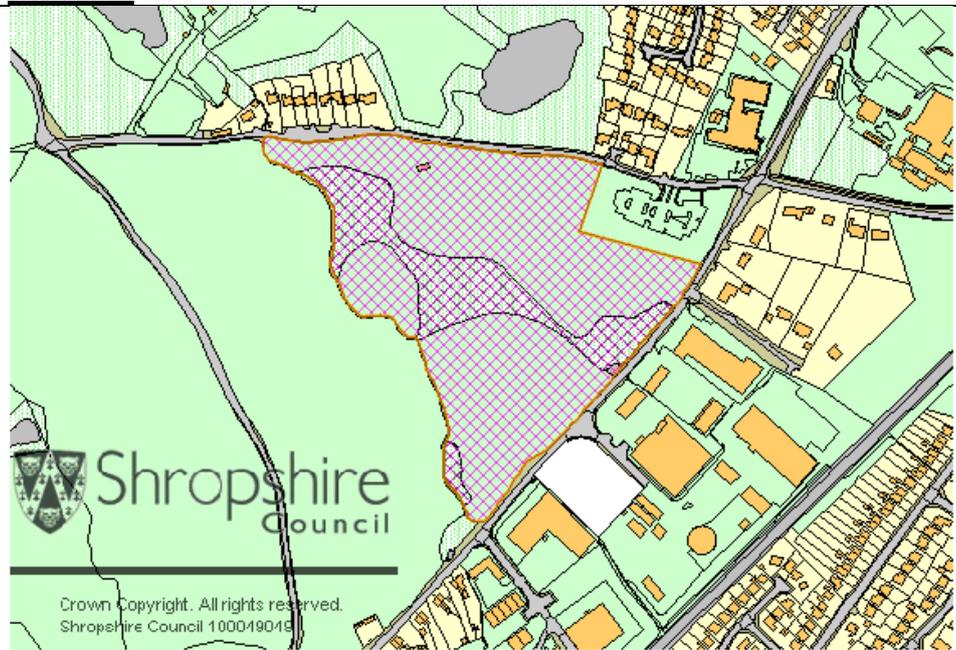
Development Management Report

Responsible Officer: Tim Rogers
 email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

Application Number: 13/03920/OUT	Parish:	Shrewsbury Town Council
Proposal: Outline application (access for approval) for mixed residential development; formation of new vehicular access; amenity space and associated works		
Site Address: Land Between Mousecroft Lane And Longden Road Shrewsbury Shropshire		
Applicant: Wyro Developments Ltd		
Case Officer: Andrew Gittins		email: planningdmc@shropshire.gov.uk

Grid Ref: 347739 - 310614



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Recommendation:- Grant delegated powers to the Area Planning Manager to grant consent subject to the conditions set out in Appendix 1 and a Section 106 legal agreement to secure the developer contributions as set out in draft in SC Policy response within the report.

REPORT

1.0 THE PROPOSAL

- 1.1** The application is for a residential development of up to 200 dwellings along with new access, amenity space and associated works. The application has been submitted as an outline with all matters other than part access reserved for later approval.
- 1.2** The application would be subject to a Section 106 legal agreement to secure developer contributions.

2.0 SITE LOCATION/DESCRIPTION

- 2.1** The site is located on the south western outskirts of Shrewsbury approximately 2 miles from the town centre. The site is bound by Longden Road to the east, Mousecroft Lane to the north and agricultural land to west which is separated from the site via a small watercourse. The site is located in Flood Zone 1 which has a low probability (less than 0.1%) of flooding. The site is located adjacent to the Shrewsbury Urban Area boundary as illustrated on the Inset Map attached to the SABC Local Plan. The north eastern corner of the site is used as a car park in association with the Nuffield Hospital which together with residential properties of two and three stories is located to the north across Mousecroft Lane with light commercial uses located across Longden Road to the east. The 7 hectare (17 acres) site is currently in arable use and is farmed by a tenant farmer. The topography of the land is relatively shallow with a slightly steeper section in the north western corner. The site is bound by a mature hedgerow interspersed with mature trees.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1** Shrewsbury Town Council have submitted a view contrary to officers recommendation for approval based on material planning reasons which cannot reasonably be overcome by negotiation or the imposition of planning conditions; and the Area Manager or Principal Planning Officer in consultation with the committee chairman, vice chairman and the Local Member agrees that the Town Council has raised material planning issues and that the application should be determined by committee.

4.0 Community Representations

4.1 Consultee Comments

- 4.1.1 Shrewsbury Town Council:** Whilst the Town Council has supported the inclusion of this site in the SAMDev proposals it should not be assumed that it will automatically approve an Outline Application.

Members are somewhat alarmed to learn that this outline application is to facilitate

the development of 200 houses, when previous discussions as part of SAMDev have limited development to this site to 175 houses.

We have already raised the problems of traffic management from this development site to the Longden Road junction with Roman Road and traffic has been exacerbated of late by the establishment of the Ambulance Depot in this area.

Members fail to understand how one route in/out of this site shall accommodate what could quite easily be a site catering from 400 vehicles. We note on plans that provision is to be made for emergency access from Mousecroft Lane but given that this is already developing as a quicker rat run route to/from the A5 we question whether traffic management has been thought through thoroughly enough.

Members feel unable to support this development given the scant details within the application, particularly since we have seen other developers promoting SAMDev sites for outline with far more detail.

4.1.2 SC Policy: The site is located outside of the Shrewsbury Urban Area as defined by the development boundary on the Proposals Map of the Borough Local Plan, which remains in effect, although regard should be had to the NPPF provisions relating to housing policies being not up-to-date if the Council cannot demonstrate a five year supply of deliverable housing sites. Core Strategy Policy CS2 Shrewsbury Development Strategy is particularly relevant as it sets out a range of policy considerations including, as a priority for the allocation/release of land for development, 'other sustainable housing land releases on the edges of Shrewsbury, identified in the SAMDev DPD, to provide the balance of the housing land required'. Paragraph 216 of the National Planning Policy Framework then explains that weight can be given to relevant policies in emerging plans, with the weight according to the stage of preparation, the extent that there are unresolved objections, and the degree of consistency with the NPPF policies.

The site is a SAMDev Plan Preferred Option site – land west of Longden Road, proposed for approximately 175 dwellings. The issues arising from the Preferred Options consultations have been considered by officers and a Shrewsbury Joint Members SAMDev Plan Working Group, with the Group not seeking any change with regard to the site, subject to any development appropriately addressing its impacts on the local highways network. Following on from the Revised Preferred Options consultations stage, the Group has confirmed its recommendation that the site be considered suitable in principle to form one of the 'other sustainable housing land releases on the edges of Shrewsbury' to be identified in the SAMDev DPD, and it can be expected to be taken forward into the Final Plan (subject to Cabinet and Council decision) early next year for the final pre-submission publication representations period. The Joint Member Group was made up of a number of the Shropshire Councillors for Shrewsbury and Shrewsbury Town Councillors, and met on three occasions in 2013.

With the current outline application, the site is being brought forward as envisaged in the emerging SAMDev Plan, with specific attention being paid to the impacts of the development on the local highways network. Furthermore, overall infrastructure costs and contributions required to address impacts arising from development have been agreed in accordance with the approach agreed by Cabinet on 24th July 2013

in the report on Place Plans Review, linked to Core Strategy Policies CS2 and CS9, and the Council's Developer Contributions SPD. The package of total costs for the delivery of infrastructure for the site, based on a 200 home development, has been agreed with the applicants to be £993,600 (subject to finalisation), with the overall contribution being £1,121,600 when the CIL Neighbourhood Fund at 15% and administration at 5% are added. The infrastructure costs package is made up of:

Contribution to Strategic Road Network - £282,100
Contribution to town-wide highways network and sustainable transport - £232,500
Contribution to local highways network - £80,000
Education contribution - £399,000
Total - £993,600

These figures are draft pending finalisation. In particular, if an equipped on-site play area is required an additional sum of £125,000 will be included to cover the costs of provision and the associated commuted maintenance payment. Also, the contributions reduce proportionally if the number of dwellings consented reduces from 200 when a detailed application is determined.

The infrastructure contributions will be provided through a combination of CIL and S106 Agreement payments. The costs of the provision and management/maintenance of amenity open space and natural/semi-natural open space provided as part of the development's 'on-site design' requirements are separate and additional. Officers confirm that the contributions package is in accordance with the Council's agreed approach to ensuring that adequate funding is secured for infrastructure provision from major housing developments in Shrewsbury, and as agreed to be necessary to address identified impacts of the development and to meet the tests set out in Regulation 122 of the CIL Regulations.

The agreed contributions form part of the benefits from the development to which regard should be had in assessing the proposals in line with the NPPF presumption in favour of sustainable development. The Council should also have regard to the aims of the NPPF in terms of boosting housing supply, with the degree that the proposed development would contribute to housing supply in Shrewsbury, and evidence provided by the applicant regarding planned delivery, material considerations.

4.1.3 SC Highways: Recommendation

The highway authority raises no objection to the granting of consent, providing a s106 contribution is made towards improving the Roman Road/Longden Road roundabout and to provide an off-carriageway cycle link to connect to the existing network.

Key Issues

- This site is a SAMDev preferred option site and has therefore been subject to extensive consultation and is considered to be suitable for development.
- All vehicular access to the site is proposed to be gained from Longden Road via a simple give-way T-junction.
- Longden Road suffers localised congestion between

Meole Brace School and Roman Road Roundabout. • The site will generate additional traffic movements on the surrounding local highway network and the site will have a negative impact on the Longden Road/Roman Road roundabout, for which a s106 contribution is required. • Contributions are required towards strategic network enhancements as defined in the planning policy officer's response. • In terms of access, this is deemed to be a sustainable site with employment and schools located nearby; connection to the local cycle network from the site has been agreed in principal and opportunities for improved bus connectivity are available. A suitable travel plan for the site has been submitted.

Background

The area of Longden Road to the north-east of the site suffers from localised congestion during school opening and closing times. This is due to having two large secondary schools and associated signal controlled crossing points in close proximity on opposing sides of Longden Road. However whilst there are some delays to vehicle travel times here, any queues tend to be slow moving and not stationary. The delays are satisfactory given the local conditions and we consider that the additional movements generated by this site should not have a significant impact on delays here.

It should be considered that outside of school opening and closing times, the highway network surrounding the site operates well.

The local area manager for highway development met with the applicant's transport agent prior to them carrying out their transport assessment for the proposed development. The local issues were explained in detail to the agent and some observed on site. The proposed site access arrangements were also discussed and agreed in principal on site.

We have expressed a number of concerns over the transport assessment originally provided with the application, as the report did not take in to consideration all of the local issues discussed on site; you will note some of the issues from our previous correspondence recorded on this matter. However, an updated transport assessment has not been provided which we're satisfied that it fully appraises the impacts of the development. We note at this time the revised transport assessment has not been uploaded on to the public planning pages, so we recommend that this document is made public.

Principally the two main areas of potential impact are at the Bank Farm Road junction and the Roman Road roundabout. The assessment proves that even with the additional vehicle movements from the development and considering the existing queues here, the Bank Farm Road junction will operate within capacity and the development will have a marginal impact here. The roundabout has also been assessed and the results show that this junction already operates over capacity on some arms. With future traffic growth and additional movements generated by the development queues at this junction will continue to grow, particularly on the Roman Road north arm.

The local highway authority are already aware of the need to tackle the capacity issue at the Roman Road/Longden Road roundabout considering the potential

impacts of developments on the western side of Shrewsbury. A s106 contribution of £50k is required from the applicant towards improvements at this junction as the development will have a direct impact here. This is over and above the strategic network town-wide contributions required from all large residential developments. We are commissioning a feasibility study of this junction by our consulting engineers, with a view of maximising capacity and balancing out the needs of all traffic here; including the many children who have to cross this junction to access the schools.

The potential for traffic movements from the site travelling through Meole Village has been considered and whilst it is inevitable that some journeys will pass through the village, we consider these will be regulated to a small number by the proposed traffic calming due for installation on Stanley Lane and the existing delays at the Upper Road junction. Therefore we consider that the development should not have a notable impact on Meole Village.

The proposed site access is to be located off Longden Road within the existing national speed limit. However, the local highway authority is due to provide a new 40mph speed limit 'buffer' here which will be installed before the end of year 13/14. Therefore the road fronting the site should be considered to be 40mph and the access has been designed as such. The access has been assessed in the transport assessment and is suitable for the number of dwellings proposed.

Further walking and cycle accesses are proposed on to Longden Road near the Nuffield car park and on to Mousecroft Lane; the latter also forming an emergency access to the site should the main access road become blocked.

In order to improve the sustainability of the site, a s106 contribution is required to extend the existing off-carriageway cycleway from its existing terminus outside Meole Brace School up to the proposed pedestrian and cycle access next to the Nuffield car park. Options were also explored to provide a new footway on the same side of the road as the new development to link to the existing terminus at the Toucan crossing at Bank Drive. However, we consider that this could be counter-productive as it may encourage unsuitable crossing movements by children travelling to the school before the crossing point. Instead it should be safer for them to cross Longden Road from the development accesses as traffic flows here are lighter and visibility is good.

A travel plan for the proposed development has been submitted which suggests a number of practical initiatives which will support and encourage sustainable travel to and from the site. According to the plan, the developer would actively encourage new residents to travel sustainably by giving them information regarding the travel options available to them. One of the suggestions made by the plan to enhance travel options from the site is to divert the existing Meole Village bus service Number 26 on its outward leg along Longden Road and Stanley Lane, where a stop could be provided. This could be placed less than 150m from the development and given that it's a half hour service, this would be a convenient way to travel in to the town centre. As this is a commercial service, this will require negotiation with the operator. However, the proposed diversion is not onerous and should result in an increase of patronage.

4.1.4 SC Drainage: The drainage details, plan and calculations could be conditioned and submitted for approval at the reserved matters stage if outline planning permission is to be granted.

4.1.5 SC Public Protection: It has been demonstrated in the noise assessment provided with the application that in order to meet suitable noise standards mitigation is required in buildings which are within 16m of Longden road with no screening in place from other structures. Glazing properties have been suggested which will allow internal noise to be reduced to acceptable standards and states that there may be the need for other means of ventilation should the local planning authority state that noise standards should be met with a means of ventilation. It is recommended that appropriate noise levels internally should be met with windows open to allow ventilation or that other means of ventilation should be available should windows need to be kept closed in order to meet appropriate noise levels.

The noise assessment also states that mitigation would be required in garden areas that are within 16m of Longden Road and suggests the possible use of close boarded fencing should this be the case. As the installation of close boarded fencing may reduce noise at the facade of the properties and therefore internally this may reduce the noise reducing properties of the glazing required to achieve acceptable internal noise levels. It would therefore not be appropriate to condition the glazing specification suggested within the report as this may not be required should close boarded fencing be installed. As a result it is suggested that a noise mitigation survey is made a condition of any approval.

Having considered the air quality assessment it is considered that the conclusions have been accepted and therefore no air quality mitigation is required. However the installation of electric vehicle charging points at all residential dwellings with off road parking is highly advocated. This encourages sustainable transport uptake by future occupants which will help to reduce air pollution wherever those vehicles may travel. It is therefore recommended that any future application states the intent for the installation of electric vehicle charging points to all dwellings with designated off road parking. In this way the development can add to its sustainable credentials. Electric vehicle charging points typically require a 16 amp power supply and are relatively inexpensive to put into a garage or onto a driveway when a dwelling is built however can be a considerable cost if trying to retro fit a building in future. The inclusion of electric vehicle charging points may be conditioned at reserved matters to ensure their inclusion.

4.1.6 SC Trees: No objection in principal to the development of this land. It is recommended that the arboricultural constraints plan be used to inform the layout of the site, making provision to protect existing trees of reasonable amenity value and to provide space within the development to plant new trees of species which will develop large canopies at maturity.

4.1.7 SC Ecology: Recommendation: The plans should show a 10m minimum wildlife corridor created along the western boundary of the site. Risk Avoidance Measures for great crested newt must be submitted and thereafter conditioned. Suggested conditions and informative(s) should be attached to any consent.

Great crested newt

With the exception of the hedgerows, the applicant site provides no suitable habitat for great crested newts. However, there are 6 ponds within a 500m metre radius of the site and, where accessible, these were assessed for their suitability as great crested newt breeding habitat using Oldham's Habitat Suitability Index.

Three were assessed as having poor suitability of for great crested newts, one (Pond 2 – 285m from the site) as average and one (Pond 3 – 205m from the site) as good.

Julie Underhill (2013) considers that other factors significantly reduce the likelihood of great crested newts occupying the applicant site whether or not great crested newts are present in the ponds:

- ☒ A road separates all of these ponds from the applicant site; roads that carry in excess of 20 vehicles an hour are considered to present a significant barrier to the directional movement of newts;
- ☒ The application site comprises an arable field that is regularly ploughed and does not constitute favourable habitat for newts.

A survey of the ponds with great crested newt potential has not been carried out. The ploughed areas will not now have potential as terrestrial GCN habitat, however the stream course and it's margins do still have some potential. We also do not agree that Mousecroft Lane is a complete barrier to newt movement. However if the stream course and the 10 metre buffer recommended below are excluded from the development area, then we would agree that, with adoption of Risk Avoidance Measures that a European Protected Species licence would not be required.

The agents should be asked to supply Risk Avoidance Measures for great crested newts prior to determining the application. A suggested informative should also be attached to any consent:

Badgers

No setts or other signs to indicate occupation of the Site by badgers were found during the survey, although a main sett was found over 30 metres from the site. One set of badger prints was found in the ploughed earth along the stream margin so it is likely that badgers use the land for foraging.

Bats

Julie Underhill (2012) reports that no potential roosting features (rot holes, splits in bark etc.) were detected on any of the trees on the Site. Trees and scrub along the stream may provide foraging and commuting opportunities for the bats but the hedgerows are generally too intensively managed to be of value in this respect. A condition controlling lighting in relation to bats, particularly any that would illuminate the stream course or Mousecroft Lane (habitat on the north side of the Lane is of high value for bat foraging) is recommended:

Nesting birds

The hedgerows, trees and scrub present at the Site margins are likely to provide habitat and foraging opportunities for a number of bird species. A suggested informative should be added to any consent.

Environmental Network

The Shropshire Core Strategy contains in Policy CS17: Environmental Network provision for mapping and subsequently protecting, maintaining, enhancing and restoring Environmental Networks in the county in line with the recommendations of both The Lawton Review and the National Planning Policy Framework.

The stream and it's margins are within the Environmental Network and as such the proposed scheme must clearly demonstrate how the development will 'promote the preservation, restoration and re-creation of priority habitats and ecological networks' as required by paragraph 117 of the National Planning Policy Framework.

In order to achieve this, a buffer zone is required along the stream course of at least 10 metres and preferably 20 metres. I note that the site layout on Page 9 of the Design and Access Statement shows creation of a wildlife corridor but the southern section of the stream course is pinched by high density development. A condition is recommended to protect the Environmental Network:

- 4.1.8 SC Affordable Housing:** 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 20% this would mean a provision of 40 Affordable houses on site. The assumed tenure split of the affordable homes would be 70% for affordable rent and 30% for low cost home ownership and would be transferred to a housing association for allocation from the housing waiting list in accordance with the Council's prevailing Allocation Policy and Scheme. The size, type and tenure of the affordable housing needs to be agreed in writing with the Housing Enabling team before the reserved matters application is submitted.

- 4.1.9 SC Conservation:** No comments.

- 4.1.10 SC Archaeology:** The proposed development site comprises a c7ha site on the southern edge of Shrewsbury which currently utilised as a single arable field. The Shropshire Historic Environment Record indicates that the field immediately to the west contains earthwork and below ground remains of an enclosure of probable Iron Age – Roman date (HER PRN 02494), together with an area of post-medieval coal workings (HER PRN 06776). It has also been suggested that Mousecroft Lane, immediately to the north of the site, follows the line of a Roman road (HER PRN 00057). As a consequence, the area of the proposed development site has

been assessed as having moderate archaeological potential for features of Iron Age – Roman date. RECOMMENDATION: An archaeological Desk Based Assessment by CGMS Consulting been submitted as part of the application. I confirm that this provides a satisfactory level of information about the archaeological interest of the site in relation to Paragraph 128 of the NPPF. I should, however, point out the circular earthwork feature and possible trackway identified within the Assessment immediately to the west of the site (e.g on pg. 17) are, in my opinion, likely to represent features associated with the post-medieval coal workings in the same field (HER PRN 06776). The historic editions of the Ordnance Survey map included as Figures 5 and 6 in the assessment indicate that at least two shafts existed in this field, and these have also been identified by The Coal Authority. With reference to Figure 8, the similarity between the areas of spoil around these former shafts and the previously unrecorded mound suggests that the latter feature may represent an outlying shaft linked to the main area of working by a tramway (the trackway identified in the Assessment). Given their proximity to it the proposed development site, there is a possibility that similar features may also be present within the site boundary. I understand that this possibility is also flagged to some degree within the Ground Condition Desk Top Study by Mayer Brown. I concur with Desk Based Assessment's conclusions about the archaeological potential of the proposed development site, and also with the mitigation measures proposed in Paragraph 6.5 of this report. On this basis, and in line with Paragraph 141 of the NPPF, I recommend that a phased programme of archaeological work, to consist of an initial field evaluation comprising of a pre-commencement geophysical survey and targeted trial trenching, followed by further mitigation as appropriate, be made a condition of any planning permission for the proposed development. An appropriate condition of any such consent has been attached.

4.1.11 Severn Trent Water: No objection subject to the attachment of a condition requiring the submission of drainage plans for the disposal of surface water and foul sewage.

4.2 Public Comments

4.2.1 32 Letters received objecting on the following material planning grounds:

- Traffic
- Highway safety
- Impact on local amenity
- School places
- Principle of greenfield development

5.0 THE MAIN ISSUES

Principle of development

Siting, scale and design of structure

Impact on local and residential amenities

Impact on local road network, congestion and highway safety

Surface water drainage

Impact on natural environment

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The site is located outside of the Shrewsbury Urban Area as defined by the development boundary on the Proposals Map of the Borough Local Plan, which remains in effect, although regard should be had to the NPPF provisions relating to housing policies being not up-to-date if the Council cannot demonstrate a five year supply of deliverable housing sites. Core Strategy Policy CS2 Shrewsbury Development Strategy is particularly relevant as it sets out a range of policy considerations including, as a priority for the allocation/release of land for development, 'other sustainable housing land releases on the edges of Shrewsbury, identified in the SAMDev DPD, to provide the balance of the housing land required'. Paragraph 216 of the National Planning Policy Framework then explains that weight can be given to relevant policies in emerging plans, with the weight according to the stage of preparation, the extent that there are unresolved objections, and the degree of consistency with the NPPF policies.

6.1.2 The site is a SAMDev Plan Preferred Option site – land west of Longden Road, proposed for approximately 175 dwellings. The issues arising from the Preferred Options consultations have been considered by officers and a Shrewsbury Joint Members SAMDev Plan Working Group, with the Group not seeking any change with regard to the site, subject to any development appropriately addressing its impacts on the local highways network. Following on from the Revised Preferred Options consultations stage, the Group has confirmed its recommendation that the site be considered suitable in principle to form one of the 'other sustainable housing land releases on the edges of Shrewsbury' to be identified in the SAMDev DPD, and it can be expected to be taken forward into the Final Plan (subject to Cabinet and Council decision) early next year for the final pre-submission publication representations period. The Joint Member Group was made up of a number of the Shropshire Councillors for Shrewsbury and Shrewsbury Town Councillors, and met on three occasions in 2013.

6.2 Siting, scale and design of structure

6.2.1 The application is an outline proposal with all matters, other than access reserved for later approval. As such the appearance, landscaping, layout and scale of the development are not under consideration. The Town Council have objected to the development on the basis that it is for 200 homes. However this is a maximum number with the actual number determined by the submission of site layout, floor and elevation plans at reserved matters. The numbers indicated in the emerging SAMDev Plan are approximate and indicative. The promotional material from the developer had indicated between 150-200, and for indicative purposes Shropshire Council Planning Policy selected a median figure of 175. This is not a maximum figure and the density of the development is not being considered at this stage but will be informed by the master-planning of the site, including provision of a mix of type and affordability of housing and provision of adequate green space.

6.3 Impact on local and residential amenities

6.3.1 As noted the application site is located to the south of the Nuffield Hospital and residential properties across Mousecroft Lane and to the west of commercial uses across Longden Road. The proposed access would be to the south of the Nuffield car park located in the north-east corner of the site which provides a buffer between

vehicles entering the site and the hospital and residential properties to the north. Whilst it is acknowledged that the proposal will result in greater volumes of traffic which will alter the local amenity of the area the principle of the scheme is acceptable and the proposed location of the access will minimise the impact the amenities of neighbouring properties. The submission of appropriate details at the reserved matters stage will ensure that the proposal protects the amenities of these neighbouring properties in accordance with the requirements of CS6.

6.4 Impact on local road network, congestion and highway safety

6.4.1 The application has been submitted with a Transport Assessment, amended by the submission of Revision B on 22nd November 2013 which has been assessed by the Council's Highways Development Control Officer who comments have been included in the Consultee Comments section above (4.1.3). It is acknowledged that the large majority of letters received object on the grounds of traffic and highway safety with reference to the excessive traffic on Longden Road caused by two secondary schools (Meole and Priory), ambulance hub, business park, hospital and two primary schools (Meole Village and Radbrook Green) with Mousecroft Lane used as a cut-through to the A5. All of these concerns have been considered by SC's Highways Officer who has no objection subject to the attachment of a condition.

6.5 Surface water drainage

6.5.1 Core Strategy Policy CS18 requires developments to integrate measures for sustainable water management to reduce flood risk. In accordance with national validation requirements the application has been submitted with a Flood Risk Assessment (FRA) as whilst the site is located within Flood Zone 1 where there is a low (less than 0.1%) probability of flooding the site area exceeds 1 hectare in area. The FRA has been assessed by the Council's Flood and Water Management Team and Severn Trent Water who have no objection to the proposal subject to the attachment of a condition requiring the submission of drainage details, plans and calculations at the reserved matters stage.

6.6 Impact on natural environment

6.6.1 The proposal has been assessed by the Council's Planning Ecologist and Tree and Hedgerow Amenity Protection Officer who have no objection subject to the attachment of conditions and informative(s) following an amendment to the plans to show a 10m minimum wildlife corridor created along the western boundary of the site and the submission of Risk Avoidance Measures for great crested newts. The proposal is therefore considered capable of protecting the natural environment in accordance with the requirements of Core Strategy Policies CS6 and CS17.

7.0 CONCLUSION

7.1 The site is located outside of the Shrewsbury Urban Area as defined by the Inset Map attached to the SABC Local Plan and is therefore classed as a departure from the development plan.

However, in accordance with paragraph 216 of the National Planning Policy Framework decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The site has been carried through into the Revised Preferred Options stage of the Site Allocations and Management of Development (SAMDev) Plan. The proposal is considered to address the concerns of respondents in respect of impact on the local road network, congestion and safety, the loss of wildlife habitat and green space whilst complying with saved and emerging development plan policies and the NPPF.

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 three months 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 1970.

9.0 Financial Implications

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

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework

Core Strategy and Saved Policies:
CS1 – Strategic Approach
CS2 – Shrewsbury Development Strategy
CS5 – Countryside and Green Belt
CS6 – Sustainable Design and Development Principles
CS7 – Communication and Transport
CS8 – Facilities, Services and Infrastructure Provision
CS9 – Infrastructure Contributions
CS10 – Managed Release of Housing Land
CS11 – Type and Affordability of Housing
CS17 – Environmental Networks
CS18 – Sustainable Water Management

SUPPLEMENTARY PLANNING DOCUMENTS

Type and Affordability of Housing
Sustainable Design (Part 1)

RELEVANT PLANNING HISTORY:

PREAPP/13/00175 Proposed residential development to include access, open space and associated works. PCO

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)

Cllr M. Price

Local Member

Cllr Mike Owen

Appendices

APPENDIX 2 – Conditions

APPENDIX A - Proposed Shropshire Council highways improvement scheme at Longden Road/Roman Road Roundabout. (SEE DRAWING NUMBER 1058764-P-03-1202).

APPENDIX 2

Conditions

STANDARD CONDITION(S)

1. Details of the appearance, landscaping, layout and scale (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 1(2) of the Town and Country Planning General Development (Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of 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 begin 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 following information shall be submitted to the local planning authority concurrently with the first submission of reserved matters:

The number of units
The means of enclosure of the site
The levels of the site
The drainage of the site

Reason: To ensure the development is of an appropriate standard.

5. Prior to the commencement of work on site a 10m buffer shall be fenced off parallel to the banks along the length of the water course on the western boundary, put in place within the site to protect the watercourse during construction works. No access, material storage or ground disturbance should occur within the buffer zone. The reserved matters shall include submission of plans showing the fencing.

Reason: To ensure the retention of the Environmental Network and a likely bat foraging and commuting route

6. All development and site clearance procedures on the site to which this consent applies shall be undertaken in line with the Risk Avoidance Measures for great crested newts received on the 19th December 2013.

Reason: To ensure the protection of great crested newts, a European Protected Species

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

7. Prior to the commencement of the development, full engineering details of the new access road, existing highway works, structures, foot/cycleways, surface water drainage, street lighting and carriageway markings/signs, shall be submitted to and approved by the planning authority; the works shall be fully implemented in accordance with the approved details. As this is an outline application this can be dealt with at the reserved matters stage.

Reason: In the interests of highway safety.

8. Prior to the development commencing a noise mitigation scheme shall be submitted to the local planning authority and approved in writing. The approved scheme shall be installed during construction.

Reason: to protect the health and wellbeing of future residents.

9. No development approved by this permission shall commence until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Local Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

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

10. 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 development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK

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

Informative(s)

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

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: 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 cannot be clearly seen to be clear of bird's nests then an 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.

2. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.
3. Great Crested Newts are protected under the European Council Directive of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (known as the Habitats Directive 1992), the Conservation of Habitats and Species Regulations 2010 and under the Wildlife & Countryside Act 1981 (as amended).

If a Great Crested Newt is discovered on the site at any time then all work must halt and Natural England should be contacted for advice.

4. The applicant should consider employing measures such as the following:
 - ' Water Butts
 - ' Rainwater harvesting system
 - ' Permeable surfacing on any new driveway, parking area/ paved area
 - ' Greywater recycling system
5. 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 closefitting 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.
6. Consent is required from the service provider to connect into the foul main sewer.
7. Badgers, the setts and the access to the sett are expressly protected from killing, injury, taking, disturbance of the sett, obstruction of the sett etc by the Protection of Badgers Act 1992.

No works should occur within 30m of a badger sett without a Badger Disturbance Licence from Natural England in order to ensure the protection of badgers which are legally protected under the Protection of Badgers Act (1992).

All known Badger setts must be subject to an inspection by an experienced ecologist immediately prior to the commencement of works on the site.