

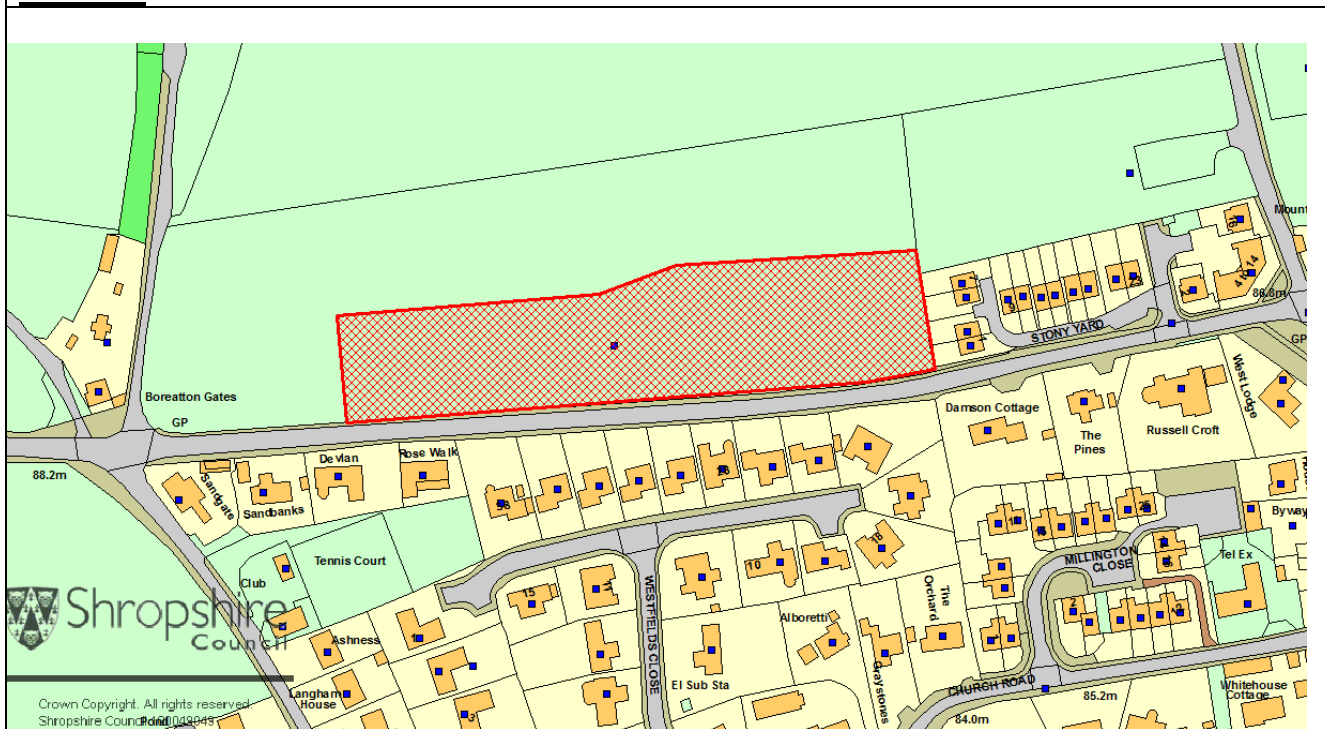
Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

<u>Application Number:</u> 21/03108/FUL	<u>Parish:</u> Baschurch
<u>Proposal:</u> Erection of 20no. affordable dwellings including associated works	
<u>Site Address:</u> Land North Of B4397 Baschurch Shropshire	
<u>Applicant:</u> Mr Scott Drummond	
<u>Case Officer:</u> Shannon Franklin	<u>email:</u> shannon.franklin@shropshire.gov.uk

Grid Ref: 342245 - 322210



Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and any amendments to these conditions as considered appropriate by the Assistant Director and the signing of a section 106 agreement securing the affordable housing in perpetuity and reduction in the speed limit.

1.0 THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 20 no. affordable dwelling, to the northern edge of the village of Baschurch.
- 1.2 The submission of the application follows the receipt of pre-application advice from Officers, albeit relating to a scheme for 14 no. dwellings which concluded as follows:

The proposed scheme of 14 no. affordable dwellings within the open countryside immediately adjacent to the Baschurch development boundary is acceptable in principle.

As the details of the scheme provided at present are indicative and subject to change, a full assessment would be undertaken at application stage to ascertain the schemes compliance with adopted development plan policies.

Additionally, the dwelling types and tenure would need to tie up with the established housing need and this is a matter which should be discussed with the Council's Affordable Housing Team at an early stage as the proposals are prepared.

2.0 SITE LOCATION

- 2.1 The application site comprises of an area of agricultural land to the north of the village of Baschurch. The land is currently laid to grass.
- 2.2 To the south the site is bounded by Station Road (B4397), to the east by residential dwellings accessed off the cul-de-sac Stony Yard and to the north and west by additional agricultural land.
- 2.3 The northern boundary of the site is open to an agricultural field, which has a northern boundary formed of a native species hedge planting, this hedging whilst young has established although it is still of a relatively low height and density. To the west and south the boundaries are open to the highway/public footpath bounding the highway. To the east the boundary is formed by mixed native species hedging.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The application has been referred to the northern planning committee for consideration for the following reasons:

- The Local member has commented on the application, objecting to the scheme and ‘calling-in’ the application for committee consideration within 21-days of notification of the application. The comments provided by the Local Member contain material reasons for their objection/concern (provided at paragraph 4.2.1)
- The Parish Council have objected to the scheme and have raised material reasons for their objection (see paragraph 4.1.1).

As such the application has been considered at the relevant agenda setting meeting and the Chair and Vice Chair of the committee, in consultation with the Principal Planning Officer and have confirmed that a committee decision is appropriate.

4.0 COMMUNITY REPRESENTATIONS

4.1 - Consultee Comments

4.1.1 Parish Council – 13.08.2021 – Objects

Baschurch Village Ethos

The village of Baschurch is designated as a Community Hub, with Baschurch Parish Council choosing to adopt this designation during the SAMDev process. Baschurch Parish Council is known to be a forward thinking Parish Council which encourages development that truly meets local needs and which is delivered in a sustainable way and which enhances the already built form in the village. Baschurch Parish Council has always engaged positively and enthusiastically with development plans and strategies.

Baschurch Parish Council believes passionately that everyone should have access to their own home in an area they want to live in and can feel proud of. For this reason, Baschurch Parish Council has worked tirelessly with developers, planners and policy officers to include good quality affordable dwellings interspersed with market value dwellings as part of all new development in the village, rather than pushing affordable housing away into locations that do not encourage integration or accord with a sense of inclusion and community.

The village of Baschurch has distinct development boundaries, particularly to the north and south of the settlement. It has been identified in SAMDev and also the emerging Local Plan Review that development either to the north or to the south of the existing development boundary is undesirable as this further elongates the village, causing isolated development that is not able to integrate with the settlement community and which is also isolated from services and infrastructure, generating reliance on car journeys to access any facilities.

The Proposed Site

The proposed site forms part of the very large field to the north of the village, categorised on the Agricultural Land classification as being Grade 2 very good. This part of the field was only subdivided into a smaller area less than 5 years ago, coinciding with the refusal to allow part of this field as an exception site, a decision that was upheld at appeal.

Proposed Development Site and Highway Impact

The proposed site sits north of the development boundary on a main and very busy 'B' designation road (B4397). Following extensive research by Shropshire Highways team and public consultation, in October 2016 the legal speed limit was revised along this section of road, with the speed adjacent to the development site set at 40mph, reducing to 30mph on entering the village further along the road. Baschurch Parish Council operates a number of speed VAS signs and can evidence that speeding along this road is still a significant issue and, to date, no form of mitigation or enforcement has been shown to bring down the speed of vehicles in this location to legal and acceptable levels.

The highway designation and speed of vehicles in this area forms a highway barrier at the northernmost boundary of the village. Dwellings above this highway will be disadvantaged by the presence of a busy highway, which will make pedestrian journeys undesirable, will discourage residents, particularly children, being able to access their community facilities on foot and will push those residents into car journeys or not integrating at all. This is completely unacceptable and undesirable.

Cumulative Impact

The proposed site is adjacent to Stony Yard, an affordable housing exception site of 20 dwellings constructed in 2015. The cumulative impact of adding another 20 affordable houses in this location is unacceptable. In the appeal decision APP/L3245/W/16/3146988 (Shropshire reference 16/02434/REF), the Planning Inspector, in dismissing the appeal on another site adjacent to the existing, states;

"The development in combination with the adjoining Stony Yard housing scheme would introduce a nucleated form of development which would be out of kilter with the existing arrangement and be significantly harmful to the character and appearance of the area contrary to SAMDev Policy MD2, which requires new developments to respond appropriately to the form and layout of existing development and layout.

"These matters weigh heavily against the proposal and are not balanced by the close proximity of the appeal site to local shops and some services. In the light of the above, I therefore conclude that notwithstanding the flexibility embodied within the development plan that allows sustainable development to come forward, the location of the appeal proposal would not provide a suitable location for housing having regard to the principles of sustainable development embodied within the Framework. In addition, it would also fail to comply with Core Strategy Policies CS4 and CS5 and SAMDev Policies MD2 and MD7a."

The view of the planning inspector in that appeal stand as true today as it did then. Provision of affordable housing should enhance a settlement, providing residents with homes that form part of the settlement which are sustainable. The addition of a further 20 affordable houses in this location sends the message that we do not accept social housing residents within our community, that they should be excluded and isolated - this is simply not true and is unacceptable. Baschurch

Parish Council has always been clear that affordable housing should be fully integrated within the community and within market value development.

In the context of a village setting, having 40 affordable homes outside of the development boundary in an isolated situation is unacceptable and risks "ghettoising" affordable housing.

Visual Impact

In the appeal decision APP/L3245/W/16/3146988 (Shropshire reference 16/02434/REF), the planning inspector makes reference to the pastoral landscape in this area stating *"The development would be highly visible on the approaches to the village from the north and the west and would substantially interrupt the prevailing open pastoral landscape character ..."*.

4.1.2 **SC SUDS – 14.07.2021 – No Objection**

Conditions and informatives recommended.

4.1.3 **SC Conservation**

Final comments – 09.11.2021 – No objection

Thank you for your email requesting comment on the submitted HIA for the above application.

Having read the submitted assessment we consider that whilst it has identified heritage assets which require assessment and acknowledged the GII listed gates and piers served Boreatton Hall, the only place within the document which states that Boreatton Hall is GII* listed is the Appendix, where the listing description for it appears. Section 3.10 deals with value and how this contributes to significance. It should therefore be noted that according to the table included in this section that Boreatton Hall, holds a level of value that is Exceptional in terms of significance, Gate piers, gates and railings at the historic entrance to Boreatton Hall (GII) holds a value of High, Boreatton Gates (previous lodge to Boreatton Hall) as a non-designated heritage asset holds a medium level of value due to its association with Boreatton Hall etc. We do not consider that the assessment actually assesses these heritage assets in this section but predominantly refers to the character of the area and the development site. The levels of value are therefore low.

In terms of setting this is assessed in 4.0 - the assessment would appear to conclude in 4.6 that the development "... will not devalue to any degree the significance of the adjacent buildings, both their tangible values, such as historic setting, or associational values, such as the placing within the streetscape, as the work is partially screened by boundary planting... proposals will effectively preserve the significance and setting of the heritage assets which are sufficiently distant from the site...". Whilst we would not wholly disagree with the overall conclusions of the assessment we do not consider that it sufficiently assesses the significance of the main designated heritage assets and that we consider their significance has not been factored into the overall level of harm being noted as neutral. We would conclude that there is no harm to the actual designated heritage assets themselves, but this is attributed to the fact that the proposed development stops short of the western boundary of the agricultural land upon which it is proposed and that it takes the general form of ribbon development and

not because the development is sufficiently far away and the boundaries are strong.

We would state that as the development has not advanced nearer to the designated heritage assets or further encroached into the rural landscape, where we would consider it likely to cause harm due to the impact on the designated heritage assets caused by cumulative impact of urban sprawl development, we do not consider that it will cause harm. Should the size and density of the development site increase to the west and north then, as noted above, we would consider that there is the potential to cause harm.

If the development is considered acceptable in DM terms then we would suggest the following conditions are attached to ensure that the proposed development does not cause harm by the use of inappropriate materials and detailing. We would also request that Plots 5 88 and 15,16 have chimneys.

CC1 (samples required) including boundary treatments, JJ7 (please include chimneys), JJ9, JJ20.

Initial comments – 18.08.2021 – Additional information required.

Historic Environment Team comments made the following comment on PRE-APP/20/00525:

- Should the development be acceptable in Development Management terms we would encourage the design of any proposed dwellings should reflect the local vernacular detail in terms of scale, details, materials and layout.
- Developments of this type have the potential to have an adverse impact on the landscape character of the area. However, this is not something which the Historic Environment Team can advise on. We would therefore suggest that if considered necessary Development Management consider obtaining the opinion of an appropriately qualified Landscape professional.
- The gate piers, gates and railings at the historic entrance to Boreatton Hall are Grade II listed in their own right and Boreatton Hall is a Grade II* listed Country House dated 1675. The gates, piers etc are approximately 186 m from the western boundary of the application site together with a non-designated lodge, therefore, consideration should be made with regard to this fact when preparing information to accompany any subsequent planning application. Although the development itself is unlikely to cause harm to Boreatton Hall any harm caused to the significance of the designated gates etc and the non-designated lodge by development within their setting, should be addressed through sensitive design of boundaries and dwellings on this site. We would therefore suggest that a Heritage Impact Assessment is undertaken with regard to the above mentioned designated and non-designated HA's.

In addition to this we make the following comments:

We are of the opinion that the comments made have not been actioned as there is no HIA and we would question the validity of the hipped roof bungalows proposed for plots 5-8 and the design detailing for plots 4 and 10 (one half of semi-detached).

As a gate way site to the village it is important that the design, siting and use of materials is clearly based on a design analysis of the village and consider nearby heritage assets.

We would refer you the National Design Guide https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf and <https://www.gov.uk/government/publications/national-model-design-code> along with Planning Practice Guidance on the matters of design.

4.1.4 **SC Highways – Final Comments – 17.03.2022**

I refer to your email below and attached Transport Note – Supplementary Transport Statement (TN), in response to previous highway advice.

Based upon the TN I consider that the highway and pedestrian safety implications of this development have been properly considered. Having done so, I do not consider that a highway objection either on capacity or highway/pedestrian safety grounds is warranted or defensible. Key however to the acceptability of this development scheme is are the works shown on **Plan 001 – Proposed Off-Site Highway Works** which accompanies the TN. This shows:-

- Requirement to widen the footway from the adjacent housing site to the development access point.
- Improve the pedestrian crossing point at the Cross Roads junction.
- Relocate the 30 mph speed limit.
- Extend the street lighting to accommodate the changes to the speed limit.

It is considered that the above off-site highway works would be the subject of a Grampian Style planning condition. The speed limit changes would need consultation with the Parish Council and Police and could be incorporated into the Section 278 Agreement which would cover the footway improvements.

In conclusion therefore the highway authority raise no objection to the granting of consent subject to the following Conditions being imposed:-

- Prior to the commencement of development full engineering details of a highway scheme to include the widening of the footway along the B4397, extension to the street lighting and changes to the speed limit shall be submitted to and approved in writing by the Local Planning Authority; the approved works shall be fully implemented prior to any dwelling being first occupied. **Reason:** To properly coordinate the delivery of highway infrastructure to serve the development.
- Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority; the CTMP shall be implemented fully in accordance with the approved details for the duration of the construction period. **Reason:** In the interests of highway safety.

- Prior to any dwelling being first occupied the access and internal access road shall be laid out in accordance with the approved plans together the access and internal road being constructed and final surfaced in accordance with a construction phasing scheme to be first submitted to and approved in writing by the Local Planning Authority. **Reason:** To ensure the coordinated completion of the access and internal estate road to serve the dwellings.
- Prior to any dwelling being first occupied, visibility splays shall be provided at the access onto the B4937 in accordance with the approved plans; all growths/obstructions in advance of the visibility splays shall be lowered to and thereafter maintained at a height not exceeding 0.6 metres above the level of the adjoining highway carriageway. **Reason:** To provide and maintain adequate visibility at the B4397 junction in the interests of highway safety.

Further comments – 06.02.2022 – Additional information required

I refer to previous discussions regarding this application and the comments set out in my email below dated 14th November.

Notwithstanding my comments below, Option B is not acceptable and in particular access to plots 13-20 with individual drives and no turning space to allow vehicle entry and exit in a forward gear. Option A has more merit in terms of providing a single point of access. As set out below though, no traffic speeds have been provided but visibility splays have been shown as 2.4 x 140 metres in a westerly direction and 2.4 x 70 metres in a easterly direction. The proposals merely seek to move the 30 mph speed limit further to the west but without any evidence to show how traffic speeds would potentially reduce based upon the current speed of traffic.

The development would result in additional pedestrian crossing movements to gain access to the local amenities and particularly the school. This has not been considered in terms of pedestrian safety and convenience and should be included in a TS.

Further comments – 14.11.2021 – Additional information required

Whilst I note that this application is due to go to the November committee with a recommendation for approval, it does concern me that no response has been received to the highway comments provided.

WSP are correct when discussing the desire for an open frontage to create side friction with traffic along the adjacent Class II road. I understand however that there is a strong planning desire to maintain the hedge line. The retention of the hedge line however maintains that rural feel and a difficulty when seeking to reduce traffic speeds. The application mentions moving the speed limit to take the current 30 mph limit in a westerly direction and therefore encompass the development within the 30 mph speed limit. Whilst in itself this is good practice, there is a need to establish what the existing traffic speeds are and what traffic management is required to actually assist in the reduction of traffic speeds.

Whilst the application is supported by a Transport Statement (TS), in my view this statement is lacking in any detail or content to provide any degree of confidence that this development is satisfactory or that highway impact and safety has been properly assessed and appropriately dealt with. In short the TS is inadequate.

As I mentioned to you in our conversation, the access road layout lends itself to a private drive arrangement and the location of the footway on the southern side of the internal access roads is illogical. I consider the footway should be along the northern side to directly serve the property frontages. The southern side footway should be removed as it provides no real purpose.

Whilst I appreciate that the above is not the positive response to align with the likely planning recommendation to approve this development.

Initial comments – 06.08.2021 – Additional information required

Although, the general principle of the proposed development is acceptable, from a highways and transport perspective. It is considered that the applicant has not considered the adjacent highways and traffic situation or the interaction of pedestrian/active travel movements sufficiently. To adequately demonstrate that the development is unlikely to have an adverse impact on the local highway situation.

Currently the site is located outside the village 30mph speed limit. Ideally this speed limit should be extended to encompass the proposed development. As this can only be done by Shropshire Council an appropriate financial contribution should be sought from the developer to cover the Council's costs in introducing the Traffic Regulation Order. In addition, this extension to the speed limit will only become effective and self-enforcing, if the residential development is open to the B4397, creating an active frontage and "side friction" (Manual for Streets) adding to the built up environment of the village.

An active frontage could be created by having the proposed properties having direct access the B4397, providing both vehicular and pedestrian movement along the road so passing traffic are likely to maintain a lower speed through the village, enhancing the location and improving highway safety. Also, a proper width footway should be provided across the site frontage and extending the B4397/B5067 junction. To provide suitable pedestrian access to the local amenities.

It may also be appropriate to provide a formal pedestrian crossing facility on the B4397 near its junction of the B5067 to further improve pedestrian routing between the site and the local amenities (school, shops, etc.). This would also assist in speed compliance through the village.

Notwithstanding the above the currently proposed layout of the development site, is not ideal, as several properties are not served by an adjacent footway, requiring pedestrian to walk in the carriageway. The currently proposed footway on the south side of the estate road is considered redundant and superfluous, as it serves no properties directly.

If the developer is seeking the proposed internal highway infrastructure to be adopted, as highway maintainable at public expense. It is recommended that, discussions are opened with Shropshire Council, to ensure that the layout and construction are in accordance with the emerging design guidance.

The following informative notes may be of assistance.

Section 38 Agreement details

If it is the developer's intention to request Shropshire Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout, alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into

<http://www.shropshire.gov.uk/hwmaint.nsf/open/7BD73DBD0D733532802574C6002E65E6>

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, cycleways & carriage-ways) 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/>

4.1.5 **SC Ecology – 02.08.2021 – No objection**

Conditions and informatives have been recommended to ensure the protection of wildlife and to provide ecological enhancements under NPPF, MD12 and CS17.

4.1.6 **SC Parks and Recreation – 13.07.2021 – No objection**

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

The Design and Access plan now acknowledges the need for open space as set out under SAMDev Policy MD2.

The development includes 34 bedrooms equating to 34 people. Working on 30 square metres per person it equates to an area of 1020m², as the development appears to offer 1319m² Officers are happy that the development fulfils the planning criteria.

4.1.7 **SC Trees – 03.08.2021 – No objection**

There are a number of trees on this site and an Arboricultural Impact Assessment has been submitted with the application to demonstrate the impact of the development on existing trees, hedges and shrubs and to justify and mitigate any losses that may occur.

The AIA has identified 3 individual trees and 2 hedgerow which have been assessed in accordance with BS 5837 (2012) and includes a categorisation of the trees based on their current and potential public amenity value. This categorisation forms the basis for how much weight should be put on the loss of a particular tree and helps to inform the site layout and design process. I have reviewed the categories allocated to the trees and would agree that these are appropriate.

The AIA has demonstrated that all trees and hedgerows can be retained and protected and provides details of this.

Landscaping and the planting of trees is an essential element of any sustainable development and provision must be made within the site layout to provide space to plant long lived, large canopy trees for the long-term benefit of the site and surrounding area. Landscaping details should be provided to support the application.

The following condition is recommended:

In this condition 'retained tree' means an existing tree, large shrub or hedge which is to be retained in accordance with the approved plans and particulars; or any tree, shrub or hedge plant planted as a replacement for any 'retained tree'. Paragraph a) shall have effect until expiration of 5 years from the date of occupation of the building for its permitted use.

a) No existing tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.

b) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until all tree protection measures specified in the submitted Tree Protection Plan have been fully implemented on site and the Local Planning Authority have been notified of this and given written confirmation that they are acceptable. All approved tree protection measures must be maintained throughout the development until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered nor any excavation be made, without the prior written consent of the Local Planning Authority. A responsible person will be appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The Local Planning Authority will be informed of the identity of said person.

c) All services will be routed outside the Root Protection Areas indication on the TPP or, where this is not possible, a detail method statement and task specific tree protection plan will be submitted and approved in writing by the Local Planning Authority prior to any work commencing.

Reason: To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

4.1.8 **SC Affordable Housing – 06.10.2021 – No objection**

There is a need for affordable housing in Baschurch as at August 2021 there were 38 households on the housing register requiring an affordable home in Baschurch. However as this is a rural exception site only those applicants with at least 2 local connections can be housed in one of these affordable homes and that reduces the need down to 24 households. Of the 24 households the majority need a 1 bedroomed home (12) with 2 bed need next (6) and then 3 bed need (4) and lastly 4 bed need (2).

The Right Homes Right Place survey also shows a need for some affordable housing for low-cost home ownership.

4.1.9 **West Mercia Constabulary – 29.07.2021 – No Objection**

comment on this proposal as Design Out Crime Officer for West Mercia Police. I do not wish to formally object to the proposal at this time. However there are opportunities to design out crime, reduce the fear of crime and to promote community safety.

Therefore should this proposal gain planning approval the below advice should be considered by the developer.

The developer should aim to achieve the Police Crime Prevention initiative award of Secured By Design. Secured By Design is a nationally recognised award aimed at achieving a minimum set of standards in crime prevention for the built environment. The scheme has a proven track record in crime prevention and reduction. The opportunity for burglary offences to occur can be reduced by up to 87% if Secured By Design is achieved. There is a clear opportunity within this development to achieve the Secured by Design award. By doing so it can also address the requirements of the new Approved Document Q.

Approved Document Q applies to all new dwellings, including those resulting from a change in use of an existing building, such as commercial premises, warehouse and barns undergoing conversions into dwellings. It also applies to builds within Conservation Areas. Approved Document Q creates security requirements in relation to doors at the entrance to a building, including garage doors where there is a connecting inner door leading directly into the dwelling. Also included are ground floor, basement and other easily accessible windows; and any easily accessible roof-lights. The requirement is that the product must be shown to have been manufactured to a design that has been tested to an acceptable security standard.

In recent times there has been a tendency to install thumb turn locks on front doors. This type of locking device should only be considered when the lock cannot be easily seen from the outside, any glazed panels are fitted with laminate glass to standard PAS24:2016 / STS 201 and a deflector is fitted to the inside of any letter box opening. Thumb turn locks should never be considered for rear doors if they are half glazed and the internal thumb turn can be easily seen from the outside. This will increase the potential for burglary and other offences to occur.

The principles and standards of the Secured By Design initiative give excellent guidance on crime prevention through the environmental design and also on the physical measures. Details can be found at www.securedbydesign.com

During the build the developer has a responsibility for site security. They should aim to keep any compound, machinery and tools as secure as possible whilst on site. Offenders will visit such sites to test security measures that are or are not in place and if they are not up to standard then they will be attacked causing an increase in crime in the locality. Every effort should be made to keep property safe and secure. The Design Out Crime Officer can offer professional advice if requested to do so.

Please do not hesitate to contact me if you would like clarification of any of my comments.

4.1.10 **SC Archaeology – 03.08.2021 – No Objection**

In reviewing the block plan I note the northern boundaries of plots 1-4 encroach very close to a cropmark ring-ditch, which represents the remains of an Early Bronze Age burial monument (visible as a circular feature on the aerial photograph that the site plan has been laid over on the block plan). I'd prefer it if the site boundary for these plots were pulled back from this feature to the boundary line of the existing house immediately to the east to provide a greater stand off from the feature to protect the archaeology, which is effectively what was shown on the plans that came in with the pre-app last year (PREAPP/20/00525).

4.2 - Public Comments

4.2.1 This application was advertised via notice at the site, advertisements in the local newspaper and the Council's website. Additionally, the residents of eighteen neighbouring properties were notified by way of publication of this application. At the time of writing this report, objections from seven individuals, together with the Parish council and Local Member have been received.

4.2.1 The Local Member's comments are as follows:

Thank you for the formal notification dated July 13th. I wish this application to be determined by the Northern Planning Committee, rather than delegated to officers because of the application:

- *is for the development of land outside the development boundary for the village of Baschurch "The development would be highly visible on the approaches to the village from the north and especially from the west and would substantially interrupt the prevailing open pastoral landscape." (From 2016 Stony Yard Planning Appeal Decision) - would make an already renowned highways safety problem on the B4397 even worse because the 0.6 mile straight stretch of road from the Ruyton XI-Towns direction into Baschurch induces constant speeding by some drivers and is very dangerous. The 40 mph signs do not act as a deterrent to speeding on this stretch of road.*
- *- is for a concentration of 20 affordable dwellings conflicting with policies in the current SAMDev Local Plan and those proposed in the emerging Local Plan. Having two adjacent Affordable Housing developments isolated on the extreme western edge of the village, and therefore not integrated with the main village housing developments, would create an area out of kilter with the existing village housing structure. - provides wholly inadequate access to village services for occupiers of the proposed dwellings*

4.2.2 The reasons cited for within the comments of objection can be summarised as follows:

- The road serving the site is not suitable for additional traffic;
- Planning permission at the site has previously been refused;
- The application site is not environmentally sustainable;
- The proposed dwellings should be design the be energy efficient including solar panels to provide low cost bills as well as affordable homes for residents;
- The site will not integrate well into the village;
- The neighbouring site only got planning permission via appeal;
- The village of Baschurch and its services (Schools, doctors, water and sewage) is at full capacity and further residential development cannot be accommodated;
- A further 88 dwellings are proposed for Baschurch within the Local Plan Review and the village cannot accommodate anymore;
- Station Road (B4397) forms a boundary to the countryside and development north of it should not be permitted;
- The layout and design are flawed and not suitable for a village location;
- The road speeds to Station Road (B4397) are not suitable for residential development and a reduction in traffic speed is not guaranteed as part of the application;
- Overlooking concerns to existing neighbouring dwellings;
- Plans suggest further development is proposed in future;
- Impact of the proposal on the visual appearance and character fo the surrounding landscape;

5.0 THE MAIN ISSUES

- 5.1
- **Principle of development**
 - **Layout, scale, design, character and appearance**
 - **Impact on neighbouring properties**

- **Access and parking**
- **Landscape, ecology and trees**

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 The proposal relates to the provision of 20no. affordable dwellings on a site immediately adjacent to the development boundary of the village of Baschurch.
- 6.1.2 The NPPF seeks to ensure the delivery of a sufficient supply of homes and advises at paragraph 62 that *'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies'*. Paragraph 78 of the NPPF states that *'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Paragraph 78 goes on to states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.'* Paragraph 80 of the NPPF also recognises that the creation of isolated homes within the countryside should be avoided with a number of exceptions including the subdivision of existing residential dwellings.
- 6.1.3 The application site is outside of the development boundary of Baschurch, a designated Community Hub identified within Site Allocations and Management of Development (SAMDev) Policy S16.2(i), and is therefore classed as open countryside where open market housing would not be supported. However, the Type and Affordability Housing Supplementary Planning Document (SPD) and Core Strategy Policy CS11 allow for the provision of affordable housing as part of an 'exception site' in accordance paragraph 78 and criterion (f) of paragraph 149 of the National Planning Policy Framework. 'Exception sites' are in locations that would not normally obtain permission for open market housing development but an exception is made (subject to satisfying certain criteria) for proposals that relate to development of affordable housing for local people.
- 6.1.4 Within the Shropshire Local Development Framework, Core Strategy Policy CS11 permits *'exception sites for local needs affordable housing on suitable sites in and adjoining Shrewsbury, Market Towns and Other Key Centres, Community Hubs, Community Clusters and recognisable named settlements subject to scale, design, tenure and prioritisation for local people and arrangements to ensure affordability in perpetuity'*.
- 6.1.5 Policy CS5 allows such homes in the countryside *'on appropriate sites which maintain and enhance countryside vitality and character'*, while MD7a of the SAMDev states that *'Suitably designed and located exception site dwellings and residential conversions will be positively considered where they meet evidenced local housing needs and other relevant policy requirements'*.

6.1.6 The SPD requires that any affordable housing provided should be proportionate in scale to meet the needs of the settlement and be reflective of the size of the existing community. The housing enabling team have confirmed within their comments (see paragraph 4.1.8) that there is an identified need for 38no. affordable dwellings within Baschurch. Rural exception site affordable housing is allocated such that those first offered accommodation will be people with 2no. local connections – this therefore reduces the current identified need in Baschurch to 24no. dwellings, still in excess of the total number of dwellings proposed.

6.1.7 The SC Affordable Housing team have confirmed that of the 24no. households who would qualify for housing in the first round of allocations on a rural exception site within Baschurch the following accommodation is required:

- 12 need a one bedroomed home – the application site provides 10no. one bedroomed properties;
- 6 need a two bedroomed home – the application site provides 6no. two bedroomed properties;
- 4 need a three bedroom home – the application site provides 4no. three bedroomed properties;

and lastly 2 need a four bedroom home however the application site does not include any four bedroomed units.

6.1.8 While it is noted that there are existing developments currently ongoing within Baschurch (referred to in the representations made on this application), these were allocated as part of the local plan review process and the need for affordable housing will remain after completion of these other developments. The proposal is therefore supported from a housing need perspective and it is considered that the number of homes in addition to those which will be provided as part of development on open market sites throughout Baschurch is suitable and is reflective of the size of the community.

6.1.9 SAMDev Plan policy MD2 requires, among other matters, that development proposals must consider the design of landscaping and open space holistically as part of the whole development and provide safe, useable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set. It seeks to incorporate natural and semi-natural features such as trees, hedges, woodlands, ponds, wetlands and watercourses in schemes. With regard to open space part 5 ii of policy MD2 states:

“providing adequate open space of at least 30 sqm per person that meets local needs in terms of function and quality and contributes to wider policy objectives such as surface water drainage and the provision and enhancement of semi natural features. For developments of 20 dwellings or more, this should comprise of an area of functional recreational space for play, recreation, formal or informal uses including semi-natural open space;”

- 6.1.10 Part 5 iv of the same policy requires there to be measures in place to ensure that ongoing needs for access to manage open space have been provided and arrangements are in place for it to be adequately maintained in perpetuity.
- 6.1.11 The SAMDev text supporting policy MD2, at paragraph 3.13, advises that the 30 sqm per person standard is calculated for residential developments on the basis of one person per bedroom. The proposal will deliver 36no. bedrooms and therefore should provide a minimum of 1080 m² public open space. The SC Parks and Recreation team have confirmed that the proposed provision of public open space on the application site; comprised of three areas 422m², 298m² and 599m²; totalling 1319m² is acceptable. Following revisions to the proposal to address the comments of the SC highways team and additional strip of green-space/landscaping to the southern boundary fronting the B4397 has been created however this is not considered to be additional useable public open space.
- 6.1.12 It is accepted that the development is located within countryside for the purposes of policy however it is immediately adjacent to the development boundary of a recognised settlement in Policy S16.2(i) and therefore has access to the facilities and services within this settlement. Baschurch has been identified as a sustainable location for development with a suitable level of services to support additional residents and visitors within Policy S16. There is a recognised need for the type and scale of housing proposed affordable one to three bedroomed dwellings, in the village (identified within the Right Home Right Place Survey undertaken in 2019) as well as confirmed by the SC Affordable Housing consultee. The type, scale and tenure of properties proposed will meet the specific needs of those currently awaiting housing allocation, provision of which as an exception site would be in line with the SPD and CS11.
- 6.1.13 Both the Parish Council and the Local Member, together with residents making representations, have highlighted the distance of the site from services within Baschurch. Within Baschurch there are a variety of services available including a convenience store (565m) to 630m), a doctors surgery (1475m), and primary (390m) and secondary schools (9580m) all of which are within 1.5km walking distance from the site utilising the existing highways network. Additionally, the nearest bus stop which has an hourly service (12 services per day Monday to Saturday) to Oswestry and Shrewsbury is outside the site. It is therefore considered that in terms of proximity to services the site is sustainable and within walking and cycling distance of everyday needs of residents while larger services and provisions can be accessed via the existing public transport network or use of private cars.
- 6.1.14 It is considered that the development would score positively against the mutually dependant three dimensions of sustainability set down in the NPPF; Economic, Social and Environmental; whereas a similar development for open market housing would not score sufficiently in the social limb in order for concerns over conflict with policy due to its siting outside the development boundary, and can therefore be supported as an exception site in line with the policies set out above.

6.2 Layout, scale, design, character and appearance

- 6.2.1 SAMDev Policy MD2: Sustainable Design and Core Strategy Policy CS6: Sustainable Design and Development Principles, require developments to protect

and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character while safeguarding residential and local amenity. MD13: Historic Environment and CS17:

Environmental Networks seek to ensure that development protects and enhances the local character of the built and historic environment, together with protecting environmental assets within Shropshire and creating a network of natural and historic resources for residents and visitors to access and benefit from.

- 6.2.2 The application proposes a row of dwellings to the north side of the B4397 in pairs of semi-detached properties with a set of apartments to the western end. The houses are sited such that all have suitably sized gardens to the rear and two parking spaces to the front or side of the properties with some also benefitting from front gardens. The proposed apartments have one parking space each. The scale of the dwellings and their curtilages is slightly smaller than those neighbouring properties to the south fronting Westfield Close which are two storey detached properties but similar in scale to those properties on Stony Yard to the east such that concerns regarding layout or siting are not identified.
- 6.2.3 The neighbouring dwellings along within the wider locality, Stony Yard, Westfield Close and properties accessed from the B4397 are a mixture of bungalows and two storey dwellings, most of which are detached and are constructed of brick with concrete tile roofs and some areas of render detailing. The proposal seeks to respond to this mix of development including bungalows, an apartment block and two storey dwellings of up to three bedrooms in scale. The existing neighbouring houses are sited to the south and east of the site. In order to ensure that there is no overlooking to the east and to ensure that the scale of the development reflects the layout of the existing village, the dwellings have been set back slightly from the road frontage and are accessed of a cul-de-sac.
- 6.2.4 Local residents have commented in their representations that the scale of development; 20no. dwellings, would result in a significant increase upon the demand for services in the village including schools and doctors' surgeries. While it is accepted that demand will increase, this will be proportionate to the development and the existing projections for the wider village expansion. It is not considered that this small-scale development would significantly impact provision of services in the village and it is recognised that other developments which do not constitute exception sites for affordable housing, will incur financial contributions through the Community Infrastructure Levy (CIL) to provide additional and improved services within the village, catering for long term expansion and an increase in residents.
- 6.2.5 Within the representations made there have also been comments pertaining to the visual impact of the proposal on the landscape and wider locality. From a heritage perspective the SC Conservation consultee has confirmed that the proposal is acceptable and that following the submission of a Heritage Impact Assessment (HIA) the scheme is compliant with policy MD13 of the SAMDev.
- 6.2.6 With regards to landscape and visual impact, Officers recognise that the proposal will be visible when approaching from the west along the B4397 and from the north when approaching along the classified road (C1046 STANWARDINE TO BASCHURCH) from Stanwardine however the proposal will not appear out of

context given the existing development north of the B4397 and to the south side of the road. The proposal includes a mixed scale of properties, a landscaping scheme is proposed and the boundary treatments to the elevations where prominence is greatest will be post and rail fencing and native species hedging which will be controlled by condition. As such, whilst Officer accept there will be some limited visual harm on account of the development the weight attributed to the harm is not significant given the context and proposed mitigation.

- 6.2.7 Additionally, in reference to comments regarding character, the neighbouring dwellings at Stony Yard are accessed off a cul-de-sac with a landscaping belt to the road frontage, as is proposed at the site and this layout style cannot therefore be considered out of character. Similarly, the dwellings Rosewalk and Devan to the south side of the road share a highways access point from the B4397, as do properties opposite Stony Yard and on Station Road to the east. It cannot therefore be argued that individual accesses onto the B4397 are out of character for this area of Baschurch. The properties to the east on the northern side of the road (The Willows and Mount View) taken cumulatively within the subsequent development of Stony Yard, have introduced a linear pattern of development along this northern edge of Baschurch. The proposal will continue this pattern of development and Officers do not consider that the application represents a conflict with this existing character.
- 6.2.8 The proposed layout, scale, design and appearance of the development is considered acceptable and will not have a significant adverse impact on the character and appearance of the locality and any perceived negative impact is far outweighed by the social and economic benefits of providing much need affordable housing. The proposal is therefore considered to accord with CS6, CS17, MD2 and MD13.

6.3 Impact upon neighbouring properties

- 6.3.1 Policy CS6 also requires new development to safeguard residential amenity, as such consideration of the proposal impact upon existing neighbours as well as within the development itself.
- 6.3.2 The separation distance between plot 1 of the proposal and the nearest neighbour to the east, No.7 Stony Yard, is considered to be acceptable. Due to the properties differing orientation and the staggering of the dwellings, no overlooking to the properties within Stony Yard will occur and the proposal will not be experienced as overbearing or cause unacceptable levels of overshadowing.
- 6.3.3 With regards to the properties to the south, some which front Westfield Close and have their rear gardens and facades facing the development together with the detached bungalows known as Rose Walk and Devlan which are accessed from the B4397, it is not considered that unacceptable overlooking or impact upon the residents privacy will occur as a result of the proposal. The separation distances, together with the scale of the development and landscaping proposed will ensure the development is acceptable from an amenity and wellbeing perspective.
- 6.3.4 The internal sizes of the proposed dwellings are considered to be acceptable overall. The proposed 1 bedroomed bungalows, 2 bedroomed bungalows, 2

bedroomed houses and 3 bedroomed houses all comply with the sizes set down in the Technical housing standards – nationally described space standard published in March 2015. The design of plots 17 to 20 are one bedroomed units which externally appear as a semi-detached paired of two storey dwellings but internally two units are situated to the ground floor and two units to the first floor, as such the 50m² floor area for each unit also complies with space standards.

- 6.3.5 The proposed curtilage to the properties are considered to be proportionate to the dwellings, and reflective of similar developments throughout Baschurch, and to represent an acceptable provision of outdoor space.

6.4 Access and parking

- 6.4.1 The proposal includes two off-road parking spaces for each dwelling, which given the modest scale of the dwellings between 1 and 3 bedroom is considered to be proportionate to the need generated by this scale of development. Parking spaces are appropriately located in front of the dwelling or in close proximity to the side of each dwelling such that there is unlikely to be a significant demand for on street parking within the development site and neighbouring streets.
- 6.4.2 Plots 1 to 4 will be situated off a private drive but the remaining plots off a road designed to adoptable standard. The submitted vehicle tracking data shows that refuse and emergency vehicles can safely enter and turn within the site. Additionally, the drag distances for refuse and waste on collection days is acceptable.
- 6.4.3 The SC Highways consultee initial comments did not object to the proposal but made reference to alternate design options which may improve the development. Following consultations between the developer and SC Highways, the layout of the scheme has been revised including changes to the layout of the pedestrian footpath. Additionally, following concerns over the Transport Statement included within the original submission, a further survey has been undertaken at the site and a Supplementary Transport Statement submitted to provide additional context and clarity on the highways position at the application site. SC highways have confirmed in their latest comments that the highway and pedestrian safety implications of this development have now been properly considered.
- 6.4.4 Subject to the imposition of the conditions detailed within the SC Highways comments, the scheme is considered to be acceptable on highways grounds. Whilst the contents of the public representations made and their concerns over highways are noted, the applicant has sufficiently demonstrated that the impact of the proposal on the highways network for both vehicles and pedestrians would be acceptable, and would not meet the severe harm test set down in paragraph 111 of the NPPF.
- 6.4.5 As set down in the SC Highways comments, the acceptability of the scheme is dependant on securing the improvement works detailed within the submitted plans which include widening the existing pedestrian footway, improving an existing crossing point, extending streetlighting provision and changing the position of the 30mph speed limit. The improvements will be secured either via a planning condition (See appendix 1) or incorporated into the Section 278 Agreement following consultation with the police and Parish Council.

6.4.6 On balance, the internal layout of the site, parking provision, turning, and parking space for refuse vehicles and pedestrian facilities are considered to be acceptable and can be secured by appropriate worded conditions. The applicant has also demonstrated that additional off site highways improvements can be facilitated by the development, which can again be secured by condition or appropriate legal agreement, and Officers therefore conclude that in respect of highways grounds the proposal is compliant with local adopted policies CS6 and CS8 together with the NPPF, and an objection on this basis cannot be upheld.

6.5 Landscape, ecology and trees

6.5.1 As stated in section 6.2 above it is not considered that the application gives rise to significant landscape visual impact taking into account the existing context of the development and the mitigation proposed as part of the application. The scale and appearance of the development is considered to be acceptable and compliant with CS17 and MD12 in this regard.

6.5.2 The applicant has submitted an appropriate Ecology Report and Arboricultural report, which demonstrated that subject to the imposition of conditions the application is acceptable in terms of its impact upon existing trees and habitats. This has been confirmed by the relevant consultees and the application is therefore considered to be compliant with current adopted policies in this regard.

7.0 CONCLUSION

7.1 There is an identified need for affordable housing in the village of Baschurch and the location of the proposed dwellings is considered to be acceptable and in compliance with the terms of the exception sites policy outlined in the housing SPD and accords with CS5, CS11 and MD7a.

The scale, design and appearance of the 20 no. proposed dwellings and the layout of the development are appropriate and would have no significant adverse impact on the character and appearance of the locality including the wider landscape, nor on neighbouring residential amenity. The proposal is acceptable from a highway perspective as there would be no severe highway safety implications and a satisfactory access and adequate parking and turning space will be provided.

The trees and hedging to be retained will be protected and following the implementation of the proposed landscaping scheme, including additional hedge and tree planting there will be ecological enhancement of the site.

The proposal is therefore considered to accord with Shropshire LDF Policies CS6, CS17, MD2, MD12 and MD13 and officers recommend the approval of the application is delegated to the Head of Service, subject to the conditions recommended in appendix 1 and any modifications to these conditions deemed necessary, together with the signing of a Section 106 agreement to secure the affordable housing in perpetuity.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

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

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

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

8.2 Human Rights

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

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

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

8.3 Equalities

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

9.0 Financial Implications

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

as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

National Planning Policy Framework

Settlement: S16 - Shrewsbury

CS11 - Type and Affordability of housing

CS5 - Countryside and Greenbelt

CS6 - Sustainable Design and Development Principles

CS17 - Environmental Networks

MD2 - Sustainable Design

MD3 - Managing Housing Development

MD7A - Managing Housing Development in the MD7A - Managing Housing Development in the Countryside

SPD Type and Affordability of Housing

RELEVANT PLANNING HISTORY:

PREAPP/16/00618 Development of up to no.20 affordable dwellings (Exception Site)

PREUDV 24th January 2017

PREAPP/20/00525 Proposed affordable rural exception site for 14 units including bungalows and houses PREAIP 6th January 2021

21/03108/FUL Erection of 20no. affordable dwellings including associated works PDE

11. Additional Information

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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Cabinet Member (Portfolio Holder) Councillor Ed Potter

Local Member Cllr Nick Bardsley

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. The site developer shall undertake the works shown on **Plan 001 – Proposed Off-Site Highway Works** which accompanies the submitted Technical Note, Supplementary Transport Statement Dated 6th March 2022. These works shall include:

- Requirement to widen the footway from the adjacent housing site to the development access point.
- Improve the pedestrian crossing point at the Cross Roads junction.
- Extend the street lighting to accommodate the changes to the speed limit.

In addition, the Section 106 agreement at the site shall require the application to seek to reduce the speed limit to 30mph in accordance with a scheme to be submitted and approved by Shropshire Council.

Reason: in the interests of highways safety.

4. Prior to the commencement of development full engineering details of a highway scheme to include the widening of the footway along the B4397, extension to the street lighting and changes to the speed limit shall be submitted to and approved in writing by the Local Planning Authority; the approved works shall be fully implemented prior to any dwelling being first occupied.

Reason: To properly coordinate the delivery of highway infrastructure to serve the development.

5. 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.

6. Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority; the CTMP shall be implemented fully in accordance with the approved details for the duration of the construction period.

Reason: In the interests of highway safety.

7. 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, together with the materials to be utilised in forming the proposed boundary treatments shown on the approved plans, 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 and to reduce visual impact.

8. Details of the roof construction including details of eaves, undercloaks ridges, valleys, verges and chimneys, shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall be carried out in complete accordance with the approved details.

Reason: To safeguard the character of the locality and nearby heritage assets, and ensure the development is acceptable in terms of visual appearance and prominence.

9. Details of the materials and form of the heads and sills to new openings in the external wall(s) of the building(s) shall be submitted to and approved in writing by the Local Planning Authority before any works commence. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character of the locality and nearby heritage assets, and ensure the development is acceptable in terms of visual appearance and prominence.

10. Prior to the commencement of the relevant work details of all external windows and doors and any other external joinery shall be submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 eleva-

tions of each joinery item which shall then be indexed on elevations on the approved drawings. All doors and windows shall be carried out in complete accordance with the agreed details.

Reason: To safeguard the character of the locality and nearby heritage assets, and ensure the development is acceptable in terms of visual appearance and prominence.

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

Reason: The site is known to hold archaeological interest.

12. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority.

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

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

13. The access and internal road shall be constructed and final surfaced in accordance with a construction phasing scheme to be first submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on site.

The access and internal access road shall be laid out in accordance with the approved scheme and shall be implemented in full prior to any dwelling being first occupied.

Reason: To ensure the coordinated completion of the access and internal estate road to serve the dwellings.

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

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

- A minimum of 8 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 4 artificial nests, of either integrated brick design or external box design, suitable for sparrows (32mm hole, terrace design).

- A minimum of 4 artificial nests, of either integrated brick design or external box design, suitable for small birds such as tit species (32mm hole, standard design).
- A minimum of 4 artificial nests, of either integrated brick design or external box design, suitable for blackbirds and robins (open-fronted design).
- A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for swifts (swift bricks or boxes).
- 2 hedgehog boxes.

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

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

15. Prior to any dwelling being first occupied, visibility splays shall be provided at the access onto the B4397 in accordance with the approved plans; all growths/obstructions in advance of the visibility splays shall be lowered to and thereafter maintained at a height not exceeding 0.6 metres above the level of the adjoining highway carriageway.

Reason: To provide and maintain adequate visibility at the B4397 junction in the interests of highway safety.

16. Prior to any dwelling being first occupied the access and internal access road shall be laid out in accordance with the approved plans together with the access and internal road being constructed and final surfaced in accordance with a construction phasing scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the coordinated completion of the access and internal estate road to serve the dwellings.

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

17. In this condition 'retained tree' means an existing tree, large shrub or hedge which is to be retained in accordance with the approved plans and particulars; or any tree, shrub or hedge plant planted as a replacement for any 'retained tree'. Paragraph a) shall have effect until expiration of 5 years from the date of occupation of the building for its permitted use.

a) No existing tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.

b) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until all tree protection measures specified in the submitted Tree Protection Plan have been fully implemented on site and the Local Planning Authority have been notified of this and given written confirmation that they are acceptable. All approved tree protection measures must be maintained throughout the development until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered nor any excavation be made, without the prior written consent of the Local Planning Authority. A responsible person will be appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The Local Planning Authority will be informed of the identity of said person.

c) All services will be routed outside the Root Protection Areas indication on the TPP or, where this is not possible, a detail method statement and task specific tree protection plan will be submitted and approved in writing by the Local Planning Authority prior to any work commencing.

Reason: To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

18. The landscaping scheme as shown on the approved plans ZLA-1191-L201 REV B and ZLA-1191-L202 REV B shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development.

The landscaping shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

Reason: To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment.

19. No construction (and/or demolition) works shall take place before 07:00; am on weekdays and 09:00;am on Saturdays nor after 18:00; pm on weekdays and 13:00;pm on Saturdays; nor at anytime 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. The above conditions have been imposed in accordance with both the policies contained within the Development Plan and national Town & Country Planning legislation.

3. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.

4. Informative Notes:

1. 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 35% for climate change. Full details,

calculations, dimensions and location plan of the percolation tests and the proposed soakaways

should be submitted for approval.

Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce

sediment build up within the soakaway.

The site is identified as being at risk of groundwater flooding. The level of water table should be

determined if the use of infiltration techniques are being proposed.

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 for a storm event of 1 in 100 year + 35% for climate change.

2. 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

3. On the Surface Water Flood Map, part of the site is at risk of surface water flooding. The applicant should ensure that the finished floor level is set above any known flood level or at least

300mm above the ground level.

4. Highway gully spacing calculations should be provided.

Where a highway is to be adopted and gullies will be the only means of removing surface water

from the highway, footpaths and paved areas falling towards the carriageway, spacing calculations

will be based on a storm intensity of 50mm/hr with flow width of 0.75m, and be in accordance with

DMRB CD526 Spacing of Road Gullies (formerly HA102)

Gully spacing calculations must also be checked in vulnerable areas of the development for 1%

AEP plus climate change 15 minute storm events. Storm water flows must be managed or attenuated on site, ensuring that terminal gullies remain 95% efficient with an increased flow width.

The provision of a finished road level contoured plan showing the proposed management of any

exceedance flows should be provided.

Vulnerable areas of the development are classed by Shropshire Council as areas where exceedance flows are likely to result in the flooding of property or contribute to flooding outside of

the development site. For example, vulnerable areas may occur where a sag curve in the carriageway vertical alignment coincides with lower property threshold levels or where ground

within the development slopes beyond the development boundary.

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

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

up to and including the 1% AEP plus CC should not result in the surface water flooding of more

vulnerable areas (as defined above) within the development site or contribute to surface water

flooding of any area outside of the development site. Exceedance flow path should be provided.

5. The proposed method of foul water sewage disposal should be identified and submitted for

approval, along with details of any agreements with the local water authority.

5. Section 38 Agreement details

If it is the developer's intention to request Shropshire Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout, alignment, widths and levels of the proposed road-works, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND,

No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into

<http://www.shropshire.gov.uk/hwmaint.nsf/open/7BD73DBD0D733532802574C6002E65E6>
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, cycleways & 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/>

6. Nesting birds informative

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

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal and/or scrub removal should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. No clearance works can take place with 5m of an active nest.

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

Badgers informative

Badgers, their setts and the access to the setts are expressly protected under the Protection of Badgers Act 1992. It is a criminal offence to kill, injure, take, possess or control a badger; to damage, destroy or obstruct access to a sett; and to disturb a badger whilst it is occupying a sett.

No development works or ground disturbance should occur within 30m of a badger sett without having sought advice from an appropriately qualified and experienced ecologist and, where necessary, without a Badger Disturbance Licence from Natural England. All known badger setts must be subject to an inspection by an ecologist immediately prior to the commencement of works on the site.

There is an unlimited fine and/or up to six months imprisonment for such offences. Items used to commit the offence can also be seized and destroyed.

General site informative for wildlife protection

Widespread reptiles (adder, slow worm, common lizard and grass snake) are protected under the Wildlife and Countryside Act 1981 (as amended) from killing, injury and trade. Widespread amphibians (common toad, common frog, smooth newt and palmate newt) are protected from trade. The European hedgehog is a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act 2006. Reasonable precautions should be taken during works to ensure that these species are not harmed.

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

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

Areas of long and overgrown vegetation should be removed in stages. Vegetation should first be strimmed to a height of approximately 15cm and then left for 24 hours to allow any animals to move away from the area. Arisings should then be removed from the site or

placed in habitat piles in suitable locations around the site. The vegetation can then be strimmed down to a height of 5cm and then cut down further or removed as required. Vegetation removal should be done in one direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife.

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

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

Where possible, trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a close-fitting plywood cover or a means of escape should be provided in the form of a shallow sloping

earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

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

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

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

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

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