



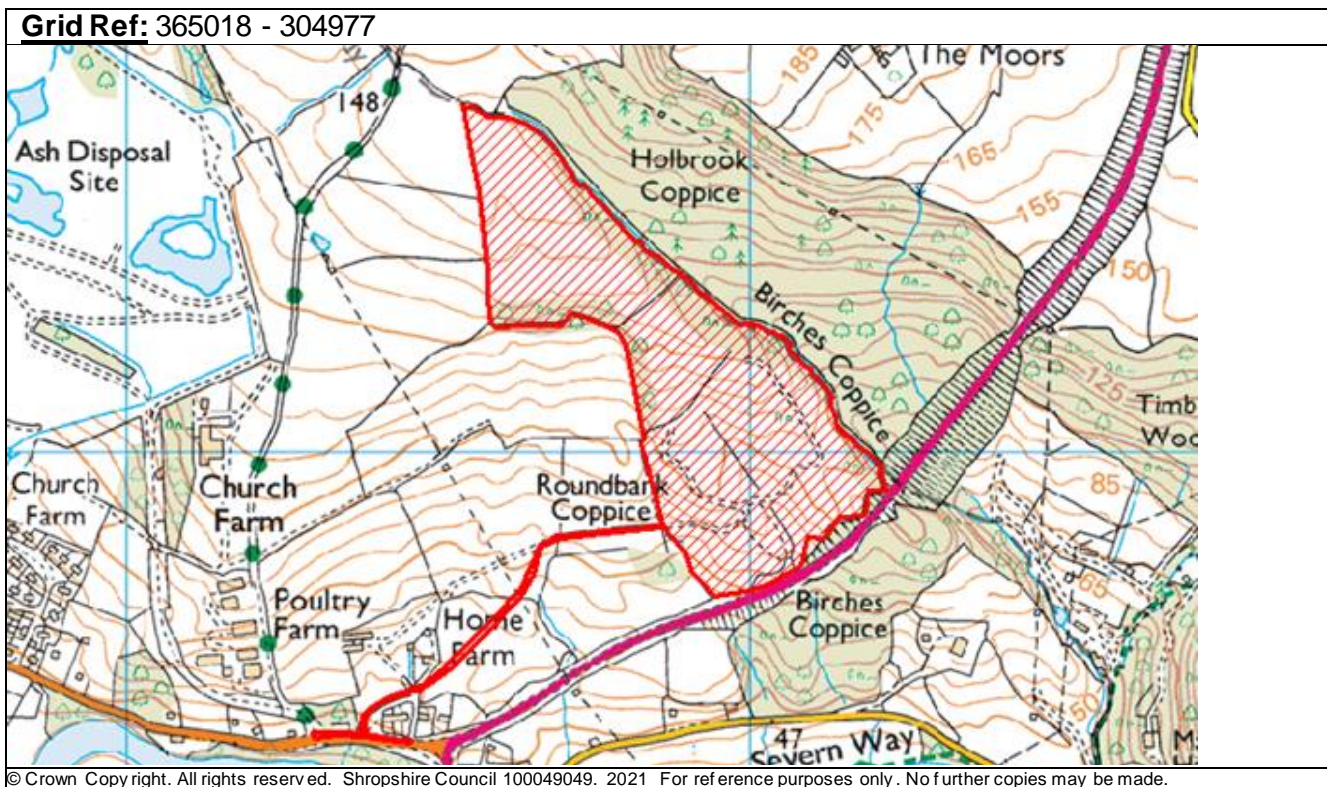
<u>Committee and date</u>	Item
Southern Planning Committee	
31 May 2022	Public

Development Management Report

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

Summary of Application

<u>Application Number:</u> 21/03090/FUL	<u>Parish:</u>	Buildwas
<u>Proposal:</u> Change of use of land to create a holiday caravan site including alteration of existing access, formation of internal access roads and footpaths and associated landscaping		
<u>Site Address:</u> Buildwas Leisure Site Buildwas Telford Shropshire		
<u>Applicant:</u> Montague Property And Marnwood Properties Ltd		
<u>Case Officer:</u> Tim Rogers	<u>email</u>	: tim.rogers@shropshire.gov.uk



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

REPORT

1.0 THE PROPOSAL

- 1.1 The proposed development consists of a leisure holiday park development comprising, in the amended layout, of 120 static lodges/caravans and 35 touring caravan pitches along with supporting infrastructure. (124 static lodges/caravans and 53 touring caravan pitches were originally proposed). The proposed site layout shows an amenities block and reception building but these are indicative at this stage and do not form part of the current planning application.
- 1.2 This application was previously considered by the committee at their meeting on the 8th February 2022. The report to that meeting is appended to this update and provides more information regarding the detail of the application (please refer to Section 1 of that report).
- 1.3 At the meeting on the 8th February 2022 determination of the application was deferred as members expressed some concern about the use of the proposed access and its implications for highway safety. The deferment was to enable further clarification to be sought from the Local Highways Authority regarding the highway issues raised.
- 1.4 Since the last meeting the applicants have submitted further information in respect of highway issues to support their application. This comprises an addendum to the transport statement and additional plans.
- 1.10 A Screening Opinion has been issued the effect that an Environmental Impact Assessment was not required for the proposals contained in this planning application.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site comprises agricultural land of some 19.6 hectares. Ground levels rise steeply across the site in a northerly direction.
- 2.2 The site has two principal access points. One access is on the site's southern part of its western boundary via a track that extends from the B4380 and passes through Home Farm, the other via a wide road access off the A4169 which follows the south-eastern side of the site. Several gravel tracks run through the site providing a moderately dense access network, including one that follows the edge of the woodland on the site's north-eastern boundary and provides access across a culverted stream to the woodland further north-east beyond the site. There are also some gravel hardstanding areas, portacabins, and a wheel wash (associated with the site's use as an off-road centre) in the southern part of the site. The 4x4 centre is called Buildwas Leisure and encompasses 50 acres of varied terrain, from thick woodland and undulating moonscape type craters to fast open tracks and muddy hill climbs.

- 2.3 The majority of land cover within the site is rough grass grazed by sheep. Mature trees are also a notable feature. The Site features the edge of mixed woodland (Holbrook Coppice and Birches Coppice) that is within a stream valley along the Site's north-eastern side and extends to cover higher ground to the north-east of the Site. The southern part of the Site features several individual mature trees and belts of mature trees. The Site's south-eastern boundary with the A4169 is marked by wooded area and outgrown hedgerow, except for a gap where there is access to a track that doglegs into the Site to provide direct access to the largest area of hard standing and portacabins. To the immediate south of the A4169 is further woodland (also Birches Coppice). The central parts of the south-western boundary also feature a mature tree belt. Further north on this boundary is an outgrown hedgerow with some trees, while its southern part is mostly open, except for a post and wire fence. West of the Site are pasture fields that feature hedgerows, some of which feature mature trees, forming narrow tree belts in places. To the west of the Site there is also Home Farm and a caravan storage area (~350m west of the Site).
- 2.4 The field is bordered to the east by thick woodland and screened on the western and southern sides by existing mature trees and landscaping. The immediate surrounding area is agricultural in nature with a mix of open arable and grassland fields, and smaller fields scattered with patches of thick tree cover and intermittent hedgerows.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The application has previously been considered by committee and deferred at a previous meeting. The Parish Council view is contrary to the Officer recommendation. The Principal Officer, in consultation with the Chair and Vice-Chair of the South Planning Committee, considers that the material planning considerations raised by this application, which is of a significant scale, warrants determination by Committee.

4.0 Community Representations

Consultee Comment - Please refer to Section 4 of the appended report.

- 4.1.1 **Buildwas Parish Council** - Object - See appended report for previous comments.

The cumulative impact of the Former Ironbridge Power Station Development and this proposal on the residents of the small village of Buildwas must be considered. The effects on the residential amenity of residents living near the access to the site have not been considered. Noise, dust, fumes and vibrations from vehicles climbing the steep slope close to residential properties will impact negatively on those properties and residents. There is already a flooding issue in this area and properties affected. Making access routes wider will only exacerbate this problem.

32 of the 156 pitches proposed on this Leisure Park site are for touring caravans. The traffic modelling done by ADC infrastructure for Harworth Plc relates to a the proposed new roundabout junction of the B4380 and the A4169 . The Residual Function Capacity that measures the roundabout's capacity to take extra traffic has

not taken into account the type of traffic using the roundabout. Large touring caravans are much more difficult to manoeuvre than cars and with the access to the proposed Leisure Park Site being so close to the proposed roundabout, this is a concern. There are safety concerns at the exit of the site onto the B4380 not only for drivers and cyclists but for nearby residents as well.

With 124 site pitches there will be a lot of extra traffic on all the access roads around the site particularly on changeover days. The B4380 is a narrow, rural road. It is a National Cycle route with vulnerable road users. There is already a problem of speeding traffic using this road. Traffic Calming Measures have already been agreed as needed in the village of Leighton by Shropshire Council back in 2017. The Police and Camera Safety Partnership regularly Speed Trap Leighton Village and agree there is a problem. Harworth Plc have agreed to put in 'Build-outs' at either end of Leighton Village, by the completion of the 50th house on the Ironbridge Power Station Site. This could still be years away. If this application is approved then further Traffic Calming Measures will be needed in Leighton immediately. These will need to be financed either by Shropshire Council or the developer. Adding extra traffic to the existing traffic problem is a real concern to our Parish and because of this we object to this application.

4.1.2 **SC Developing Highways** - No Objection - See appended report for earlier comments.

I can confirm that Shropshire Council as Highway Authority have had an opportunity to review the information submitted. The applicant's consultants have now submitted revised plans that provides additional details of the gradient into the site and proposed additional widening at the entrance to the site that will facilitate the passing of vehicles to address the concerns previously raised.

32 of the 156 pitches will be touring caravans, therefore the access will be used by vehicles that require a large swept path, it is acknowledged that it is difficult to accommodate sufficient passing places to accommodate all vehicles. However, it is considered that the proposed access arrangements are suitable in terms of the likely movements and surrounding conditions and it would be difficult to sustain a highway objection on the grounds that a safe and satisfactory access has not been provided. Concerns had been raised with regard to the gradient of the access and access road within the site. Similar to the width of the access, due to the potential size of vehicles entering and exiting the site, it is difficult to provide an access that is suitable for all users, but passing places have been proposed where possible. On this basis, based on the information submitted it is not considered a highway objection could be sustained. It is understood however that Members of Planning Committee will give due consideration to the information submitted and take a view.

Conditions:

Access Prior to other operations

Before any other operations are commenced, the proposed vehicular access and visibility splays, shall be provided and constructed to base course level. Thereafter, the access shall be completed to the approved details before the development is fully occupied and thereafter maintained. The area in advance of the sight lines shall be kept permanently clear of all obstructions.

Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users, for the duration of the site construction and perpetuity.

Ghost Island Junction Enhancements & Pedestrian Refuge

Prior to the completion of the development, full engineering details and Road Safety Audit of the proposed Right Turn/Ghost Island Junction Enhancements and Pedestrian Refuge, as indicated on drawing number SA36090 BRY 0001 A, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details before the caravan/leisure park is first occupied.

Reason: To ensure a satisfactory means of access to the highway.

Parking Loading, Unloading and Turning

The development hereby permitted shall not be brought into use until the areas shown on the approved plans for parking, loading, unloading, and turning of vehicles has been provided properly laid out, hard surfaced and drained. The space shall be maintained thereafter free of any impediment to its designated use.

Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

4.2 Public Comments - See appended report (para 4.11) for previous comments.

4.2.1 Since determination of the application was deferred at the meeting on the 8th February 2022 five further letters of objection have been received. The comments contained within the further submissions are summarised below:-

- 4.2.2
- The proposed amendments will not overcome the serious concerns regarding the position of the access and speed of traffic on the B4380.
 - The proposed changes will increase the impact on adjoining occupiers in terms of loss of privacy and noise, including that from pedestrian use.
 - The proposed passing places will be inadequate for the volume and nature of traffic leading to potential queuing on the highway.
 - The proposed island at the junction will become a bottleneck
 - The proposed removal of hedgerow/trees will have a severe impact on wildlife.
 - The left turn out from the access has safety implications due to conflict with users of the adjacent private drive.
 - There is still a blind corner with inadequate width for passing vehicles on the access drive.
 - The access to Home Farm is labelled incorrectly on the new plan and could lead to confusion and unauthorised use by vehicles and pedestrians.
 - There should be a speed limit on the access drive.
 - It is not the mean speed of vehicles but the number of vehicles breaking the speed limit on the highway that should be considered.
 - Caravan owners are often not adept at using narrow lanes such as the proposed access.
 - The agents report downplays existing and potential problems with the access. Vehicles are regularly going to meet resulting in difficult reversing manouvres.

- The inadequacy of the lane to serve existing and proposed development is self-evident.

5.0 THE MAIN ISSUES

Principle of development
 Siting, scale and design of structures
 Impact on visual amenity and rural character of the area
 Impact on heritage assets
 Highway safety and transport
 Ecology
 Drainage
 Residential amenity
 Contamination

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 In respect of the principle of the proposed development officers position remains unchanged from that set out in Section 6.1 of the appended report i.e. no objection in principle subject to satisfactory details in respect of material considerations.

6.2 Siting, scale and design of structures

6.2.1 As set out in Section 6.2 of the appended report it is considered that the proposal is capable of meeting the requirements of adopted policies. Where necessary this can be ensured by the imposition of appropriate conditions.

6.3 Impact on visual amenity and the rural character of the area

6.3.1 The potential implications of the proposed development and the assessment of the applicant's submissions in this regard are set out in detail at Section 6.3 of the appended report. It is considered that with adherence to the proposed site levels and contour details provided, together with the landscaping works which can be conditioned on any grant of planning permission, that the proposed development can be satisfactorily assimilated into the surrounding rural landscape, without causing undue harm to the visual amenity and rural character of the area.

6.4 Impact on Heritage Assets

Please see Section 6.4 of the appended report. The Council's Historic Environment (Conservation) Team is content with the analysis and findings of the Heritage Impact Assessment. A refusal on the grounds of the proposal causing harm to heritage assets could not be sustained in this case.

6.5 Highway Safety and Transport

6.5.1 The original officer assessment of the proposals is set out in Section 6.5 of the appended report.

6.5.2 Since the deferment of the application from the earlier committee the applicant has submitted further information in respect of the access to the proposed development. This has comprised an addendum to their transport statement and three additional/amended plans.

- 6.5.3 The agent for the application has stated the following in respect of these further submissions - 'I have summarised below the key points addressed and discussed:
- The proposed access improvements have been updated to further widening the access with the B4380, which will provide a substantial improvement over the previously proposed scheme. This now reflects the recent boundary works carried out by the landowner.
 - Further widening works and passing places are proposed along the site access route, plus an additional plan has been provided to show the passing places along the proposed link road between the site and the existing private access road.
 - Further details of the gradient of the access and confirmation that this is within the Shropshire Council requirement of a maximum gradient of 1 in 10 for private accesses, with a maximum gradient achieved of 1 in 13. On this we would also like to point out that only 32 of the 156 pitches are proposed for touring caravans, so they will make up a relatively small number of the total traffic movements, with the majority of movements by light traffic.
 - Clarity over the speed surveys previously carried out and how the visibility splays have been calculated and assessed.
 - Confirmation that the visibility splays are in no way reliant upon the proposed local speed limit changes.
 - Clarity that the access requirements for this development are compatible with the proposed roundabout to be delivered by the Harworth Group under the Ironbridge Power Station redevelopment application reference 19/05560/OUT.
 - Confirmation that this development is in no way reliant upon the construction of the roundabout to be delivered under the above scheme.
 - Further information and clarity of the proposed sustainable transportation measures to be provided by the developer.'

6.5.4 The further submissions on behalf of the applicants have been assessed by the Councils Developing Highways team whose comments are provided at para 4.1.1 above. Whilst it is acknowledged that the use of the access and the junction with the B4380 is a real and significant concern for local residents and the Parish Council, the conclusion that has been reached is that, although there will inevitably be some impact, the proposed use of the access (with the improvements to be provided) will be acceptable in its own right and that the implications for users of the public highway and adjoining private drive will not so severe that a refusal of planning permission is justified.

6.6 Ecology

6.6.1 The considerations with regard to ecological impacts are set out in Section 6.6 of the appended report. The Council's Ecology Team is content with the findings of the ecological appraisal. The new planting proposed would enhance biodiversity and there would be net gains also through the provision of bat and bird boxes. The carrying out of work in accordance with the mitigation and enhancement measures as specified in the Ecological Appraisal by Salopian Consultancy, provision of bat and bird boxes, approval of an external lighting plan and protection measures during construction works are all matters which can be conditioned on a grant of planning permission to safeguard matters of nature conservation importance.

6.7 **Drainage**

6.7.1 Core Strategy policy CS18 relates to sustainable water management. A Flood Risk Assessment (FRA) has been submitted with the application, which includes a drainage strategy. The Council's Drainage Consultants consider that the FRA has established that there are no technical constraints to the site being adequately drained and that it would not create a food risk. The precise drainage details to be installed is a matter which can be conditioned should planning permission be granted.

6.8 **Residential Amenity**

6.8.1 The considerations in respect of the potential impacts on residential amenity of adjoining occupiers are set out in Section 6.8 of the appended report. Whilst it is acknowledged that the further alterations to the access as now proposed by the applicants will have some potential for increased visibility between users of the access and adjoining properties, it must also be recognised that this will be periodic for very short periods in terms of individual users of the access such that there will be no sustained or unacceptable impact on residential amenity.

6.9 **Contamination**

6.9.1 The Council's Environmental Protection Team has considered the Ground First Ltd report and concur with the Phase 1 Report conclusions that the need for further investigation and assessment is needed prior to the commencement of development. This investigation, assessment, approval of measures to achieve any remediation required and the implementation of those measures to make the land fit for the intended use and comply with NPPF paragraph 183 can be achieved through the condition set out in the Environmental Protection Team comments at 4.5 of the appended report.

7.0 **CONCLUSION**

7.1 There is no in-principle planning policy objection to the proposals contained in this application. The precise details of the holiday caravans/ lodges installed, in the event of planning permission being given, is a matter on which a planning condition attached to any approval. The colour and external finishes can also be controlled through a planning condition to ensure a high-quality appearance appropriate to this rural setting as sought by policies CS6, CS17, MD2 and MD11. The proposed layout of the holiday caravans/ lodges and their associated parking and road/paths network, coupled with the ground re-profiling and landscaping scheme, would result in a development which, whilst visible due to the hillside location, would not be unduly obtrusive in the rural landscape. The impact of the development would be further softened as the new tree planting in the landscape scheme establishes and matures.

7.2 A refusal of the proposals contained in this application on the grounds that it would cause unacceptable visual harm to the landscape or to the setting of listed buildings and other heritage assets contained in that landscape, could not be sustained. With regard to the heritage impact, there are wider public benefits in terms of the contribution to the local economy, job creation and the delivery of high-quality visitor accommodation sought by the Development Plan which would be provided by the proposed development which outweigh the limited harm identified, in applying the balance required by paragraph 202 of the NPPF

- 7.3 The assessment of the highway/transport matters has taken account of the environmental impacts of traffic and mitigation works proposed. The Transport Statement 9as amended by inclusion of the recent addendum) uses nationally recognised standards and modelling and has established that there would be no access junction or road network capacity problems resulting from the proposed development. A safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or on highway safety, and can be cost effectively mitigated to an acceptable degree by the works and measures proposed, in accordance with paragraph 110 of the NPPF. The safe developments, from a transport and highways perspective, sought by Core Strategy policy CS6 and the NPPF can be achieved. There would be no unacceptable impact on highway safety, or residual cumulative impacts on the road network that would justify a refusal of planning permission in this case.
- 7.4 These proposals would not adversely impact on protected species and ecological interests, and would maintain the environmental network of the locality, with enhancements. Ecological interests and drainage can be safeguarded through the recommended planning conditions. The proposed development would not unduly harm the residential amenities of the locality. Remediation for ground contamination/gases can be addressed through the recommended planning condition.
- 7.5 This proposal would satisfy all three overarching objectives for sustainable development set out in the National Planning Policy Framework (NPPF paragraph 8). It would fulfil the economic objective by contributing to the rural economy and providing high quality visitor accommodation and leisure facilities as sought by the Development Plan and sustainable rural tourism and leisure developments sought by paragraph 84 of the NPPF; the social objective would be met through the creation of employment both directly and indirectly which is key to supporting strong, vibrant and healthy communities, and the nature of the development would be beneficial to the health, social and cultural well-being of its users; and the environmental objective would be fulfilled by the landscape and ecological enhancements it would deliver, helping to improve biodiversity.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

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

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or

perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

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

8.2 Human Rights

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

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

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

8.3 Equalities

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

9.0 Financial Implications

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

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

CS1 - Strategic Approach
CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles
CS13 - Economic Development, Enterprise and Employment
Economic Development, Enterprise and Employment
CS16 - Tourism, Culture and Leisure
CS17 - Environmental Networks
CS18 - Sustainable Water Management
MD2 - Sustainable Design
MD7B - General Management of Development in the Countryside
MD11 - Tourism Facilities and Visitor Accommodation
MD12 - Natural Environment
MD13 - Historic Environment
National Planning Policy Framework

RELEVANT PLANNING HISTORY:

PREAPP/11/01503 Proposed Caravan (60%) /Activity Site (40%) PREAMD 6th December 2011

PREAPP/20/00170 Proposed change of use for leisure complex to include New Reception/office and amenity block, creation of wildlife pond and activity areas, woodland walks and recreation areas and a mixture of luxury lodges, cabin, static and touring caravans.

PREAMD 28th August 2020

21/03090/FUL Change of use of land to create a holiday caravan site including alteration of existing access, formation of internal access roads and footpaths and associated landscaping PDE

SA/06/0412/F Change of use of land for motorcycle activities including quad-biking and enduro-bikes (max 28 days), 4 x 4 events (max 28 days) and other recreational outdoor pursuits to include corporate team building, assault course, mountain biking, motorcycle schooling, 4 x 4 dealership demonstrations (max 150 days of which no more than 30 days for motorised vehicles), ancillary camping/caravan site in association with the above events and engineering operations to form landscape bunding REFUSE 16th August 2006

SA/04/0489/F Change of use of land for all year operation of motorsports including quad bikes, enduro bikes, 4x4 vehicles and demonstrations, motor cycle schooling and practice, mountain biking and outdoor pursuit activities (including corporate team building events / assault course / clay pigeon shooting). WDN 8th June 2004

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 Claire Wild
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.

3. No more than 120 static holiday caravans/lodges and 35 tourer holiday caravan pitches shall be stationed/provided on land within the application site at any time and there shall be no variations to their siting from that shown on the approved drawings.

Reason: To define the permission for the avoidance of doubt and in the interests of the visual amenities of the area.

4. The construction of the static holiday caravans/ lodges shall comply with the definition of a caravan and shall comprise of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices and shall not exceed the length, width and height of living accommodation limits set out in Part 3, Section 13 of the Caravan Sites Act 1968, as amended.

Reason: To define the permission for the avoidance of any doubt and to comply with SAMDev Plan policy MD11.8.

5. Notwithstanding Classes C2 and C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), the caravans hereby permitted shall be used to provide holiday accommodation only and shall not be occupied as permanent unrestricted residential accommodation or as a primary place of residence.

Reason: The site is outside of any settlement where unrestricted residential accommodation would be contrary to adopted Development Plan housing policy.

6. A register shall be maintained by the owners/operators of the holiday caravan site of the names of the occupiers of the caravan units, the period of their occupation together with their main home addresses. This information shall be made available at all reasonable times to the Local Planning Authority.

Reason: The site is outside of any settlement where unrestricted residential accommodation would be contrary to adopted Development Plan housing policy.

7. Before the static holiday caravans/ lodges are first installed on the land details of their appearance and external finishes and any associated access decking/steps/ramps shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details and retained for the lifetime of the static holiday caravan/ lodges.

Reason: To ensure that the external appearance of the development is satisfactory, in the interests of visual amenity.

8. No development shall take place, including any works of demolition, until a Construction Management Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period and should reflect the phasing of construction. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- routing of vehicles to and from the site
- communication strategy for sub-contractors
- details of local liaison and engagement with relevant representatives

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

9. Before any static holiday caravan/lodge is first occupied the foul and surface water drainage arrangements to the cluster of caravan/ lodges in which it would be located shall be installed in full in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site and to avoid flooding.

10. Prior to the erection of any external lighting on the site associated with the development hereby approved, 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. 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 and any future update to that document. 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.

11. Construction works and/or demolition works shall not take place outside the hours 07:30 to 18:00 Monday to Friday; 08:00 to 13:00 Saturdays. No works shall take place on Sundays, or on bank or public holidays.

Reason: To safeguard the residential amenities of the area.

12. Before any other operations are commenced, the proposed vehicular access and visibility splays, shall be provided and constructed to base course level. Thereafter, the access shall be completed to the approved details before the development is fully occupied and thereafter maintained. The area in advance of the sight lines shall be kept permanently clear of all obstructions.

Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users, for the duration of the site construction and perpetuity.

13. Prior to the completion of the development, full engineering details and Road Safety Audit of the proposed Right Turn/Ghost Island Junction Enhancements and Pedestrian Refuge, as indicated on drawing number SA36090 BRY 0001 A, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details before the caravan/leisure park is first occupied.

Reason: To ensure a satisfactory means of access to the highway.

14. The development hereby permitted shall not be brought into use until the new section of access road, areas shown on the approved plans for parking, loading, unloading, and turning of vehicles and passing bays have been provided properly constructed, laid out, hard surfaced and drained in accordance with details which have been approved in writing by the Local Planning Authority. The areas shall be maintained thereafter free of any impediment to their designated use.

Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

15. All trees which are to be retained in accordance with the approved plan shall be protected in accordance with the submitted Salopian Consultancy Tree Protection Plan and Arboricultural Method Statement, and in accordance with BS 5837: 2012 "Trees in relation to Design, Demolition and Construction recommendations for tree protection. The protective fence and temporary ground protection shall be erected prior to commencing any approved development related activities on site, including ground levelling, site preparation or construction. The fence shall be maintained throughout the duration of the development and be

moved or removed only with the prior written approval of the Local Planning Authority

Reason: To safeguard the amenities of the local area by protecting trees.

16. Prior to the commencement of the development the consulting arboriculturist shall be appointed to undertake supervision and monitoring of the tree protection fencing at pre-commencement stage and throughout the construction period as outlined in the submitted arboricultural method statement and submit to the Local Planning Authority a satisfactory completion statement to demonstrate compliance with the approved tree protection measures.

Reason: To safeguard the amenities of the local area by protecting trees.

17. All services will be routed outside the root protection areas indicated on the Tree Protection Plan or, where this is not possible, a detailed method statement and task specific tree protection plan will be submitted and approved in writing by the Local Planning Authority prior to any such work commencing. The work shall then be carried out in accordance with the approved details.

Reason: To safeguard the amenities of the local area by protecting trees.

18. New tree planting shall meet the requirements of BS 8545: 2014 Trees: from nursery to independence in the landscape Recommendations.

Reason: To ensure the survival of new trees.

19. No above ground works shall be commenced until full details of both hard and soft landscape works, incorporating the details shown on drawing number 3072-001 Rev A (Landscape Mitigation Planting Plan) have been submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or plants that, within a period of five years after planting, are removed die or become seriously damaged or defective, shall upon written notification from the local planning authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

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

20. a) No development, with the exception of demolition works where this is for the reason of making areas of the site available for site investigation, shall take place until a Site Investigation Report has been undertaken to assess the nature and extent of any contamination on the site. The Site Investigation Report shall be undertaken by a competent person and conducted in accordance with current Environment Agency guidance Land Contamination: Risk Management (LCRM). The Report is to be submitted to and approved in writing by the Local Planning Authority.

- b) In the event of the Site Investigation Report finding the site to be contaminated a further report detailing a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- c) The works detailed as being necessary to make safe the contamination shall be carried out in accordance with the approved Remediation Strategy.
- d) In the event that further contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.
- e) Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the contamination identified has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

21. Prior to first occupation / use of the holiday caravan site bat and bird boxes shall be installed in accordance with details of their makes, models and locations which have been submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:

- A minimum of 5 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 5 artificial nests, of either integrated brick design or external box design, suitable for Swifts (Swift bricks or boxes with entrance holes no larger than 65 x 28 mm can accommodate a wide range of species (CIEEM, 2019)), Starlings (42mm hole, starling specific), Sparrows (32mm hole, terrace design) and/or House Martins (House Martin nesting cups) shall be erected on the site prior to first use of the development.

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

Reason: To ensure the provision of roosting opportunities for bats and nesting opportunities for wild birds, in accordance with MD12, CS17 and section 180 of the NPPF.

22. All works to the site shall occur strictly in accordance with the mitigation and enhancement measures regarding birds as provided in Section 4 of the Ecological Appraisal (Salopian Consultancy 14th June 2021).

Reason: To ensure the protection of and enhancements for bats and Great Crested Newts, which are European Protected Species and birds which are protected under Section 1 of the 1981 Wildlife and Countryside Act (as amended).

23. No development shall take place (including demolition, ground works and vegetation clearance) until a plan and details of the proposed protective fencing to be erected to safeguard the ancient woodland during construction of the development has been submitted and agreed in writing by the Local Planning Authority. The plan shall include a minimum 15m buffer temporarily fenced off.

Reason: To protect the ancient woodland and associated habitat from damage and disturbance.

24. 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 paragraph 180 of the NPPF.

25. The wildlife pond shown on the approved site plan shall be constructed in accordance with section drawings showing its profiles and depth; details of its lining, overflow arrangements and the planting of its margins which have first been approved in writing by the Local Planning Authority.

Reason: To ensure the construction of a satisfactory pond which takes into account the ground conditions of the site, in the interests of public safety, visual amenity and biodiversity.

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.

Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

oconstruct any means of access over the publicly maintained highway (footway/verge) or

o carry out any works within the publicly maintained highway (street), or

oauthorise the laying of private apparatus within the confines of the public highway (street)

including any a new utility connection, or

o undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway, or

o otherwise restrict any part of the public highway (inc. footway, verge or waste) in any way, for the purposes of constructing the development (i.e. Skips, scaffolding, hording/safety fencing, material storage or construction traffic, etc.)

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

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

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

3. Section 278 Agreement

No work on the site should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

Please contact: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND to progress the agreement.

No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 278 of the Highways Act 1980 entered into

<http://www.shropshire.gov.uk/hwmaint.nsf/open/7BED571FFB856AC6802574E4002996AB>

Mud on highway

The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Protection of visibility splays on private land

The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

4. All bat species found in the U.K. are protected under the 2017 Conservation of Habitats and Species Regulations (as amended) and the 1981 Wildlife and Countryside Act (as amended).

It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences.

Should any works to mature trees be required in the future (e.g. felling, lopping, crowning, trimming) then this should be preceded by a bat survey to determine whether any bat roosts are present and whether a Natural England European Protected Species Licence is required to lawfully carry out the works. The bat survey should be carried out by an appropriately qualified and experienced ecologist in line with the Bat Conservation Trust's Bat Survey: Good Practice Guidelines (3rd edition).

If any evidence of bats is discovered at any stage then development works must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) contacted for advice on how to proceed. The Local Planning Authority should also be informed.

5. Widespread reptiles (Adder, Slow Worm, Common Lizard and Grass Snake) are protected under the 1981 Wildlife and Countryside Act (as amended) from killing, injury and trade and are listed as Species of Principle Importance under Section 41 of the 2016 NERC Act. 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 2006 Natural Environment and Rural Communities Act. 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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