

Development Management Report

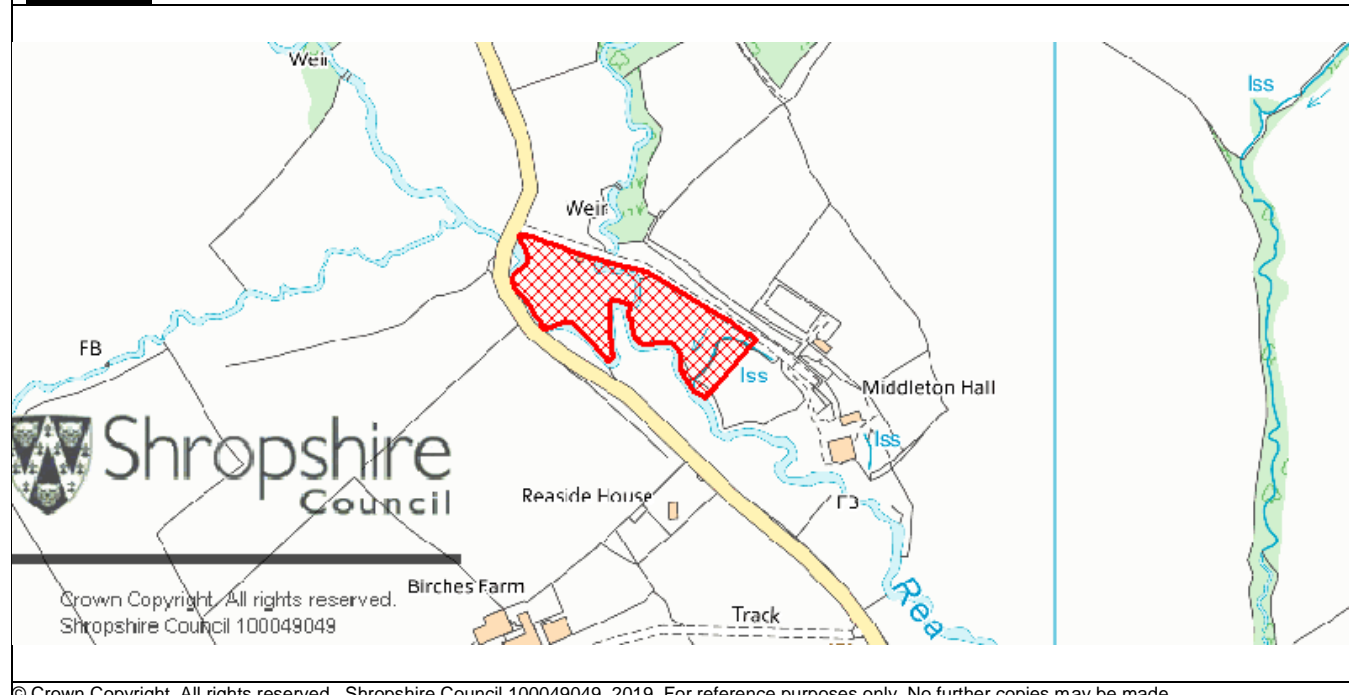
Responsible Officer: Tim Rogers

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Summary of Application

<u>Application Number:</u> 19/04823/FUL	<u>Parish:</u>	Ditton Priors
<u>Proposal:</u> Erection of 1No dwelling, detached double garage with room above, summer house, installation of septic tank		
<u>Site Address:</u> Middleton Mill Neenton Bridgnorth Shropshire		
<u>Applicant:</u> Mr Simon Aldridge		
<u>Case Officer:</u> Richard Fortune	<u>email :</u> planning.southern@shropshire.gov.uk	

Grid Ref: 362649 - 289539



Recommendation:- Grant Permission as a Departure and to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 The proposed site for the dwelling is a paddock which is bordered by the Rea Brook to the west and south and the private drive to Middleton Mill to the north. Hedgerow and tree planting on a boundary with an adjacent field marks the eastern extent of the application site. The site is split in two by a second brook which follows a meandering route through the site, flowing in a southerly direction. The proposed dwelling would be positioned adjacent to the confluence of these two watercourses. The proposed design seeks to break free from the conventional geometry of the rigid single form to respond to the meandering brook setting and established tree planting, to respond to the character of the setting. The elements would comprise four closely spaced elements with a mix of floor plan shapes, with a bridge structure extending eastwards over the brook to incorporate a further building (pavilion) element comparable in scale to the master bedroom element, to function as a combined summerhouse and store. The dwelling would be a mix of single and two storey elements and would provide two bedrooms with associated living space. The living accommodation would take the form of a series of linked elements which would be timber clad in the manner associated with traditional rural/vernacular buildings. The form of these elements has used the precedent of traditional building forms in the locality. Their orientation would give a more closed aspect to their public face, but would open up on the more private side facing the adjacent brook. The elements of the dwelling would be linked by a unifying corridor/ bridge, of mixed timber and steel construction, which would be enclosed and form part of the dwelling itself, as well as providing access to the adjacent field. The corridor/bridge element would have glazed elevations revealing the 'V' shaped roof supports and a flat sedum covered roof apart from the roof section of the bridge element over the watercourse which would be open. The roof would extend forward of the glazing line to provide solar shading to the glass.
- 1.2 The would be a raised boardwalk feature off the main group of structures, part of which would be in the form of a bridge over a new pond, which would be the main approach to the dwelling from the area containing the detached garage building. That garage building positioned immediately to the south of the existing mill access drive and would take the form of a two storey dual pitched roof building with parking for two cars, with an internal stair to a first floor workshop space and plant space for the roof mounted photo voltaic panels.
- 1.3 The westernmost element of the dwelling would form the master bedroom with a dual pitch roof. It would feature a first floor mezzanine area and south facing balcony/roof terrace area contained under the roof. Next to this would be a lower, entrance area (Described as a break out space) with a sedum roof linking through to the similarly roofed corridor element on the southern side of the dwelling. The taller dual pitched roof element

immediately on the eastern side of the entrance would be the provide the second bedroom and storage and would also have a mezzanine area. There is then a small area, again single storey with a flat sedum roof before the lounge/dining room elements (Called 'pavilions' in the Design and Access Statement) is reached which would be open to the corridor/circulation area. This would be the largest element of the structure and would have the appearance of a single form which has been split with the elements positioned at 41 degrees to each other whilst still being joined on their southern side. The exposed faces arising from this juxtaposition of the two elements would be fully glazed. The crank would be broadly opposite the peninsula of land formed by the meander in the Rea Brook to the south, with the wedge of glazing benefiting from a dappled light from the evening sun. Within the roof spaces of this component would be a plant room and a first floor 'break out' space facing the stream with views over the bridge area.

- 1.4 A hierarchy of building forms and function within the dwelling would be provided by the ridge heights which would vary from some 5.4m for the two western elements, some 6.7m for the linked, cranked central element at 5.8m for the eastern element accessed via the enclosed bridge across the stream. The lounge and dining room elements are also rotated to perpendicular orientation to the remaining elements to allow for an increased level of glazing to the main living accommodation, with the shorter 'face' to the bedroom elements allowing for an increased level of privacy.
- 1.5 The roofing materials would be timber 'rainscreen' and a green sedum roof roofed areas. There would be concealed gutters and downpipes to the roofs. The agent advises that the timber roofing material is a modified pine softwood, infused with a bio based liquid which is then heat treated, giving the durability of a tropical hardwood, but with a lower carbon footprint than unsustainably logged tropical hardwood. The timber cladding to the walls of the single storey elements would be left untreated so that over time would acquire a silver patina. the eaves detailing would be finished with a powder coated aluminium coping. The vertical boarding to the larger 'pavilion' elements would have a dark (black) finish achieved by a charring that is polished and sealed with an oil treatment to contrast with the single storey link structure elements. Windows and doors would be aluminium with either aluminium or dark zinc flashings.
- 1.6 A low energy fabric first approach is proposed for the performance of the house, and strategies adopted for heating, ventilation and utilising the site for renewable energy. This includes the north facing elevations of the dwelling would have glazing minimised in preference to high levels of thermal mass and high levels of air tightness with mechanical ventilation and heat recovery. Heat would be drawn from the brook by means of a plate heat exchanger/water source heat pump. Solar energy would be collected by an array on the garage and summer house roofs which would be integrated into the roof finishes with battery storage incorporated. Window with a southern aspect or timber clad ventilation panels (in lieu of

windows) on the northern aspect would deliver natural cross ventilation. Glazing on the southern aspect would be solar controlled and incorporate opening vents to further encourage cross ventilation. There would also be a grid connection and a wood burning stove provided to the lounge area.

- 1.4 While the proposed development would be adjacent to/straddle watercourses, the elevated nature of the accommodation within the woodland setting would mean it is outside of flood zone 3, as demonstrated by the submitted flood risk assessment.
- 1.5 Some trees would be removed in the vicinity of the boardwalk and pond and where the bridge element would cross the watercourse. The tree to be removed by the boardwalk is an ash showing signs of ash die back. By the bridge element an ash with the same symptoms, a collapsing hazel and two poorly formed alder would be removed. New tree planting would be carried in close vicinity to the proposed dwelling and garage to supplement the retained trees. In addition four groups of native trees are proposed in the field area to the west of the dwelling and orchard planting is proposed to the east. There would also be decking areas to the south of the dwelling adjacent to the Rea Brook.
- 1.6 The application is accompanied by Assessments from Design Midlands (Who were MADE (Midlands Architecture and Designed Environment)) ; a landscape and visual appraisal; flood risk assessment; arboricultural impact assessment; ecology report; energy strategy statement; heritage statement; design and access statement and a planning statement.
- 1.7 The applicants currently occupy the nearby converted Middleton Mill and propose to down size to the dwelling now proposed so that they can remain on the some 31 acres of the land in their ownership in this location.
- 1.8 There has been a delay in bringing this application to Committee due to the Covid-19 restrictions preventing Planning Committee site inspections from being carried out. The agent had previously accepted that, regardless of the recommendation, a Committee site visit would have been beneficial for a paragraph 79 (e) application. However, with the passage of time and no indication at present as to when Committee site visits can be resumed, the agent has made enquiries with their client who has asked that the application be presented to Committee for consideration at the earliest opportunity.
- 2.0 **SITE LOCATION/DESCRIPTION**
- 2.1 Middleton Mill is situated in open countryside to the north of Neenton and is accessed from the road leading to Middleton Priors via a private drive. The proposed dwelling would utilise the same access.
- 2.2 The northern boundary of the proposed dwelling site is defined by a mature hedgerow which runs parallel to the drive serving the Mill. Along the western side flows the Rea Brook which has mature trees and shrubs lining its banks which allow some limited views out to the west. To the

south east corner of the site the field steps down within the meander of the brook. Existing trees form the eastern site boundary. The site is relatively flat on the west-east axis, but slopes gently to the south and the adjacent brook. A stream crosses the site on a roughly north-south orientation, joining with the Rea Brook within the application site boundaries.

3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 3.1 The Parish Council view is contrary to the Officer recommendation and the Shropshire Council Ward Member has chosen to submit his own representations in this case. The Principal Planning Officer, in consultation with the Chair and Vice-Chair of the South Planning Committee, consider that the nature of this proposal and the claimed justification for the dwelling of the design proposed for site warrants consideration by Committee.

4.0 **COMMUNITY REPRESENTATIONS**

Please note that all comments are available to view in full on the Shropshire Council website. Where more than one set of comments have been received from a party, the latest comments are set out first to show whether any earlier concerns have been resolved.

4 **Consultee Comments:**

4.1 Ditton Priors Parish Council - Object:

1. The site is in the view of the Parish Council is inappropriate with no facilities within a sensible walking distance.
2. There is no real evidence that the design is innovative enough to warrant building in such an isolated site.
3. The Parish Council would ask planning officers to consider if the design and materials are sufficiently innovative to meet the requirements of NPPF 79 and warrant the disturbance to this area of open countryside.

4.2 SC Highways - No Objection:

The application is for a new dwelling with garage and parking at Middleton Mill. The site is located off a private access and will have little impact on the highway network.

4.3 SC Archaeology - No comments to make with respect to archaeological matters.

4.4 SC Drainage (Flood and Water Team) - No Objection:

1. A FRA has been provided and the proposed surface water drainage is acceptable in principle.
2. Ordinary Watercourse Consent is required from Shropshire Council for the construction of the concrete dam or any works within the channel of the watercourse that will obstruct/ affect the flow of the watercourse including temporary works. Ordinary Watercourse Consent Application Form and Guidance Notes are on the Council's website: <https://www.shropshire.gov.uk/drainageandflooding/>

development-responsibility-and-maintenance/new-development-and-watercourse-consenting/ordinary-watercourses-applying-for-consent-for-works/

Condition:

No development shall take place until a scheme of 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.

- 4.5 Environment Agency - No bespoke comments to offer.
Refers to standing advice for development within Flood Zone 3 for an Ordinary Watercourse; suggest seek comments from Council's internal Flood and Water Team.

- 4.6 SC Trees - No Objection in principle, but have the following comments to make:
Note the Arboricultural Impact Assessment (AIA) (Section 6 of the submitted Arboricultural Report, Sylvan Resources Ltd, April 2019), states that five trees (T17 – hazel, T6 and T18 – ash, and T19 and 20 – alder) should be removed due to their health or condition, irrespective of any development. I would not object to the removal of the hazel and alder as stated, but the trees had shed their leaves at the time of my visit and I am unable to confirm the reported early signs of ash die-back disease. I could not see indicative lesions on stems or branches of the ash trees, and there appeared to be reasonable shoot extension and bud formation throughout the crowns. However, T6 is a small tree and I would not object to its removal, but T18 is a large, mature tree and I would resist its removal at this stage on purely arboricultural grounds.

Table 2 of the AIA goes on to list 14 other trees to be coppiced (felled to ground level and allowed to regenerate as bushy, multi-stemmed regrowth), in order to reinstate the historic form of management and, in the case of 6 of these alders, because the canopies of the trees would interfere with the proposed dwelling.

I would not object to the principle of phased (re)coppicing of these stream side trees, providing it did not harm the ecological value of the riparian habitat. The existing trees in their current state constitute an unmanaged, natural habitat corridor running along the Rea Brook and its tributary stream, at the confluence of which the proposed development is located. The tributary stream links northwards to the priority habitat deciduous woodland of Corner Coppice (as identified on the MAGIC map website) and beyond that to a wider network of rural hedges, trees and woodland. Coppicing and tree removal as stated within the AIA would drastically alter the arboreal nature around the confluence of Rea Brook and the tributary stream, potentially introducing a break in ecological connectivity and

functionality. The effect would be compounded by the introduction of a residential dwelling and its associated landscaping and garden space, with the inevitable pressures arising from the change of use to human occupation. I would therefore defer to colleagues within the SC Ecology Team as to the likely implications of the proposed development (be that positive, neutral or negative) on the riparian habitat at the site. A negative impact would, however, be contrary to adopted SC Core Policy CS17 – Environmental Networks and SC SAMDev Policy MD2 – Sustainable Design.

I would also question the introduction of a number of ornamental, non-native tree species, as proposed in the Landscape Statement (PLAN 0004-1001-R02, Oct 2019) to be planted in the immediate vicinity of the house. Some of the suggested species grow to become large trees and I doubt the long-term prospects for the *Tilia cordata* 'Winter Orange', *Acer platanoides* 'Drumondii' and the two *Prunus* species, for example, once their canopies start conflicting with the house. Aside from this, I note that specific details regarding tree planting and post-planting maintenance have not been provided, although such details could reasonably be provided under condition to any permission granted, once the landscape strategy has been agreed.

To summarise, subject to the principle of the proposed development receiving the support of the Council's Ecology Team, I would not object to this application on arboricultural grounds. I would, however, ask whether there is scope at this stage to slightly realign the proposed layout, shifting the main residential units slightly further into the field to the west. This would allow retention of the mature ash tree T18 (a category 'A' tree of the highest value), subject to appropriate remedial tree works such as severing the ivy around its stem, removal of significant deadwood, and crown lifting to remove low branches from over the site.

4.7 SC Conservation (04.12.2019) - Comment:

The concluding statements of the HIA are noted, where it is considered that the new dwellinghouse would have 'no impact' and 'no effect on the setting of the non-designated heritage asset', where there is some concurrence with this statement due to distance between the site and the historic building, along with the presence of trees etc, though it is considered that the proposal would have a 'negligible to low-adverse' impact rather than 'no impact', as it is likely that there will be some glimpse views, where the outline of the building may still be visible from some vantage points.

Previous comments covered how the proposal should demonstrate exceptional circumstances such as sustainability and innovation, especially with regard to sustainability measures including the reduction of carbon where it is felt that these could be significantly improved such as utilising:

- green roof (which would reduce its visual impact upon the wider rural setting of the site);

- exploiting and maximising solar gain;
- rainwater harvesting and use of such water for the toilets; and
- using recycled materials for their insulation to reduce its carbon impact etc.

The above list is not intended to be exhaustive, but further thought is required in order to meet the high policy tests set out as part of paragraph 79 of the NPPF.

Notwithstanding the above should the proposal be approved, relevant conditions with regards to external materials and finishes should be carefully considered.

- 4.8 SC Ecology (14.02.2020) - No Objection:
Consideration given to addendum to Ecology Report prepared by Greenscape Environmental Ltd (December 2019). submitted in response to original comments.

The field is a semi-improved tussocky grassland bordered by a hedgerow along the northern boundary, and tree-lined streams along the eastern and southern boundaries. The field itself has negligible potential to be used by protected species – the field shelter has no potential to be used by roosting bats and no evidence of nesting birds was found.

The proposed development site lies within a corridor area of the Environmental Network which links the site to Corner Coppice to the north and to the wider area, including Middleton Coppice local wildlife site. The Rea Brook is lined by alder and hazel coppice. The ecological appraisal states that watercourse itself will not be affected by the development and the trees alongside it did not appear to be suitable for use by roosting bats and nesting birds. However, the trees are likely to be used as a corridor by commuting and foraging wildlife, including bats. Several trees will be coppiced which will enhance the site for biodiversity, though this does not outweigh the impacts to the connective features of the watercourse.

The addendum to the ecology report states the bridge will not result in loss of connectivity along the watercourse. The bridge will not be illuminated so there should be no impact from lighting, though I recommend a lighting plan be submitted prior to installation of any external lighting.

The proposed landscaping, pond creation, and management of the alder coppice will enhance the site for wildlife.

Though I maintain that there is no reasonable purpose to locate the proposed development in the proposed location, or to use the proposed design, I am reassured that the proposed development will not have as negative an impact on wildlife as I had assumed, provided the conditions recommended below are fulfilled:

Conditions are recommended in respect of external lighting; provision of a

detailed landscaping plan incorporating ecological enhancements; work to be carried out in accordance with the impacts and mitigation section of the submitted ecological appraisal; approval of a Construction Environmental Management Plan.

4.8.1 SC Ecology (28.11.2019) - Object:

The proposed development site lies within a corridor area of the Environmental Network which links the site to Corner Coppice to the north and to the wider area, including Middleton Coppice local wildlife site. The Rea Brook is lined by alder and hazel coppice. The ecological appraisal states that watercourse itself will not be affected by the development and the trees alongside it did not appear to be suitable for use by roosting bats and nesting birds. However, the trees are likely to be used as a corridor by commuting and foraging wildlife, including bats.

Several trees will be coppiced which will enhance the site for biodiversity, though this does not outweigh the impacts to the connective features of the watercourse.

The proposed landscaping, pond creation, and management of the alder coppice will enhance the site for wildlife and I would recommend approval if the bridge element of the design was removed and if it could be guaranteed that there would be no illumination of the watercourse. The bridge is likely to prevent wildlife from commuting along the stream. There will also be an increased level of human disturbance and illumination which will deter wildlife from continuing to use the site.

The proposed development would have a significant adverse effect, both directly by removing trees and building over the watercourse and indirectly through increasing levels of disturbance to the rest of the watercourse, on priority habitats and ecological networks. This development could reasonably be located in an alternative location within the ownership of the applicant. Locating the development within the centre of the field would have a minimal impact on priority habitats and protected species.

Paragraph 3.116 of the SAMDev states: Where loss or damage to an asset is likely then all reasonable alternative methods of delivering the proposal should be considered. If no solution can be found, through use of an alternative site or redesign to avoid harm for example, and the demonstrated social or economic benefits of the proposed development clearly outweigh the harm to that asset, then mitigation and compensation measures will be sought through planning conditions, planning agreements or offsetting measures as appropriate.

There is no reasonable purpose to locate the proposed development in the proposed location, or to use the proposed design. The goal of the proposed development, to provide a dwelling for a couple to downsize to, could be achieved without the inclusion of a bridge and could be located in a different location. The benefit of locating the development over the watercourse for design purposes does not outweigh the impact to the site through removal of trees, illumination of the watercourse, and disturbance

of the habitat through works and through human disturbance by allowing people to access the banks on a regular basis.

Should it be minded to approve this application conditions are recommended in respect of external lighting; provision of a detailed landscaping plan incorporating ecological enhancements; work to be carried out in accordance with the impacts and mitigation section of the submitted ecological appraisal; approval of a Construction Environmental Management Plan.

Public Comments

4.9 Site notice displayed 12.11.2019; Departure Press Advertisement published 02.02.2020. There has been no response to this publicity.

4.10 Shropshire Council Ward Member comments:

1.The design shows that the single volume has been broken up but not how this relates to the context. Some site analysis seems to have been carried out but not then taken forward- it suggests that it has been put to one side and only the volumes and shapes have been worked up. They should be overlaid so that the volumes and shapes relate to the context.

2.The idea of the pavilions seems a good one, but they are swamped by the bridge and the flat roofs.

3.The bridge is bulky and does not respond to the context and it is doubtful if the balustrade conforms with building regulations, it might be better if the bridge was dropped in height to that of the handrail instead of overhead where it goes across the brook.

4.The two eastern pavilions do not relate to the other two. The V shape formed by the two gables does not make much sense and the orientation means that there will be hardly any sunlight entering either gable and no real view looking out.

5.The design contains large volumes but for little useable space- for example the eastern two volumes which form the V has only two bedrooms. The architecture should be made to work much harder and use much less foot- print in this sensitive area. The whole design could be half the size at the most.

6.It is not clear what the flat roofs are covered with where the designer has not decided to use sedum. It looks like timber and if so, it raises the question of durability

7.The covered balcony to the western pavilion makes little sense. There is an overhang into which a hole has been cut then covered with wooden slats. A roof light has been introduced in the other side but left the south facing gable totally open. I also query the roof lights shown as parallelograms in plan.

8.The summer house and the garage should be subservient and be smaller in volume- it looks like they have a similar ridge height to the other buildings, and I query the amount of glazing in the summer house

9.Bats should not be subjected to too much artificial light, but this design will be a beacon at night. It is also very important not to ruin the dark skies at night of this very rural and unspoilt countryside.

10.The whole development does not really relate to the site and all the buildings are at the same level.

11.The bridge could be a great, strong statement but in its present form is not realistic or site specific.

12.Is this site the best location? Could less tree pollarding and pile foundations be possible if the site was moved further west?

5.0 THE MAIN ISSUES

- Principle of development
- Siting, scale and design of structure
- Visual impact and landscaping setting
- Heritage impact
- Drainage
- Ecology
- Highway safety
- Residential amenity
- Affordable housing
- Other matters

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 This application seeks full planning consent for a dwellinghouse, submitted under criterion (e) of Paragraph 79 of the National Planning Policy Framework (NPPF). This paragraph of the NPPF relates to rural housing and states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of a

number of listed circumstances (a-e) apply. Criterion (e) is the circumstance where:

"the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."

6.1.2 It is important to note the 'and' linking the above two bullet points. A proposal must satisfy both elements for it to be considered acceptable under paragraph 79, criterion (e).

6.1.3 This site is situated in open countryside. The adopted Development Plan policies relating to housing Development in the countryside are Core Strategy policy CS5 and Site Allocations and Management of Development (SAMDev) Plan policy MD7a. The application is not submitted as one to house and essential rural worker or to meet an identified need for affordable housing which are normally the only two circumstances where a new-build dwelling may be permitted in an open countryside location. However, significant weight must be attached to the later (2019) NPPF in assessing the current proposal. The application has been advertised as a Departure from the Development Plan given this policy context.

6.1.4 The two elements of paragraph 79 (e) are considered in turn below (Sections 6.2 and 6.3 respectively), followed by other material planning considerations relevant to the proposed development on this site.

6.2 **Siting, scale and design of structure**

6.2.1 Core Strategy policy CS6 requires that developments should be appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character. High quality design is also sought and for development to respond to the challenge of climate change. Core Strategy policy CS17 relating to Environmental Networks supports these goals in seeking to ensure developments protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment. SAMDev Plan policy MD2 adds further weight to the achievement of sustainable design which achieves these objectives and embraces opportunities for contemporary design solutions, which take reference from and reinforce distinctive local characteristics. This quality bar which applies to all developments must be shown to be demonstrably pushed even higher if a development is to satisfy the first bullet point of NPPF paragraph 79 (e) of being "... *truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas;*"

6.2.2 The applicant has sought to achieve a scheme that could be recognised

as meeting this criterion through presentations to and discussions with the design review body Design Midlands in developing the final scheme submitted as this application. (This body was originally known as MADE ,but has merged during the course of this proposal being developed with a partner organisation in the East Midlands to form a new organisation called Design Midlands). A site inspection by the MADE design panel at Middleton Mill in June 2019 to review the design in the context of paragraph 79 of the NPPF found that the rationale of the siting strategy, placing the house close to the confluence of the two streams, within tree cover, forgoing the possibility of more distant views from higher ground, to be persuasive and convincing. Their comments at that time were also that:

"The Panel was also convinced by the architectural strategy of disaggregating the volume of the house into a number of linked smaller parts, of a simple geometry which referred to agricultural vernacular forms, which it found very attractive and appropriate".

Their review of amended design proposals in October 2019 (Which are the proposals contained in this application) concluded:

"In conclusion, we consider that the confidence that the MADE panel expressed, that the proposal that it saw was capable of being turned into a successful developed scheme, has been justified. Design: Midlands believes that the developed design meets Paragraph 79's criterion of exceptional quality, in both of its two parts. It represents a high standard of architecture and has the ability to act as a model for others in the region. It also is inventive and sensitive in the way in which it occupies its site and draws inspiration from local precedents".

6.2.3 With respect to the innovative' component of the paragraph 79 test the applicants are referencing the energy production and efficiency measures that would form part of the proposed dwelling, as summarised in paragraph 1.6 above. The innovative techniques include the use of heat exchange from the adjacent water courses, battery storage and solar PV integral with the roof structure. The agent asserts that harnessing the water source for heat is an extremely innovative system, with a compact and highly efficient recovery panel system being used. The result of this energy generation measure, along with the use of PV panels and battery storage would result in a dwelling with a zero net external energy requirement. The old mill is a historical precedent for utilising natural water sources locally as a source of power and that the proposed utilisation of that water in the manner now proposed will be an exemplar in this field.

6.2.4 It is accepted by Officers that the energy generation proposals utilising the specific characteristics of this site provided by the confluence of the streams, and linked to the battery storage and PV panel technology can be considered innovative in the context of paragraph 79 of the NPPF. The aesthetics of the proposed house design and how it would utilise the characteristics of the site is more subjective in terms of whether it is "truly outstanding" and "reflects the highest standards in architecture" as sought

by paragraph 79 in raising design standards more generally in rural areas. The applicant is relying upon the scholarly peer review by Design Midlands as an independent verification of these claimed credentials. The combination of linked structures to form a dwelling is not original, which is to a degree acknowledged by the submitted Design Statement which explains how the design has involved and makes much use of precedent examples across the world.

- 6.2.5 On balance, it is considered that the proposal can be regarded as being innovative in raising standards of design more generally in rural areas (The option in the first bullet point of paragraph 79 being 'truly outstanding or innovative'), due to the composition of the dwelling design facilitating the energy source proposals and how they utilise the natural characteristics of the site.

6.3 Visual impact and landscaping setting

- 6.3.1 Should the Committee conclude that the proposal would fall within the truly outstanding or innovative category, there is also the requirement set out in paragraph 6.1.1 above that the proposal must significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. The second key issue therefore is whether the erection of the proposed dwelling on this site, in comparison with the site's present form/appearance, would achieve the significant enhancement required and also be sensitive to the locality. A Landscape Statement has been submitted with the application. This statement analyses the topography; the tree history cataloguing the 41 trees at present on site; identifies the six trees to be removed for reasons relating to health and poor form; the ecology; hydrology; wider landscape; brook characteristics; sets out the wider landscape context proposals and how the dwelling would be accommodated within it, along with the strategy for new planting and maintenance. A separate Arboricultural Report has been supplied setting out the trees to be coppiced and root protection measures for retained trees.

- 6.3.2 The Council's Landscape Consultants (ESP Ltd) were asked to review the landscape and visual issues relating to the proposed development in the context of paragraph 79 of the NPPF. Their review of February 2020 commented that they agree with the Design Review Panel conclusions that the proposal is inventive and sensitive to its location and concluded that while the proposal had the potential to meet the stringent tests of paragraph 79 (e), insufficient attention has been given to the potential beneficial and adverse landscape and visual effects arising from the proposed development. They recommended that an assessment of landscape and visual effects should be carried out in accordance with the guidance contained in the Guidelines for Landscape and Visual Impact Assessment, third edition, published by the Institute of Environmental Management and Assessment and the Landscape Institute.

- 6.3.3 A Landscape and Visual Appraisal (LVA) was subsequently submitted in response to the above comments from the Council's Landscape

Consultants, prepared by a Chartered Member of the Landscape Institute and Practitioner Member of the Institute of Environmental Management and Assessment using the guidelines recommended by the Council's Consultants. The primary objectives of the LVA are

To identify, describe and evaluate the current landscape character of the site and its surrounding area;

- To identify, describe and evaluate any notable individual landscape elements and/or features within the site;
- To determine the sensitivity of the landscape to the type of development proposed;
- To identify potential visual receptors (i.e. people who would be able to view the proposed development) and to evaluate their sensitivity to the type of changes proposed; and
- To identify and describe any effects of the proposals in so far as they affect the landscape and/or views and to evaluate the magnitude of change owing to those effects.

The conclusions of the LVA are as follows:

"- The visual envelope associated with the proposals would be extremely localised. The majority of the surrounding landscape would be completely unaffected visually should the proposals for the site take place.

- The site relates to a small site located within open countryside, in a well vegetated, enclosed and low-lying location. These factors moderate the outward effect the proposals would have on the surrounding landscape.

- The proposals are of very high architectural merit and very well anchored to its setting. The proposals enhance its setting and greatly improve the overall use and condition of the site.

- The appraisal did not find any significant concerns regarding the anticipated landscape and visual effects arising from the proposals.

Assuming the additional planting recommendations of this report are followed, it is considered that the proposals would be acceptable in landscape and visual terms and would assimilate into the setting as a positive addition to the countryside location."

(The additional planting recommendations referred to above comprise managing the existing hedgerow aligning the northern boundary to a higher height than currently, with a suggested 3m height being appropriate to help enclose the site further; to plant up the existing field gate access with native hedge transplants, to further enclose the site and screen the proposals from this view point; to plant informal groupings of native trees within the corner of the site, behind the field gate; to plant some additional trees to the north of the proposed summer house/garden store building, to help break up the outline of the building and provide screening where the site is viewable from the footpath).

- 6.3.4 The LVIA methodology provides a recognised, objective framework for the assessment of visual/character impact, which is otherwise a matter of personal, subjective taste. The strategy in this proposal is not to provide a structure that would stand out in the wider rural landscape, but one which would blend inconspicuously with its surroundings. Where there would be

glimpsed views of elements of the building through the surrounding trees and hedging (The degree of visibility varying with the seasons and the LVIA has been based on the winter period when foliage is the least), the form of the building elements and the materials palette seeks to reflect the local vernacular to assimilate with the surroundings. This approach is to address the NPPF paragraph 79 e) requirement that designs being promoted as exceptional quality should be sensitive to the defining characteristics of the local area. Should it be accepted that would be achieved by the proposed design there is still the requirement that it must also "significantly enhance its immediate setting."

6.3.5 The Council's Landscape Consultants have reviewed the above LVIA which has been submitted in response to their original comments. They conclude that:

"- The LVA has been prepared in a manner proportionate to the scale of the project and its likely effects and with appropriate regard to the best practice set out in GLVIA3 and associated guidance and we consider that its findings are reliable.

- The previous version of the LVA was silent on whether a number of identified landscape and visual effects were adverse or beneficial, and was unclear on both the stage at which effects were assessed and the role of mitigation in changing the scale of effects over time. As a result, we noted in our April review that no clearly defined beneficial landscape effects were predicted to arise from the proposed development. The version of the LVA under review provides this additional information, and predicts a range of landscape effects from *Minor adverse* at Year 1 to *Major/moderate beneficial* at Year 15. 3 adverse effects, 8 beneficial effects and 5 no effects are predicted.

-The assessment of visual effects concludes that of the 26 visual assessments made, none are predicted to experience adverse effects, 12 are predicted to experience beneficial effects and are predicted to experience 14 no effects.

- The LVA therefore predicts that of the 42 landscape and visual receptors identified for assessment, 20 are predicted to experience beneficial effects ranging from *Minor* to *Major*. This will assist in meeting the requirement of NPPF paragraph 79 (e) for a development to *significantly enhance its immediate setting* and would support the statement in paragraph 8.5 of the LVA that '*it is considered that the proposals would be acceptable in landscape and visual terms and would assimilate into the setting as a positive addition to the countryside location*'.

- Preparation and delivery of an appropriate landscape scheme in accordance with the Landscape Strategy can be expected to deliver the beneficial landscape and visual effects predicted in the LVA. In order to secure this, it is recommended that the following conditions be attached to a grant of planning permission for the proposed development;

1. No development shall take place until a detailed hard and soft landscape scheme for the whole site has been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include:

- The materials used for all paved surfaces
- Plant species, sizes, numbers and densities, method of cultivation and planting, means of protection and programme for implementation. This is for all grassed areas, tree, shrub, wetland and hedgerow planting
- The scheme shall reflect the site's rural location and the local landscape character.

2. No development shall take place until a Soil Resource Plan for the site has been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include:

- the areas of topsoil and subsoil to be stripped,
- the methods of stripping
- the location and type of each soil stockpile
- the soil replacement profiles
- the means of preventing soil compaction

This will ensure the soils are in the optimum condition to promote healthy plant growth, and long-term site screening.

3. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. The maintenance shall be carried out in accordance with the approved schedule. The maintenance schedule shall include for the replacement of any plant (including trees and hedgerow plants) that is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective. The replacement shall be another plant of the same species and size as that originally planted shall be planted at the same place..."

- 6.3.6 The provision of appropriate landscaping is a normal requirement of Core Strategy policies CS6 and CS17, with the latter seeking to secure enhancements to Shropshire's environmental assets where possible. The additional planting proposed in this application could be carried out independently of the proposed development to deliver the environmental/ecological enhancements, but it is acknowledged that there could be little incentive for doing so if it did not form part of an approved

development. On balance, and taking into account the findings of the independent landscape impact review commissioned by the Council. it is considered that the proposal would satisfy the second bullet point of paragraph 79 e) of the NPPF in that it *"would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area."*

6.4 **Heritage Impact**

- 6.4.1 In considering the proposal due regard to the following local and national policies, guidance and legislation has been taken; CS6 Sustainable Design and development and CS17 Environmental Networks of the Shropshire Core Strategy, the National Planning Policy Framework (NPPF) published March 2012, Planning Practice Guidance and Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 6.4.2 A Heritage Statement has been provided in relation to Middleton Mill and the surroundings which considers the impact of the proposal on the setting of the Mill, which is a non-designated heritage asset. The Council's Conservation Officer for the area is generally in agreement with the conclusions of the Statement that the proposed dwelling would have no effect on the setting of the non-designated heritage asset, due to the separation distance and the presence of trees. While his assessment would be that there would be 'negligible to low-adverse' impact rather than 'no impact' due to the likelihood of some glimpsed views, this would not be sufficient to justify a refusal on the basis of harm to the setting of the former mill. There are no archaeological issues relating to the proposed development.

6.5 **Drainage**

- 6.5.1 Core Strategy policy CS18 relates to sustainable water management and seeks to ensure that surface water will be managed in a sustainable and coordinated way, with the aim to achieve a reduction in the existing runoff rate and not result in an increase in runoff. The Council's Drainage Consultants/Flood and Water Team have advised that the Flood Risk Assessment and the proposed surface water drainage arrangements are acceptable in principle, with a condition recommended requiring the submission of full details of the proposed foul and surface arrangements being attached to any planning permission issued. A separate consent from Shropshire Council as land drainage authority for any works within the channel of the watercourses. The Environment Agency has no bespoke comments to make in this case, due to the scale and nature of the proposal, and defers to the Council's Flood and Water Team.

6.6 **Ecology**

- 6.6.1 Core Strategy policies CS6 and CS17 seeks to ensure developments do not have an adverse impact upon protected species and accords with the obligations under national legislation. SAMDev policies MD2 and MD12 supplement these policies. The Council's Ecology Team initially raised concerns about the impact of the proposed development on biodiversity

and geodiversity. Following receipt of an addendum to the Ecological Report (Greenscape Environmental Ltd, they are content the proposal would not have a negative impact on wildlife. It is acknowledged that the watercourse itself would not be affected by the proposed development and that the trees alongside it (alder and hazel coppice) would not appear suitable for roosting bats and nesting birds. The trees to be coppiced would enhance the site for biodiversity, and the proposed landscaping, pond creation and management of the alder coppice would enhance the site for wildlife. Their recommendation is for conditions and informatives to be included on any planning permission issued, relating to external lighting; landscaping (To include the creation of wildlife habitats); work to be carried out in accordance with the impacts and mitigation measures set out in the Ecological Appraisal and for the submission and approval of a Construction Environmental Management Plan.

6.7 Highway Safety

6.7.1 The NPPF, at section 9, seeks to promote sustainable transport. At paragraph 108 it advises that sites should give opportunities to promote sustainable transport modes appropriate to the type of development and its location, have a safe and suitable access for all users and that whether any significant impacts on the transport network or highway safety can be cost effectively mitigated to an acceptable degree. It continues at paragraph 109 stating development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Core Strategy policy CS6 seeks to achieve safe development and pertinent matters to consider include ensuring the local road network and access to the site is capable of safely accommodating the type and scale of traffic likely to be generated. The Council's Highways Consultants are content that the site access is suitable for the proposed development and there would be little impact on the local highway network from a single dwelling on this site.

6.8 Residential Amenity

6.8.1 Core Strategy policy CS6 seeks to safeguard residential amenity. The nearest existing residential property to the site is the applicants current dwelling (Middleton Mill) some 200 metres to the south east and Reaside House which is adjacent to the public highway some 200 metres to the south and separated from the application site by the road and a field. The proposal would have no significant impact on the residential amenities of these properties or others in the locality.

6.9 Affordable Housing

6.9.1 Core Strategy Policy CS11 and a related Supplementary Planning Document require most market housing schemes to contribute towards affordable housing provision (usually a one-off payment in lieu of on-site provision where a small number of dwellings is proposed). However this requirement is now effectively superseded by the more recently updated NPPF, where Paragraph 63 states categorically that such contributions should not be sought in connection with small-scale developments. It must

therefore be accepted that the Council's policies in this respect are out-of-date and can no longer be given significant weight.

6.10 Other Matters

6.10.1 The agent has responded to the comments received and set out at 4.10 above with the following responses (The numbering correspond to the submitted comments):

"1. The Design has been put together to meet the brief, client's requirements and the constraints of the site location and its immediate setting. Twelve months of design concepts/evolution, consultation and design review panels with Design Midlands (Formerly known as MADE), Consistent in – house design reviews with both consultants and client to create something special and site specific.

2. Existing and proposal of new vegetation will form natural screening; a new coppice has been also introduced as part of the proposal.

- The Flat roofs (circulation space) have been incorporated to reduce the visual impact and massing in the areas where best suited.*

3. The form and design of the bridge is in part dictated by the structure (stability etc)

- Reducing this will impact of the visual connection of the bridge / stability it would provide*

- The balustrade is 1,100mm in height which complies with Building regulations (tensile wire – ss style balustrade).*

4. (With respect to the two eastern pavilions) there will be borrowed light from the large roof light placed directly above the staircase

- The V shape with the two opening gables (Glazed opening gables) is to create a private courtyard but also to create a visual connection both internally / externally.*

5. The design has been put together and further evolved over numerous design reviews both in – house / client and with Design Midlands to achieve both the clients requirements/brief but also to be site specific.

6. The flat roof is proposed to be part sedum (Green roof) and part timber – please see the roof plan drawing.

7. (With respect to the covered balcony of the western pavilion), the opening within the overhang is positioned to the orientation of the pavilion, this is an opening in the overhang which creates views out over onto the field. In terms of the wooden slats this has been introduced as a solar shading element as well as to make the opening discrete. This opening / overhang space should be considered as a balcony / viewing platform.

8. Ridge heights vary, the difference between the main volume (kitchen and lounge) and the lower volumes (the summer house and the garage) is 1 metre creating the summer house and garage more subservient / smaller in volume.

- *The glazing proposed within the summer house is recessed and in shade / shadow – maximising the view of the brook*

9.No lighting has been proposed on the bridge – this is due to reducing the impact to bats and local wildlife.

- *Minimal external lighting is proposed but can be conditioned – down lighters preferred*
- *The Glass can be coated to reduce reflection and light etc.*

10.The proposed scheme has been designed around site levels – all set on one level in relation to accessibility, future proofing the proposed scheme.

- *The overall scheme has been raised to a particular level to go above the flood risk line.*

11. The bridge design has been put together to create an open structure to allow for a flow of natural light, nature/wildlife and openness but to also maintain the connection over the brook across two banks.

12. The design approach was to create something of a sensitive Architecture

- *The location is set by many parameters and the tree pollarding and pile foundations form part of this positioning decision and thus to reduce impact*
- *Pile foundations have been introduced to bring as little impact onto the site with the proposed scheme. "*

7.0 **CONCLUSION**

7.1 The application site is situated in open countryside and is not proposed as a rural occupational workers dwelling or as an affordable dwelling to meet an identified local need. It has been submitted with a supporting case which asserts that the proposal satisfies the exception to the strict controls over new build open market houses in the countryside allowed by Paragraph 79 e) of the National Planning Policy Framework (NPPF). Criterion (e) is the circumstance where:

"the design is of exceptional quality, in that it:

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area."*

7.2 On balance, it is considered that the proposal would satisfy the 'innovative' requirement of the first bullet point above by reason of the composition of the dwelling design facilitating the energy source proposals and how they utilise the natural characteristics of the site. With respect to the second bullet point (Both must be satisfied) the combination of the dwelling design and manner by which it would be integrated into the established landscape setting at the confluence of two streams, coupled with the

landscape management and new planting proposals, are again also on balance sufficient to satisfy this criterion.

- 7.3 The proposal would not be detrimental to the setting of non-designated heritage assets in the locality and would have no significant impact on neighbour amenity. The proposals would not be detrimental to highway safety and drainage and ecological interests can be safeguarded satisfactorily through the recommended planning conditions.
- 7.4 The application has been advertised as a departure from the Development Plan.

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

Shropshire Core Strategy and SAMDev Plan Policies:

CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles
CS11 - Type and Affordability of housing
CS17 - Environmental Networks
CS18 - Sustainable Water Management
MD2 - Sustainable Design
MD3 - Managing Housing Development
MD7a - Managing Housing Development in the Countryside
MD12 - Natural Environment
MD13 - Historic Environment
Settlement: S3 - Bridgnorth

RELEVANT PLANNING HISTORY:

12/01241/FUL Construction of a menage GRANT 21st May 2012

14/04868/FUL Extension to existing barn following removal of old railway wagons currently used for storage GRANT 23rd June 2015

16/00667/FUL Extension to agricultural barn to provide open fronted garage (amended design) GRANT 26th April 2016

11. Additional Information

View details online: <https://pa.shropshire.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Arboricultural Impact Assessment

Ecology Reports

Landscape and Visual Impact Appraisals

Design Midlands and MADE Reports

Flood Risk Assessment

Energy Strategy Study

Design and Access Statement

Planning Statement

Heritage Statement

Cabinet Member (Portfolio Holder)

Councillor Gwilym Butler

Local Member

Cllr Robert Tindall

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.

Contact: Tim Rogers (01743) 258773

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.

3. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory.

4. No development shall take place until a detailed hard and soft landscape scheme for the whole site has been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include:

- a.Planting plans, creation of wildlife habitats and features and ecological enhancements [e.g. hibernacula, integrated bat and bird boxes, hedgehog-friendly gravel boards and amphibian-friendly gully pots];
- b.Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment);
- c.Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- d.Native species used are to be of local provenance (Shropshire or surrounding counties);
- e.Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works;
- f.Implementation timetables.

The plan shall be carried out as approved.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design and to safeguard the character of the area.

5. No development shall take place until a Soil Resource Plan for the site has been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include:

- o the areas of topsoil and subsoil to be stripped,
- o the methods of stripping
- o the location and type of each soil stockpile
- o the soil replacement profiles
- o the means of preventing soil compaction

Reason: To ensure the soils are in the optimum condition to promote healthy plant growth, and long-term site screening.

6. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. The maintenance shall be carried out in accordance with the approved schedule. The maintenance schedule shall include for the replacement of any plant (including trees and hedgerow plants) that is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective within the next available planting season. The replacement shall be another plant of the same species and size as that originally planted shall be planted at the same place.

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

7. No ground clearance, demolition, or construction work shall commence until a scheme has been submitted to and approved in writing by the local planning authority to safeguard trees to be retained on site as part of the development. The approved scheme shall be implemented in full prior to the commencement of any demolition, construction or ground clearance and thereafter retained on site for the duration of the construction works.

Reason: To safeguard existing trees and/or hedgerows on site and prevent damage during building works in the interests of the visual amenity of the area, the information is required before development commences to ensure the protection of trees is in place before ground clearance, demolition or construction.

8. No above ground works shall take place until a scheme of foul drainage, and surface 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: To ensure satisfactory drainage of the site and to avoid flooding.

9. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes (required under separate planning conditions). The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

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

10. All site clearance, development, landscaping and biodiversity enhancements shall occur strictly in accordance with Section 6 Impacts and Mitigation measures of the Ecological Appraisal for Middleton Mill prepared by Greenscape Environmental Ltd (March 2019) received

31st October 2019.

Reason: To ensure the protection of and enhancements for biodiversity in accordance with MD12, CS17 and section 175 of the NPPF.

11. No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

a. An appropriately scaled plan showing 'Wildlife/Habitat Protection Zones' where construction activities are restricted, where protective measures will be installed or implemented and where ecological enhancements (e.g. hibernacula, integrated bat and bird boxes, hedgehog-friendly gravel boards and amphibian-friendly gully pots) will be installed or implemented;

b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;

c. Requirements and proposals for any site lighting required during the construction phase;

d. A timetable to show phasing of construction activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season);

e. The times during construction when an ecological clerk of works needs to be present on site to oversee works;

f. Identification of Persons responsible for:

i) Compliance with legal consents relating to nature conservation;

ii) Compliance with planning conditions relating to nature conservation;

iii) Installation of physical protection measures during construction;

iv) Implementation of sensitive working practices during construction;

v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction; and

vi) Provision of training and information about the importance of 'Wildlife Protection Zones' to all construction personnel on site.

G. Pollution prevention measures.

All construction activities shall be implemented strictly in accordance with the approved plan.

Reason: To protect features of recognised nature conservation importance, in accordance with MD12, CS17 and section 175 of the NPPF.

12. The dwelling and garage shall not be first occupied/brought into use until the energy production and efficiency measures set out in the Mesh Energy Study, Middleton Mill, 8th October 2019, have been implemented in full. These measures shall be retained for the lifetime of the development.

Reason: Planning permission has only be granted for the dwelling on the basis of factors which include the innovation in energy production measures, and the manner in which that energy

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would be used, to meet the criteria to be satisfied under paragraph 79 e) of the National Planning Policy Framework (2019).

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no external alterations, extensions, outbuildings, walls, fences or gates shall be erected, constructed or carried out.

Reason: To maintain the scale, appearance and character of the development and to safeguard visual amenities.

14. Construction work and associated bulk deliveries shall not take place outside 7.30am - 6.00pm Monday to Friday and 8.00am - 1pm Saturdays, with no work taking place on Sundays, Bank or Public holidays.

Reason: To protect the amenities of occupiers of nearby properties from potential nuisance.

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

2. You are obliged to contact the Street Naming and Numbering Team with a view to securing a satisfactory system of naming and numbering for the unit(s) hereby approved. At the earliest possible opportunity you are requested to submit two suggested street names and a layout plan, to a scale of 1:500, showing the proposed street names and location of street nameplates when required by Shropshire Council. Only this authority is empowered to give a name and number to streets and properties, and it is in your interest to make an application at the earliest possible opportunity. If you would like any further advice, please contact the Street Naming and Numbering Team at Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or email: snn@shropshire.gov.uk. Further information can be found on the Council's website at: <http://new.shropshire.gov.uk/planning/property-and-land/name-a-new-street-or-development/>, including a link to the Council's Street Naming and Numbering Policy document that contains information regarding the necessary procedures to be undertaken and what types of names and numbers are considered acceptable to the authority.

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