

## Development Management Report

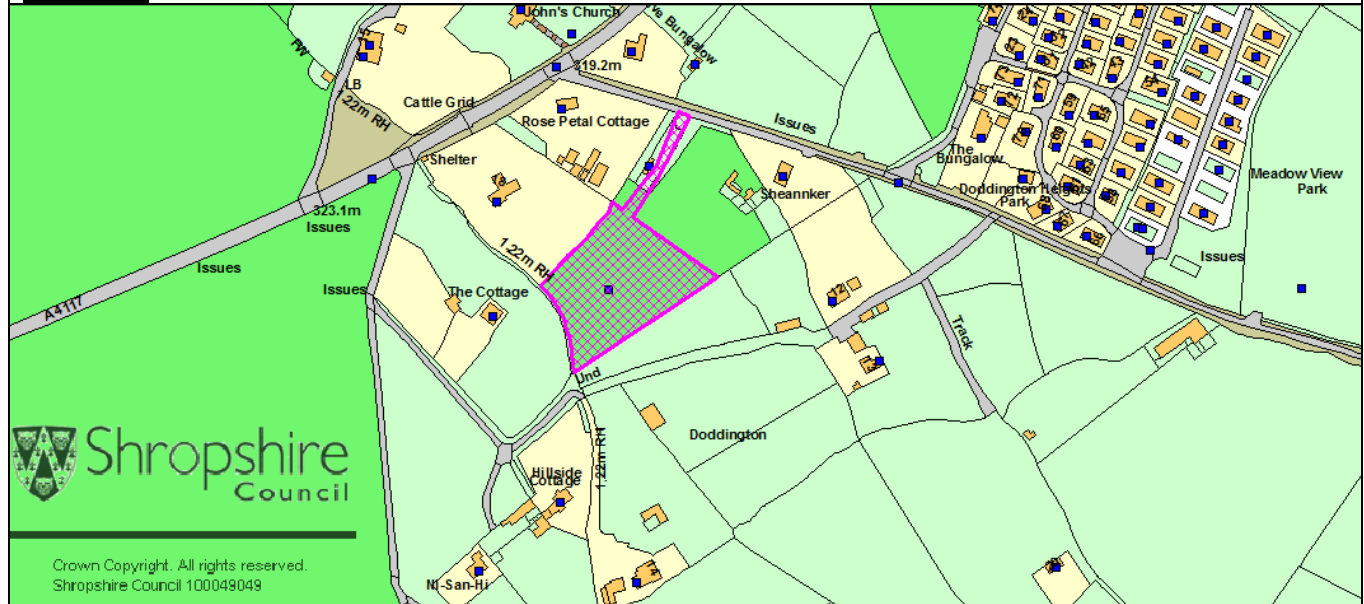
Responsible Officer: Tim Rogers

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### Summary of Application

<b><u>Application Number:</u></b> 19/01329/FUL	<b><u>Parish:</u></b>	Hopton Wafers
<b><u>Proposal:</u></b> Erection of 2no. detached dwellings		
<b><u>Site Address:</u></b> Proposed Residential Development Land To The South Of Doddington Shropshire		
<b><u>Applicant:</u></b> Mr Wade Davies		
<b><u>Case Officer:</u></b> Heather Owen	<b><u>email:</u></b> planning.southern@shropshire.gov.uk	

**Grid Ref:** 361591 - 276023



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

## REPORT

### 1.0 THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of two, 3 bedroomed dwellings.
- 1.2 The dwellings proposed are a mirror of one another with each dwelling having a footprint of approximately 58sqm and providing a total floor area over two floors of approximately 112.79sqm. The dwellings are designed to have the appearance of a split level, being dug into the slope of the site and designed with the main living accommodation on the first floor and the bedroom accommodation at ground floor.
- 1.3 The two dwellings would have a contemporary design with a mono-pitched sedum roof. The walls are proposed to be clad at first floor with timber (Cedar) on three sides, with the south east elevation rendered. The ground floor walls are proposed to be of stone construction. The rear of each dwelling would have a glazed balcony with a pedestrian timber bridge proposed to provide access from the parking area to the main entrance of the properties.
- 1.4 Vehicle access to the site is proposed to be via a shared access track which runs through the land to the north of the site before connecting with Earls Ditton Lane via an existing access.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is part of an area of rough pasture land on the south side of the settlement of Doddington. Planning permission was approved at the South planning committee on 30<sup>th</sup> July 2019 for the erection of 2 dwellings on the northern part of this parcel of land (18/05739/FUL). A post and wire fence currently split's the parcel of land roughly into two halves. Access to this application site is through that parcel of land which joins onto Earls Ditton Lane.
- 2.2 The site is of a sloping nature, with the gradient sloping down from the A4117 towards the mature tree and hedge lined boundary and open fields beyond. To the west beyond a mature boundary hedge No 18 Doddington adjoins the site. A property known as 'The Cottage' adjoins the site to the south west. Towards the south lies a cluster of three dwellings
- 2.3 The site itself is outside of the Shropshire Hills Area of Outstanding Natural Beauty (AONB), the boundary of which wraps around the site runs along the A4117, which is around 70m to the west of the site and a further 152m to the south roughly where the edge of the former field boundaries gives way to open Common land.

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Parish Council raise objection to the proposals and following discussion with the Chair and Vice Chair of the Southern Planning committee it was concluded that

given the adjoining site was considered by planning committee and the sensitive location of the site the case would benefit from committee determination.

## 4.0 Community Representations

### 4.1 Consultee Comments

#### 4.1.1 Hopton Wafers Parish Council: Strongly objects to this planning application

- The dwellings are being proposed in Open Countryside and the location cannot in any way be considered to be part of the village of Doddington.
- This is speculative development of market housing on agricultural land and does not meet the criteria set in our Community Led Plan, SAMDEV statement and the Core Strategy. The community and Parish Council would only support single plot small scale (up to 100m<sup>2</sup>) housing, to be affordable and thus more available for local people which would encourage the community to survive and families to stay together.
- Council feel the site is totally unsuitable for development being accessed across another field already with contentious planning applications and outstanding concerns. The additional traffic will create even more hazards for those vehicles turning on/off the field into Earls Ditton Lane, the access (which was installed without permission) will worsen the already poor condition of the lane and exacerbate the safety issues at the junction with the A4117. This field is deemed to be contaminated due to being used for waste disposal.
- These dwellings would be very prominent on the hilly landscape, adjacent to an Area of Outstanding Natural Beauty and would be visible for many miles.
- The Council has serious concerns of the proposed over-development in this area which will create additional traffic on an unsuitable lane and the junction with the A4117. Earls Ditton Lane is in a poor state and the junction onto the A4117 has been the site of many accidents over the years due to the steepness of the junction and speed of traffic on the main road. Increased numbers of vehicles will make this matter worse. The Parish Council urge both Planning and Highways Officers to consider the effect of multiple planning applications at this location, not just on an individual basis.
- There is the matter of current planning (17/01544/FUL) on the first field which has been recently permitted. This house may still be built, with site amendments. There is the outstanding application for two additional houses on this field (18/05739/FUL) which again does not meet any criteria of affordable, single plot dwellings and goes against the wishes of the community in the Community Led Plan, SAMDev and the Core Strategy (Community Hubs and Clusters). For example, there are no existing properties in close proximity and 'windfall development adjoining a village is not acceptable'. There are no services or facilities to make the community more sustainable. Whilst these are separate applications, we urge you to consider the cumulative effect raised by the number of speculative planning applications in this area which do not meet the criteria in Shropshire Council's policies.
- In summary this Council strongly objects to this planning application due to the speculative nature of market housing in Open Countryside and it should be

refused.

4.1.2 SUD's: Recommend condition requiring surface water and foul drainage detail. Informatives recommended regarding the design of sustainable water systems.

4.1.3 SC Highways: Final Comments: No objection, recommend condition requiring the formation of the parking, turning area and informatives. Access arrangements associated to planning application 18/05739/FUL are enough to accommodate the increase of properties within the site from two dwellings to four.

SC Highways: Initial Comments: Additional information required:

- The Location and block plan should include within the red line the access between the plots up to the public highway.
- The block plan should include the access geometry, including visibility splays.

4.1.4 Affordable Housing Team: No affordable housing obligations are associated with this proposal.

4.2 Public Comments

4.2.1 The application has been advertised for 21 days via site notice and directly in writing to 5 neighbouring properties.

1 comment received:

- The block plan received on 01<sup>st</sup> August 2019 is inaccurate version of the access rights to the land. The applicant's access is detailed in the land registry documents.

**5.0 THE MAIN ISSUES**

Principle of development  
Affordable Housing Contribution  
Siting, scale and design of structure  
Visual impact and landscaping – Setting of Shropshire Hills AONB  
Highway Safety  
Residential Amenity  
Drainage  
Other Matters – Site Access – Landownership

**6.0 OFFICER APPRAISAL**

**6.1 Principle of development**

6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted

development plan unless material considerations indicate otherwise. The development plan for Shropshire is the Council's Adopted Local Development Framework Core Strategy, the associated 'Type and Affordability of Housing' Supplementary Planning Document (SPD) and the adopted Site Allocations and Management of Development (SAMDev) Plan.

6.1.2 For new housing development, Core Strategy Policies CS1, CS3, CS4, CS5 and CS11 seek to steer new housing to sites within market towns, other 'key centres' and certain named villages ('Community Hubs and Clusters') as identified in policy CS3; CS4 and set out in detail in the Council's SAMDev Plan, policy MD1.

6.1.3 Doddington is identified as a community cluster alongside Hopton Wafers by policies CS3 and MD1. The settlement policy S6.2(ii) provides further guidance as to the nature and amount of housing expected stating:

*'Limited infill of smaller, market priced houses on single plot developments immediately adjacent to existing development, and conversions may be acceptable, with housing guidelines of around 12 additional dwellings over the period to 2026. Doddington is within the Shropshire Hills Area of Outstanding Natural Beauty (AONB) and new development will have to pay particular regard to its setting.'*

6.1.4 Doddington is relatively loose knit settlement made up of dwellings set within generous plots in a scattered, informal pattern accessed either directly off the A4117 or Earls Ditton Lane or connected via shared tracks which in turn links to the wider public highway network. The application site at its western boundary adjoins with an existing dwelling (18 Doddington). There are also dwellings to the south west and south of the site, although it is noted these are slightly separated from the site by grazing land, this is not out of character with the loose pattern of development in Doddington. On balance the site is considered to be part of the loose grouping of properties and would represent an infill plot on the edge of Doddington.

6.1.5 The Council's most recently published Five Year Housing Land Supply Statement, March 2019 includes analysis of completions and commitments and sites with planning permission as at 31<sup>st</sup> March 2018. In the case of the community cluster within which Doddington sits there have been 3 completions and 10 sites with planning permission or prior approval (as at 31<sup>st</sup> March 2018). Since then a further 4 planning permissions have been given, although it should be borne in mind that one of these permissions (18/02739/FUL -on the land adjoining this site) occupies the same plot of land as one of the permissions reference within the five year housing land supply and the nature of the proposals is such that only one of the schemes could be implemented. Depending on which permission is implemented on the adjoining site the current number of dwellings permitted across the cluster is 14/15. For Doddington itself there is permission for 4 or 5 dwellings (depending on whether the adjoining site implements the permission for 2 dwellings or the permission for 1). Of the remaining permissions for Doddington, 1 of the dwellings (an affordable unit) has been completed. The other two cases for outline permissions have yet to be followed up with reserved matters applications.

- 6.1.6 SAMDev policy at MD3.2 states that the settlement housing guideline is a significant policy consideration and provides further guidance on how decisions should be determined in such circumstances where development would result in the number of completions plus outstanding permissions providing more dwellings than the guideline. The policy requires decisions to have regard to:
- i) The increase in number of dwellings relative to the guideline; and*
  - ii) The likelihood of delivery of the outstanding permissions; and*
  - iii) The benefits arising from the development; and*
  - iv) The impacts of the development, including the cumulative impacts of a number of developments in a settlement; and*
  - v) The presumption in favour of sustainable development.*
- 6.1.7 Doddington has been identified as an appropriate location for open market residential development and the Local Planning Authority is satisfied that this designation has been made taking into account the long term sustainability of the settlement and county as a whole. On applying the criteria listed in policy MD3.2, it is acknowledged that the scheme if permitted would add to the number of permissions granted within the cluster as a whole which if all delivered would increase the number of dwellings above the cluster guideline. At present there is no evidence to suggest that each of the outstanding planning permission would not be delivered. It is noted that the number of completions within this cluster since the previous 5 year land supply publication using data from 31<sup>st</sup> March 2016 has increased by 1 (from 2), and thus there is still a significant under delivery of housing completions for this cluster.
- 6.1.8 It is judged that the erection of two further dwellings which if all permissions were completed would exceed the housing guideline across the cluster by 3 or 4 dwellings (depending on the circumstances of the adjoining site) would not cause demonstrable harm to the character of the settlement in terms of delivering excessive housing to the settlement which may result in disproportionate car usage or excessive energy consumption in the context of the Community Cluster policy. When the above is weight in the planning balance it is considered it would be difficult to justify refusal of this application on housing numbers.
- 6.2 **Affordable Housing Contribution**
- 6.2.1 Core Strategy Policy CS11 and an accompanying Supplementary Planning Document require all market housing schemes to make an affordable housing contribution (usually a payment in lieu of on-site provision where a small number of dwellings is proposed). However the revised version of the NPPF published in February 2019, incorporated the 2014 Written Ministerial Statement which announced that planning obligations should not be used to secure such tariff-style contributions below certain thresholds, the stated intention being to boost housing supply by removing “disproportionate burdens on small-scale developers”. Paragraph 63 of the NPPF states, that affordable housing provision should not be sought in connection with small-scale residential developments (i.e. those comprising fewer than ten dwellings, or five or fewer in ‘designated rural areas’),

without any reference to developer burden or other motives. This application is for 2 dwellings and given the above circumstances it must be accepted that the Council's policies in this respect are out-of-date and can no longer be given significant weight, meaning no affordable housing contribution should be sought here.

### 6.3 **Siting, scale and design of structures**

6.3.1 Both national and local plan policy seek to ensure developments are of a high quality of design which seeks to create distinctive places. At paragraph 126 the NPPF acknowledges that the level of design detail and degree of prescription should be tailored to the circumstances of each place. Paragraphs 127 and 130 go into further detail with paragraph 130 stating:

*'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'*

6.3.2 The objectives of the NPPF are reflected within Local development plan framework through Core Strategy policy CS6 and SAMDev Plan Policy MD2, which seeks to ensure that all development is appropriate in scale, density, pattern and design taking into account the local context and character and expects development to contribute to and respect locally distinctive or valued character and existing amenity value.

6.3.3 The general design principles of this scheme are similar to the two dwellings approved on the adjoining site, with the proposed dwellings subject to this application seeking the use of a contemporary design with the visual impression of a 'split level' design. The external wall materials proposed are a combination of render, stone and cedar timber weather boarding. The materials palette within Doddington is wide ranging, from the traditional to the more modern and the presence of the large mobile home park to the north east of the site has to be acknowledged. The materials proposed for these two dwellings are considered to be reflective of the existing dwellings within the settlement picking up on traditional materials such as the stone and adding a contemporary interpretation in the design with the mono-pitched proposed sedum roof, which would soften the appearance of the dwellings.

6.3.4 Doddington by being part of a community cluster has been accepted as a sustainable location for open market housing development. The settlement policy for this cluster refers to 'smaller, marked priced houses', however it does not define 'smaller' and there are no specific restrictions in adopted planning policy on the size of open market dwellings providing the plot on which the dwellings would be constructed is of sufficient size. The Parish Council expects small to mean less

than 100sqm as set out in their SAMDev statement. The dwellings proposed here would provide approximately 112sqm of floorspace and in considering the matter it has to be borne in mind that the other open market dwellings permitted across the cluster are all more than 100sqm in size. Given the plot size available here it is judged that the site is capable of taking the dwellings at the size proposed.

#### 6.4 Visual impact and landscaping

6.4.1 The site lies outside of the Shropshire Hills AONB, however it is acknowledged that the site is in close proximity to the boundary with the designation, being some 94m to the west and 152m to the south and thus the impact of this development on the setting of the AONB should be taken into account. The site is set at a lower gradient than the A4117 and thus the western boundary with the AONB. Existing development and mature tree and hedge landscaping sits between the site and the boundary on this side and due to the combination of these factors it is unlikely that the proposed dwellings would be visible from this part of the AONB. The site to an extent more visible from views from the common land to the south. However the proposed development would be viewed alongside existing build development rather than an isolated feature and due to the design with the mono-pitched roof keeping the development low level, the scheme is unlikely to appear overly prominent within the wider landscape and as such the impact on the setting of the Shropshire Hills AONB would not be adverse. A landscaping condition is recommended to ensure existing mature vegetation on the site boundaries is conserved and enhanced with new planting in order to further soften the impact of the development and provide long-term sustainable landscape mitigation and biodiversity enhancements.

#### 6.5 Highway Safety

- 6.5.1 Paragraph 109 of the NPPF states that developments should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.5.2 Core Strategy policy CS6 seeks to ensure that proposals likely to generate significant levels of traffic be located in accessible locations, where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel reduced.
- 6.5.3 The proposals seek to utilise the existing field entrance which had previously been widened and a gate installed and was subsequently granted retrospective permission under the previous planning application at this site (17/05144/FUL). This is the same access which the adjoining approved site (18/05739/FUL) would also utilise. In considering this application the Councils Highways Team have borne in mind the existing permission and are content that when taking into account the existing prevailing highway conditions, the existing access is capable of accommodating the increase of traffic movements resulting from the number of properties increasing from two to four dwellings. The block plan demonstrates that



there is sufficient parking and turning areas for each plot to prevent the use of the public highway for parking or turning.

6.5.4 The Parish Council raise concern regarding the general state of Earls Ditton Lane and more significantly the impact of the intensification of the junction with the A4117 as a result of this permission and other planning permissions granted for dwellings along Earls Ditton Lane. In terms of the general maintenance and state of Earls Ditton Lane, this is a county wide highway authority matter and will be covered by general highway authority spending and are subject to separate discussions in line with the recently published place plan (2019/2020). The intensified use of the A4117 as a result of the proposal and other permissions along this lane has not been raised as a concern by the Councils Highways Authority. In terms of contributions towards improvements to this junction, the National Planning Policy Framework and the Community Infrastructure Levy regulation 122 (as amended by the 2011 and 2019 Regulations) sets out the statutory tests which have to be met for a S106 obligation to be deemed appropriate. These require S106 agreements to be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In this case bearing in mind the above three test it is considered it would not be reasonable to expect a contribution via a S106, given the lack of objection from the Councils Highways Authority, the small scale of housing numbers proposed and that this has not been a requirement of the previous permissions at the adjoining site or the other approved dwellings further south of the site (19/01374/OUT and 18/03934/OUT).

## 6.6 Residential Amenity

6.6.1 Core Strategy Policy CS6 requires all development to safeguard the amenities of neighbouring residents. The neighbouring dwelling which shares a contiguous boundary with the application site is set at a higher ground level than the site of the proposed dwellings and is some 40m from the boundary with the block plan indicating a further 18m from this boundary with the front of the proposed dwellings. There is also a mature landscaped boundary between the sites.

6.6.2 The dwelling to the south west of the site ('The Cottage') is arguably closer being some 26m from the boundary with the application site and it is noted that the dwellings would be a further 13m from the application site boundary. At such distances it is considered that the proposal would not result in a loss of light, privacy or being overbearing to a level that would harm the residential enjoyment of the property. This is also the case for the dwellings to the south of the site which are approximately 35m from the site. Should the dwellings with approval on the land to the north of the site be constructed it is considered that due to the separation distances and orientation of the dwellings neither scheme would unduly harm the future amenity of the occupiers of either site.

## 6.7 Other matters – Landownership – Access rights

- 6.7.1 The current owners of the land adjoin the site and through which the proposed access would run have raised concern that the applicant does not have a right of access over the land. The granting of a planning permission does not outweigh the need to comply with other regulations and does not mean development can be carried out without the approval of the landowner. This is a civil matter which would need to be resolved privately between the parties involved.

## 7.0 CONCLUSION

- 7.1 The site is situated within the settlement of Doddington which is part of a nominated community cluster, the principal of open market housing development is therefore acceptable on suitable sites in accordance with policies CS4 and MD1. The application site is considered to represent infill forming part of the loose-knit cluster settlement and it is judged that the addition of two further dwellings in this settlement would not cause demonstrable harm to the settlement character in terms of the number of new houses within Doddington itself.
- 7.2 The proposed dwellings seek a contemporary design, however the scale and materials proposed reflect the settlements built pattern and vernacular materials of the area. The dwellings would not represent overdevelopment and could sit within their plots without detracting from the setting of the character and natural beauty of the Shropshire Hills AONB, or resulting in severe harm to highway safety or undue harm to levels of residential amenity. The scheme accords with the principal determining criteria of relevant development plan policy and it is recommended that the application is approved subject to conditions.

## 8.0 Risk Assessment and Opportunities Appraisal

### 8.1 Risk Management

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

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

promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

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

## 8.2 Human Rights

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

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

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

## 8.3 Equalities

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

## 9.0 Financial Implications

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

## 10. Background

### Relevant Planning Policies

Central Government Guidance:  
National Planning Policy Framework

Core Strategy and Site Allocations and Management of Development (SAMDev) Plan 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  
 MD3 - Managing Housing Development  
 MD12 - Natural Environment

Settlement Policy: S6 - Cleobury Mortimer

RELEVANT PLANNING HISTORY:

None.

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=POQ1EXTD07V00>

List of Background Papers
Cabinet Member (Portfolio Holder) Councillor Gwilym Butler
Local Member Cllr Gwilym Butler & Cllr Madge Shineton
Appendices APPENDIX 1 - Conditions

**APPENDIX 1**

**Conditions**

**STANDARD CONDITION(S)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

### **CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

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

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

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

4. 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.

5. No above ground works shall be commenced until full details of both hard and soft landscape works (in accordance with Shropshire Council Natural Environment Development Guidance Note 7 'Trees and Development') have been submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall upon written notification from the local planning authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in the interest of visual amenity.

6. Prior to the first occupation of each dwelling hereby approved the areas shown on the approved plans for parking and turning of vehicles shall be properly laid out, hard surfaced and drained. The areas shall be retained and maintained thereafter for use at all times for those purposes.

Reason: To ensure the provision of adequate parking of vehicles off the highway in the interest of highway safety.

### **Informatives**

#### 1. SURFACE WATER

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 to cater for a 1 in 100 year return storm event plus an allowance of 35% for climate change. Alternatively, we accept soakaways to be designed for the 1 in 10 year storm event provided the applicant should submit details of flood routing to show what would happen in an 'exceedance event' above the 1 in 10 year storm event. Flood water should not be affecting other buildings or infrastructure.

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 a greenfield 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.

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.

#### FOUL WATER

British Water 'Flows and Loads: 4' should be used to determine the number of persons for the proposed development and the sizing of the package sewage treatment plant and drainage fields should be designed to cater for the correct number of persons and in accordance with the Building Regulations H2. These documents should also be used if other form of treatment on site is proposed.

## 2. SECTION 184 APPLICATION

No S184 application (construct a means of access over the publicly maintained highway) has ever been submitted for the creation of the access into the above site. A retrospective S184 application needs to be submitted to the Local Highway Authority.

Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

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

The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details

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

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

### Waste Collection

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

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

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

3. 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.