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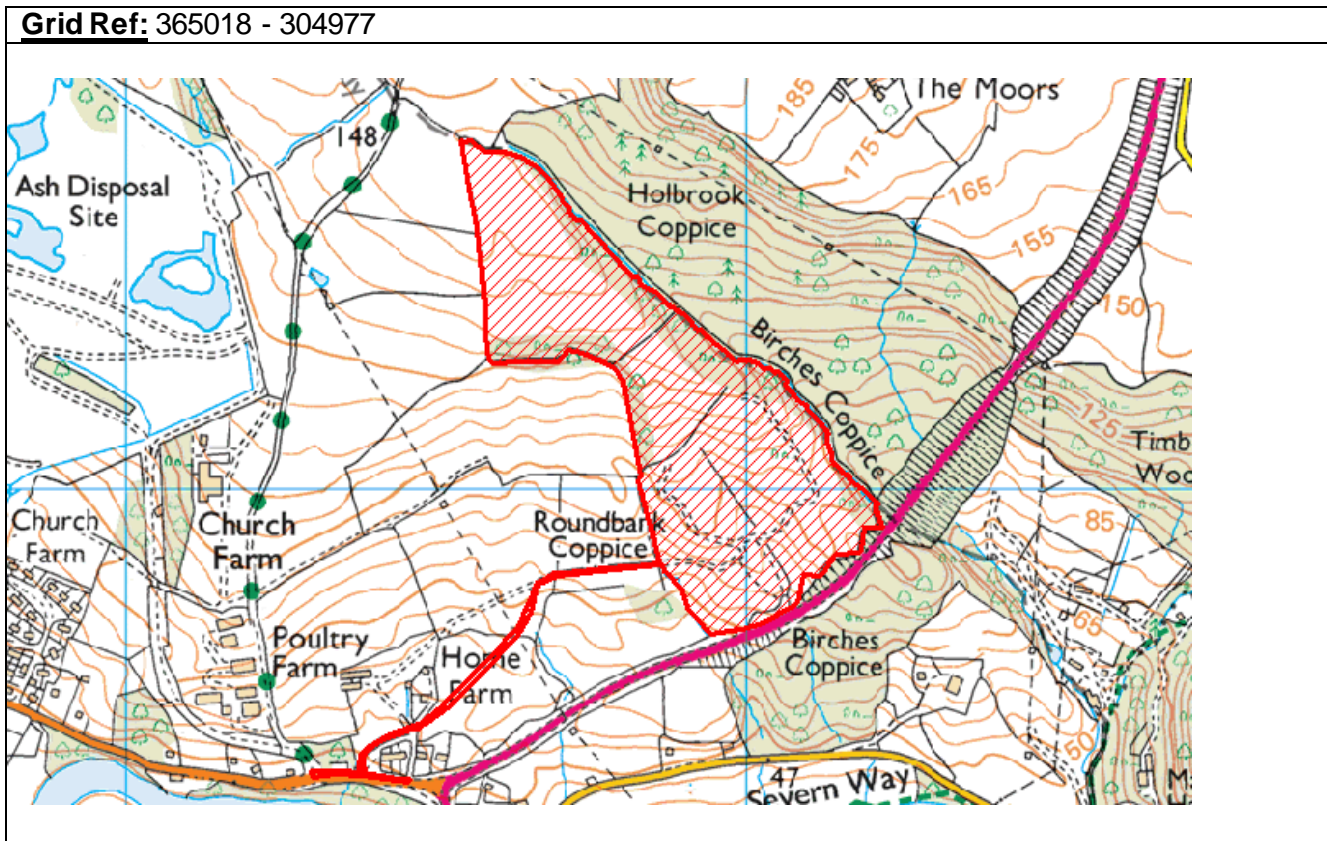
Item  
  
Public

## Development Management Report

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

### Summary of Application

<b>Application Number:</b> 21/03090/FUL	<b>Parish:</b>	Buildwas
<b>Proposal:</b> 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		
<b>Site Address:</b> Buildwas Leisure Site Buildwas Telford Shropshire		
<b>Applicant:</b> Montague Property And Marnwood Properties Ltd		
<b>Case Officer:</b> Tim Rogers	<b>email</b>	: 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 An existing vehicular access in the southern boundary of the main body of the application site direct onto the A4169 road would be retained for emergency vehicle use only. The development would make use of an existing 4.0-4.5m access road running through the farm from the west, with exception to the central section of the access route where a new section of road is proposed to bypass the farmyard and existing caravan storage. Passing places are proposed to be provided at regular intervals along the access route, which would provide an overall width of 6.0 to 6.5m. The access road would be reconstructed and surfaced in permeable tarmac, and/or surfaced in conventional impermeable tarmac and drained by swales. The existing access to Home Farm from Buildwas Road is proposed to be improved to provide suitable geometry for vehicles towing large touring caravans.
- 1.3 The main site entrance would be at the southern end of the western boundary. On entering the site a roughly oval shaped wildlife pond is proposed on the southern side of the access road before an existing area of hardstanding, which would be retained for parking is reached. A reception building with parking and a pull-in lay by is shown on the northern side of this road section, but this building is indicative at this stage and does not form part of the current application. The remaining area at the southern end of the site would be an open, landscaped space containing a network of paths, existing trees and an activity area. Along the entire eastern edge of the site the band of ancient woodland (Birches Coppice) would be retained and supplemented with new hedge planting.
- 1.4 The site topography rises in a north westerly direction with an informal layout of loop roads serving the proposed touring caravan pitches, which would generally follow the contour lines and be positioned in groups amongst the existing tree planting and with large open areas between those groups where new planting is proposed. There would be pitches also adjacent to the main access road which heads northwards up the site. To the west of this road section and in the vicinity of the touring pitches there is a site shown for an amenity building, but the details of that structure do not form part of the current planning application.
- 1.5 The upper half of the site would contained the static holiday units, which on the site layout drawing are described as two types - 'luxury lodge/cabin' and 'static

caravan'. (It appears that the former would be twin unit structures and that latter single units). No illustrative details have been submitted to show the envisaged appearance of these units, but they would all conform to the definition of a caravan as set out in the Caravan Sites and Control of Development Act 1960; Caravan Sites Act 1968 (Section 13(1) as amended) and the Mobile Homes Act 1983. A row of these units would be positioned 'end-on' to Birches Coppice along the north eastern side of the continuation of the main access road, following the loop of this road at the extreme northern end, and highest part, of the site. The northern end of the site is roughly triangular in shape and would be subdivided by five spur roads, each with the static units positioned on their northern side and planting zones on their southern sides. Parking would be provided immediately adjacent to each unit. An existing woodland pathway would be retained along the western site boundary.

- 1.6 The foul drainage for the site would be provided by one or more package treatment plants due to a foul mains drainage connection not being achievable. With respect to surface water drainage the drainage strategy set out in the submitted FloodvRisk Assessment states:

*"The proposed internal roads are to be constructed using permeable tarmac or impermeable roads drained by swales with check dams. This is dependent on infiltration test results, but infiltration will be used if possible to do so. Log cabins and static caravans are to be drained via stone filled bases. The static caravans have an approximate roof area of 34m<sup>2</sup> and log cabins 77m<sup>2</sup> which do not require significant drainage systems and water is discharged to the stone filled bases to mimic the existing hydrology. Existing ditches and watercourses to the south of the site are to be inspected and cleared of any obstructions on a regular basis. If the site infiltration tests fail, the pond to the south of the site is proposed to act as attenuation storage for surface water run-off from site access roads and large buildings. However, upstream storage and control is to be provided where practical, as this provides an additional treatment stage and conforms with the SuDS hierarchy. If required the detailed drainage design will utilise a flow control device from the pond, to control outflows to the equivalent greenfield run off rates for the given contributing catchment."*

- 1.7 The proposed landscaping scheme would incorporate existing tree stock on site which is largely dominated by mature oak trees, along with a number of tree groups and hedgerows comprising of a mix of hawthorn, field maple, hazel and ash. The proposed new tree and hedgerow planting would be a diverse mix of broadleaved species to provide a robust future tree population resilient to pests and disease. The species would include field maples, alder, silver birch, scots pine, wild cherry, pedunculate oak, mountain ash and small leaved lime. Understorey planting would comprise of a variety of planting including dogwood, hazel, hawthorn, holly, crab apple and viburnum.
- 1.8 The supporting statement advises it is proposed that the leisure park would be managed by a single operator, who would sell short-term holiday lets at the site. It also states this proposal would be a diversification of the applicants' existing recreational enterprise into a new area of tourism/recreation activity.
- 1.9 The application is accompanied by Planning and Design Statement; a Desk Study Report into ground conditions/geology; an Ecological Assessment; Landscape and

Visual Impact Assessment; Heritage Impact Assessment; Transport Assessment; Arboricultural Report; and a Flood Risk Assessment incorporating the Drainage Strategy.

- 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 comprise of agricultural land of some 19.6 hectares. Ground levels rise steeply across the site in a northerly direction.

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.

- 2.2 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).

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 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**

#### **4.1 Buildwas Parish Council (25.08.21) - Object:**

- Access. The access road is at the bottom of a steep hill (Buildwas Bank) where vehicles regularly have difficulty slowing and a junction that is already prone to accidents. Councillors have concerns about caravans waiting to turn right at this point. The projections indicate that on changeover day each week there could be 100 caravans crossing the junction. The access road is not sufficiently wide to allow two caravans to pass each other. The application indicates that there will be some passing places, but with the high projected number of vehicles, these do not appear to be sufficient.

- Flooding. There are existing issues with flooding along the access road which has a negative impact on the properties here. A previous planning application for 4 houses was rejected because of the flooding issues. Drainage is clearly insufficient and, prior to any development, it must be improved either by the applicant or the local Land Drainage Authority.

- Size and scale of the development. The area of land to be developed is disproportionate to the size of the village in which it sits. This will impact on the rural character of the parish, will have some visual impact for some current residents, and impacts on the following points.

- Loss of fields in a rural area bordering an Area of Outstanding Natural Beauty.

- Significant increase in traffic compared to current levels.

This is a concern when considered for this application alone and will have a negative impact on existing residents who use the access road for their own properties. Although the application for development of the power station site has been rejected, the future of the site is unclear, and the Parish Council has concerns about the future cumulative impact of traffic increases from any potential future development of the site.

- Noise disturbance from the site. Noise travels easily in the valley in which the parish is situated, and the Parish Council received complaints from residents in the village due to noise that carried from a recent wedding held at the location of the application. This will have an amenity impact on neighbouring properties, and potentially on the wider parish area.

- There is no provision for environmental sustainability within the application for the site, including no provision for electric car charging.

- Light pollution. The potential increase in light pollution would have an impact on the valued dark skies of the parish.

#### **4.2 SC Highways Development Control (18.10.21) - No Objection:**

The proposed right turn lane/ghost island junction enhancements proposed to facilitate this development are considered acceptable, subject to their appropriate construction which will be subject to a S278 Agreement (HA1980).

In respect to the proposed speed limit extension, this will need to be delivered by Shropshire Council, as a Traffic Regulation Order is required. Therefore, the applicant will be required to make a financial contribution of £5,000.00, via S106 agreement (TCPA).

Subsequently, following the delivery of the proposed junction enhancements and speed limit extension, the proposed development is unlikely to lead to significant adverse highway safety conditions and/or “severe harm” (NPPF) on the adjacent highway network, which could be demonstrated or sustained at appeal.

### **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.

#### **4.2.1 SC Highways Development Control (12.08.21) - Comment:**

Although, the general principle of the proposed development could be acceptable from a highways and transport perspective. It is considered that the applicant has not considered the adjacent highway and traffic situation sufficiently, or its interaction with pedestrian and other active travel movements locally. To demonstrate that the development is unlikely to have any significant impact on the local situation.

The Transport Statement has not included any measured local speed data for traffic passing the site access. Instead, relying on the promotion of an extension to the adjacent 40mph speed limit, to be effective, in managing traffic speeds. So that the demonstrated visibility splays, at the development access, are acceptable in

respect to Manual for Streets 2 (MfS2). It should be noted that the existing speed limit, at this location, is exceeded on a regular basis, with the resultant local concerns being raised. These higher vehicle speeds are due to the exit and approach to the Ironbridge Bypass. It is quite likely that moving the speed limit alone is unlikely to change established driver behaviours, to the point where the proposed junction visibility splays would not be acceptable and provide a potential risk to vehicles access and egressing the site access.

Ideally, the applicant should show the actual visibility splays which can be achieved currently, and if possible, negotiate with the adjacent landowners to improve the local situation, which is likely to be mutually beneficial. Particularly, as the introduction of a Traffic Regulation Order (speed limit) cannot be guaranteed, as it requires a formal consultation process. It is known that the Police, who are formal consultees in the process, will object to such speed limit requests, unless appropriate engineering measures are put in place, to ensure that the new speed limit is self-enforcing, as much as possible.

The Transport Statement suggests that the existing right turn facility is adequate for the development, which may be true, for single car movements. But as the supporting tracking diagram indicates a significant number of movements will be towed caravans, as well as some agricultural and service vehicles. Subsequently, a greater length of central carriageway space, should be made available to accommodate these longer vehicles. Particularly, as there is sufficient room available, within the currently hatched area, without adversely affecting the adjacent major junction. Therefore, it would be appropriate for the developer to consider modifying the existing right turn lane to more accurately reflect the space needed to serve the long right turning vehicles.

In addition, enhancement and improvements to this right turn facility may have a positive effect on passing traffic speeds. Particularly, if high contrast surfacing and white lining is provided. Recent observations on site revealed that there were fast moving vehicles in both directions, crossing the double white line markings, effectively driving through the right turning lanes, to overtake slower moving vehicles.

Similarly, the Transport Statement indicates, that this development will significantly increase potential pedestrian movements locally, including the need to safely cross the main road, to access bus stops and other local amenities. Subsequently, further consideration should be given by the developer, to improving pedestrian safety for their visitors, at this location. It is considered that the use of a pedestrian refuges (splitter islands) within the enhanced right turn lane junction. To link the existing adjacent pedestrian footway facilities, on both sides of the carriageway, maybe appropriate.

The proposed road and junction enhancements will need to be supported by an appropriate Road Safety Audit. Subsequently, such improvements if acceptable could also aid the introduction of the extended speed limit being proposed.

#### 4.3 SC Drainage - No Objection:

The proposed drainage strategy in the FRA is acceptable in principle. However, the final detailed drainage proposals, calculations and plans should be submitted for approval.

##### Condition:

No development shall take place until a scheme of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The

approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).

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

#### 4.4 SC Trees - No Objection:

Having read the submitted information including the Salopian Consultancy Arboricultural Appraisal it is apparent that there are significant amenity trees on site which are to be incorporated into the design. The only proposed losses are a C category hedge and C category tree (T55) to be removed for internal access.

I can support the proposal if the following conditions are applied:

1) 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 approval of the LPA.

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

2) 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 LA 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

3) 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 work commencing.

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

4) 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

#### 4.5 SC Environmental Protection (15.11.21) - No Objection:

A report by Groundfirst; Phase I Contaminated Land report; Land at Home Farm, Buildwas, Telford, Shropshire; Report ref. 4223R1, 6th September 2021 FINAL has been submitted in support of this planning application.



Within the development boundary there is a former landfill site, and the Phase I report has identified the need for further investigation and assessment prior to commencement of the development.

A site investigation to include a ground gas risk assessment is required and this must have regard to BS8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings which provides a framework in line with current Environment Agency guidance (2020) Land Contamination: Risk Management (LCRM) and includes information about what is needed for adequate ground gas site investigation in order to assess the risks.

In addition, part of the site is within a Coal Authority Development Low Risk Area and therefore Environmental Protection endorses Coal Authority recommendations that if a site is within a Coal Mining Reporting Area (as defined by the Coal Authority, based on their current data and experience across Great Britain), then a mine gas risk assessment should be carried out. This must have regard to new Guidance, CL:AIRE Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021.

Therefore, applicant must be made aware of the above comments in particular regarding the new guidance requiring a mine gas risk assessment and the following must be included as Conditions if planning permission is granted:

#### Contaminated land

- 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.

#### 4.5.1 SC Environmental Protection (29.07.21) - Comment:

The proposed development boundary is a former landfill site, Home Farm, Buildwas; licence A25/30/SL/111. Home Farm was licensed on 11th July 1990 to accept 5000 cubic metres of hardcore, stone, soil, subsoil and solid dry waste produced in the course of construction, maintenance or demolition of buildings. It was noted from inspection records that at times the operator did not always comply with the conditions of the licence, small quantities of tarmac and in one instance biodegradable waste was deposited. Pre-site and subsequent gas monitoring results recorded low levels of methane with occasional hot spots of carbon dioxide up to 11.5%w (circa 1991).

The proposed site plan shows the reception block and a wildlife pond on the area of landfill and given the fact that a former landfill site has been identified within the site boundary, it is disappointing that the Agent on behalf of the applicant failed to tick the box in Question 6, Land where contamination is suspected for all or part of the site. As a minimum a Phase 1 Desk Study would have been required to be submitted with this application.

if planning permission is granted, conditions must be included to assess the potential risks and mitigate where necessary (Condition as recommended in 4.5 above).

#### 4.6 Environment Agency (28.07.21) - Comment:

**Foul Drainage:** When drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works (those provided and operated by the water and sewerage companies). For a development such as this the application should be accompanied by the 'Foul Drainage Assessment Form' (FDA1) for your Council's consideration.

The submitted Design & Access Statement (Berry's, dated May 2021) states that 'a utility search for foul sewage has been carried out and Severn Trent has confirmed no assets are within the site boundary and highway to the south of the site'. It is therefore proposed that the foul drainage for the site will be 'served by 1 or more package treatment plant(s)'.

In the first instance your Council should be satisfied, in consultation with Severn Trent Water, that the proposed development cannot be served by the nearest public foul sewer. It is believed that the Buildwas Pumping Station is relatively close to the development. Should a connection be feasible your Council and Severn Trent Water must ensure that the existing public mains sewerage system has adequate capacity to accommodate this proposal.

With regards the issuing of an Environmental Permit the applicant should consider the following Environment Agency guidance which is available on the Government website at:

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

It should be noted that the Environment Agency will not issue a Permit for a private sewage treatment system(s) if it's reasonable to connect to the public sewer. The assessment of what is reasonable takes into account:

- the comparative costs of connecting to public sewer and installing a private sewage treatment system
- any physical barriers that would prevent you connecting to the public sewer
- any environmental benefits that would arise from installing a private sewage treatment system such as the reuse of treated effluent

In the event that the applicant can show that it would not be practical to connect to the public foul sewer they should seek pre-permit advice from the Agency using the form:

4.7 SC Archaeology (03.08.21) - No comments to make on this application with respect to archaeological matters.

4.8 SC Conservation (09.08.21) - Comment:

The agent has prepared a Heritage Impact Assessment which I have reviewed and which concludes there is a general lack of inter-visibility with identified heritage assets as a result of the topography of the site and area as well as due to existing vegetation, and further concludes that with the addition of soft landscaping to help retain the rural character of the site the development would generally have a neutral impact on the setting of heritage assets and not constitute a negative change. Based on this assessment there is generally no objection on heritage grounds to the proposed scheme where we would highlight the planting mitigation plan which has been submitted following on from the LVIA that was prepared. We would also refer to our earlier comments on keeping signage minimal and appropriate, maintaining low illumination levels and making sure permanent built forms and features have recessive building finishes where these details should be agreed where relevant.

4.9 SC Ecology (15.11.21) - No Objection:

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

I have reviewed the information and plans submitted in association with the application and I am happy with the survey work carried out.

The ecology survey carried out by Salopian Consultancy (14th June 2021) found no suitable habitat for Great Crested Newts on site and the ponds within 500m scored poorly on the HSI assessment. Three oak trees were identified as having potential roosting features for bats. No further surveys were recommended. In the event a bat of great crested newt is found during works, works must stop and NE or a licensed ecologist must be contacted for advice on how to proceed.

The ancient woodland shall be protected during the course of the development and a minimum of a 15m buffer shall be implemented between the development and the

woodland.

Any external lighting to be installed on the building should be kept to a low level to allow wildlife to continue to forage and commute around the surrounding area. SC ecology require biodiversity net gains at the site in accordance with the NPPF and CS17. The installation of a bat box/integrated bat tube will enhance the site for wildlife by providing additional roosting habitat.

Conditions and informatives are recommended for inclusion on a planning permission decision notice relating to the provision of a minimum of 5 bat boxes and 5 bird boxes; external lighting; work in accordance with the submitted method statement; temporary buffer zone to the ancient woodland during construction works and the submission and approval of a construction environmental management plan. (These are set out in full in Appendix 1 to this report).

4.9.1 SC Ecology (09.08.21) - Comment:

Holbrook Coppice Ancient Woodland lies adjacent to and partly inside the site boundary: The proposed site plan needs to be amended to include a minimum 15m buffer zone (consisting of semi-natural habitats) between the Ancient Woodland and development. As it stands, the proposed development is not in line with paragraphs 174 and 175 of the NPPF, SAMDev Plan policy MD12 or Core Strategy policy CS17.

4.10 Severn Trent Water (13.09.21) - No Objections:

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

4.11 Telford and Wrekin Council - No Objections in principle but ask that the following points be taken into account when determining the application:

-It does not appear that sufficient justification has been provided within the submitted documentation as to how the scheme is an appropriate scale and character to its surroundings (the supporting text refers to being compatible with their location). The scale of development and impacts (transport) relative to the scale of Buildwas needs considering but this does not appear to have been discussed or justified within the supporting statement. This is considered to be necessary, especially when the pre-application advice response mentioned that efforts to minimize the visual impact (scale, lighting, signage and external appearances) are strongly recommended. It is questioned whether there are any designs/illustrations of the caravans to help further assess the proposal?

-It is reasonable to conclude that much of the traffic will flow to and from Telford along the A4169. The scale of development should again be considered in this rural location. The Transport Statement only briefly refers to sustainability (the bus route frequency, connections to rights of way and the possibility of cycle hire). The shuttle bus would be an important benefit and securing this should be a priority rather than it being a possibility. It's not clear how these sustainability benefits are likely to reduce reliance on car movements to and from the site and this should be explored further.

-The site adjoins the Holbrook Coppice Ancient Woodland, which extends into the Shropshire authority area. The proposed layout shows points where the static caravans would be located very close to the ancient woodland (the site plan isn't clear when it has the different green shades whereas Birches Coppice on their plan is within the ancient woodland). Even with the retained tree line, the proposals lie within very close proximity to this protected area and within less than 20m, as requested within the pre-application advice response.

-It is appreciated that separate statements have been submitted for both and from Telford & Wrekin Council's perspective, the key issues are impacts to/from the Wrekin Strategic Landscape Area (SLA) and the World Heritage Site. The SLA is referenced in the LVIA but the WHS isn't mentioned in the Heritage Impact Assessment. Given that the WHS is located only 1.2km away from the application site, Telford & Wrekin Council would request that the impact on this sensitive designation is assessed accordingly.

### **Public Comments**

4.11 Site Notice displayed 21.07.21; Press Notice published 20.07.21. 12 neighbour notification letters sent out.

The comments received are summarised below, with their full text being viewable on the Council's website:

#### 5 Objections:

-Road entrance and proposed access not fit for purpose; already over capacity without accounting for the 5 houses being completed next to it and sharing the access.

- Increase in traffic accessing the lane will cause congestion in all directions which will naturally divert onto the private access road to the rear of Buildwas Cottages, which cannot sustain such traffic that has no right of way.

- Dangerous build up of traffic on the main road which is already an accident hot spot.

- Increased traffic will hinder his right of access.

- Already a perfectly good access point some 500 yards away shown on the plans off B4380 nearer the actual site that would cause none in the community any adversity, harm or hardship.

- Transport Statement indicates there will be 266 two-way extra vehicles using the road due to the caravan site, therefore there will be 660 vehicles (including existing users on the private road, each way, each day - a 415% daily increase.

- Over a 12 hour 'active period' this equates to one vehicle using the route every 60 seconds, with several vehicles on the road at the same time with insufficient passing places on narrow access.

-have safety concerns about the use of their access onto the private drive as traffic builds up.

- Access road not suitable for towed caravans; no footpaths along its length.

-Currently problems with cars and caravans accessing the storage site.

-Will not allow own land for use as splay on road and which would make it difficult for homeowners to exit their properties.

-Additional traffic will increase noise and air pollution in what is currently a quiet

and idyllic environment.

-Site not within or on the edge of a recognised named settlement served by a range of services and facilities.

-Not directly linked or part of an established and viable tourism enterprise where additional accommodation of this form is required and therefore fails to comply with the Shropshire Core Strategy and National Policies.

- No objections to the overall idea for the proposed site, but major concerns over the impact of additional traffic on the proposed access route on highway safety.

-Visual impact cannot be screened by planting and overall mitigation is not convincing.

-Will cause unacceptable harm to the natural environment.

-Site notice has not been publicly visible in a prominent position on the proposed access to the site.

1 letter of support:

- The area is bereft of accommodation of this nature.

- Will do the area a great deal of good.

## **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 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

6.1.2 Core Strategy policy CS5 advises that within the countryside proposals will be supported in principle where they relate to sustainable and rural tourism and leisure and recreation proposals which require a countryside location, in accordance with policies CS16 and CS17. Policy CS16 seeks the development of high quality visitor accommodation in accessible locations served by a range of services and facilities, which enhances the role of Shropshire as a tourist destination to stay. It specifies that in rural areas proposals must be of an appropriate scale and character for their

surroundings and, either be close to or within settlements or associated with an established and viable tourism enterprise where accommodation is required. This site is judged to be close to the settlement Buildwas and relates to land which has been used for leisure activity. (CS17 is discussed in 6.2 below). Core Strategy policy CS13 relating to economic development, enterprise and employment is also supportive of rural enterprise and diversification of the economy, in a number of specified areas which include green tourism and leisure.

- 6.1.3 The Site Allocations and Management of Development (SAMDev) Plan policy MD11 relates specifically to tourism facilities and visitor accommodation, advising that tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and qualities of the site's immediate surroundings, and meets the requirements of other listed Development Plan policies and national guidance. With specific reference to visitor accommodation in rural areas, policy MD11.7 recognises that static caravans, chalets and log cabins can have a greater impact on the countryside and such schemes should be landscaped and designed to a high quality. The requirements of policy MD11.8 are met by this proposal because the holiday let development would conform to the legal definition of a caravan.
- 6.1.4 The above Development Plan policies are wholly in accordance with the National Planning Policy Framework (2021) which advises at paragraph 12 that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. It is supportive of a prosperous rural economy and at paragraph 84 states that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.
- 6.1.5 There is, therefore, no in principle planning policy objection to the current proposal. The acceptability or otherwise of the proposed developments rests on the detailed planning considerations considered in turn below.

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

6.2.1 Core Strategy policy CS6 requires development to be appropriate in scale, character, density and design taking into account local character and context. Policy CS17 complements this by advising that developments should not adversely affect the visual, ecological, geological, heritage or recreation values of Shropshire's natural, built and historic environment. The National Planning Policy Framework (NPPF) at section 12 places an emphasis on achieving good design in development schemes. Paragraph 130 sets out a number of criteria which developments should meet in terms of adding to the overall quality of an area; being visually attractive as a result of good architecture, layout and appearance, and effective landscaping; being sympathetic to local character; establishing or maintaining a strong sense of place; and to optimise the potential of the site to accommodate and appropriate amount and mix of development.

6.2.2 SAMDev Plan policy MD2 (Sustainable Design) expands on policy CS6 in seeking to ensure development contributes to locally distinctive or valued character and existing amenity value and advises at MD2.3 That development proposals should:

“Embrace opportunities for contemporary design solutions, which take reference

from and reinforce distinctive local characteristics to create a positive sense of place, but avoid reproducing these characteristics in an incoherent and detrimental style.”

6.2.3 No details of the holiday caravans/ lodges, other than the slab sizes on which they would be stationed, have been provided. Their appearance is a matter on which a planning condition attached to any approval would specify that the holiday caravans/ lodges stationed on the land would be of the form and appearance shown on drawings which have first been approved in writing by the Local Planning Authority. 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.

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

6.3.1 Core Strategy policy CS6 requires developments to protect, restore, conserve and enhance the natural, built and historic environment. Policy CS17 seeks to ensure that all developments protect and enhance the diversity, high quality and local character of Shropshire’s natural, built and historic environment, and to not adversely affect the visual, ecological, geological, heritage or recreational values of these assets, their immediate surroundings or their connecting corridors.

6.3.2 SAMDev Plan policy MD11.2 states that all proposals should be well screened and sited to mitigate the impact on the visual quality of the area through the use of natural on-site features, site layout and design, and landscaping and planting schemes where appropriate. The applicants have submitted a Landscape and Visual Impact Assessment (LVIA) and a Heritage Impact Assessment (HIA) to address these matters. (The latter is considered in section 6.4 of this report below).

6.3.3 The LVIA submitted contains an analysis of landscape character, identifies landscape and visual receptors, looks at the construction and operational impacts of the proposed development, cumulative effects, the mitigation planting plan and then carries out a landscape assessment and visual assessment. The conclusions reached on the landscape effects are summarised in tables in the LVIA report. With respect to vegetation on the site and its boundaries a slight adverse effect would initially occur, becoming slight beneficial after 3-5 years as planting becomes established. (A moderate adverse nature of effect on the landform of the site is judged not to be significant in the revised LVIA discussed at 6.3.5 below). In the context of the Estate Woodlands landscape character type identified by the Shropshire Landscape Typology an initial slight adverse impact would become negligible after 3-5 years as planting establishes. The proposed development would have a negligible effect on the Shropshire Hills AONB, Ironbridge Gorge World Heritage Site landscape and Wrekin Forest Strategic Landscape designations. In terms of visual effects the LVIA concludes that for the visual receptors comprising users of the Severn Way; Shropshire Way; visitors to the Wrekin and Buildwas Abbey; users of the A4169; users of two rights of way in the locality and residents of properties in and around Hill View Farm the nature of the effect would be negligible and thus not significant. For users of Buildwas Lane and PRow 0409/14/1 there would be an initial slight adverse effect becoming negligible after 3-5 years as planting establishes and so overall the nature of the effect would not be significant. The LVIA concludes the proposed development is considered acceptable in terms of its likely landscape and visual effects.



6.3.4 A review of the LVIA was sought from the Council's retained Landscape Consultants (ESP Ltd). They comment that it is substantially a good piece of work using appropriate methodology and best practice, and that its findings are reliable, with the exception of the assessment of landscape effects on the landform of the site. The proposals would appear to involve a level change of up to 4 metres to accommodate the proposed lodges and pitches, which they advise throws into question the assessment made of the magnitude of change on this receptor. They comment also that the mitigation proposals appear effective (Although there would be net loss of some 3.1ha (23%) of improved grassland on the site, the proposals would lead to a net gain in native woodland and tree cover and increased biodiversity on the remaining grassland areas), but are at a strategy level and so a standard landscape and landscape maintenance condition is recommended. The Council's Consultant's conclusions are that on completion the nature of effect on Landscape Receptors would be slight adverse in respect of vegetation of the site and its boundaries; the landform of the site and the character of the Wooded Estatelands landscape character typology, with the nature of effect 3-5 years after completion being slight beneficial in respect of vegetation, potentially slight adverse in respect of the landform of the site query and negligible on th character of estate woodlands. They concur that there would be negligible effect on the AONB, Wrekin Forest Landscape Designation and Ironbridge Gorge World Heritage Site. In terms of the visual receptors identified, the nature of effect for all after 3-5 years would be negligible, with an initial slight adverse effect for users of Buildwas Lane, public right of way 0409/14/1, residents of properties near Home Farm and residents of Poolview Caravan Park. In their view the proposals have the potential to comply with Development Plan policies CS6, CS16, CS17, MD2, MD11 and MD12.

6.3.5 The agent was asked to supply more details of existing and proposed levels so that further consideration could be given to the site levels/landform changes that the proposed development would require. In response a site levels contour drawing with 3D modelling has been submitted, followed by further clarification in the form of site section drawings and a revised LVIA statement. This explains that the maximum depth of cut would be about 4 metres and the maximum height of fill about 3.5 metres, although most of the cut and fill would be notably less as the section drawings show. Slope gradients would be a maximum of 1 in 3 to minimise the requirement for retaining structures. A Mitigation Planting Plan has also been prepared which includes 2ha of structural/screen planting of a mix of native trees and shrubs. The planting mix includes 8 native tree species and 8 native understorey species. Species have been selected to provide a mix of qualities that include relatively fast and dense growth, evergreens, habitat and food for wildlife (e.g. berried species), longevity, and an ongoing contribution to local landscape character. The layout of the planting has been designed to create a wooded character in the northern part of the site and provide connectivity between existing wooded areas and hedges in the south of the site. Seeding as required of a meadow mix (80:20 mix of grasses & native wildflowers, including 22 species). This mix has been selected to provide a range of species suitable for the varied soil, light and moisture conditions likely to be found across the Site.

This information has been forwarded to the Council's Landscape Consultants and it is anticipated that their further comments on these details will be received in time

for the Committee meeting. The levels drawings show that no levels changes would be made within the root protection areas of the retained trees and hedgerows.

6.3.4 The measures that would be incorporated in the proposed development as a whole, to minimise or mitigate landscape/visual impact would include not just a reliance on screen planting (Which would take time to establish) but also through the cut and fill contouring. The proposed site sections and levels details submitted show that in comparison with existing site levels that on the lower half of the site (Sections A to C) that levels would mostly follow those that exist, with relatively small variations, with cut and fill at the mid and lower parts of this area. The upper half of the site (Sections D to F) would mostly entail cut rather than fill which would assist in reducing the prominence of stationed caravan units on this rising land. The informal terraces which would be created for the pitches without the use of retaining structures would not be out of keeping with the existing land form.

6.3.5 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 an 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**

Core Strategy policy CS6 requires developments to protect, restore, conserve and enhance the natural, built and historic environment. Policy CS17 seeks to ensure that all developments protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment, and to not adversely affect the visual, ecological, geological, heritage or recreational values of these assets, their immediate surroundings or their connecting corridors. SAMDev Plan policy MD13 advises that Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored by ensuring that, wherever possible, proposals avoid harm or loss of significance to designated and non-designated heritage assets, including their settings. Where a proposal is likely to affect the significance of designated or non-designated heritage assets, including their setting, policy MD13.2 requires applications to be accompanied by a heritage assessment. This policy accords with paragraph 194 of the NPPF which advises that local planning authorities should require an applicant to describe the significance of any heritage assets affected by a proposal, including any contribution made by their setting. It explains "The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."

6.4.1 A Heritage Impact Assessment (HIA) has been submitted with this application which has identified designated and non-designated heritage assets in the locality. The former comprise of properties named The Slip, The Moors, Abbey House and associated structures, Buildwas Abbey; remains of a wall S-W of the west end of Buildwas Abbey, Mill House and Bridge House. The latter comprise Home Farm and Hill View Farm (Buildwas Mill). The assessment concludes that the application site has no historic relationship with any identified heritage assets and that there is no inter-visibility with Buildwas Abbey and its associated designated heritage assets which are considered the most sensitive assets of the highest significance. It acknowledges that there is the potential for some dynamic views from lower

ground, but adds that the proposed development would still allow the land to retain its rural character and some level of openness with soft landscaping. There would be no loss of significance to the identified heritage assets due to a general lack of inter-visibility as a result of topography and intervening vegetation. The HIA concludes the proposed development is not anticipated to be a negative change and instead a neutral impact and would not sever the last link between the setting of the relevant heritage assets and their original setting: It would neither increase or decrease the experience of the historic environment. (The conclusions of the LVIA discussed in section 6.3 above that the development would have a negligible impact on the Ironbridge Gorge World Heritage Site is also pertinent here.

6.4.2 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 Core Strategy policy CS6 seeks to ensure that proposals likely to generate significant levels of traffic be located in accessible locations, where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel reduced. It also seeks to secure safe developments. The NPPF, at paragraph 110, advises in assessing applications for development should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.
- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 continues by stating that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.5.2 The Planning Statement submitted states that while a development of this nature will rely on private car transport for access, it is proposed the operator will provide a shuttle bus service to transport guests to the local area and Telford Central railway station. Cycle hire will also be offered to guests to allow them to make local journeys by bicycle. The development would make use of an existing 4.0-4.5m access road running through the farm, with exception to the central section of the access route where a new section of road is proposed to bypass the farmyard and existing caravan storage. Passing places are proposed to be provided at regular intervals along the access route, which would provide an overall width of 6.0 to 6.5m. The access road would be reconstructed and surfaced in permeable tarmac, and/or surfaced in conventional impermeable tarmac and drained by swales. The existing access to Home Farm from the B4380 Buildwas Road is proposed to be improved to provide geometry for vehicles towing large touring caravans. Whilst there are land constraints preventing a new bell-mouthed junction being constructed, localised improvements have been designed to upgrade the existing access. The improvements would facilitate simultaneous entry and exit from the access by large cars towing luxury touring caravans. The existing junction arrangement has a short central right turn 'ghost island' storage lane

for the junction, which would to serve the development traffic. A system of double white lines is provided to the east of the access to protect a right turn lane for the nearby junction with the A4169 Much Wenlock Road.

- 6.5.3 A Transport Statement has been submitted with the planning application. It explains that the reason for the proposed access route via the existing private roads leading through Home Farm is as follows:

*"There is presently an existing access point to the site area from the A4169 Ironbridge Bypass, which provides access to an off-road vehicle events area. As the A4169 is an 'WS2+1' single carriageway road with a crawler lane leading towards Telford, in accordance with the Design Manual for Roads and Bridges (DMRB) CD 123 - Geometric design of at-grade priority and signal-controlled junctions, providing a junction for a development of this nature is deemed not to be acceptable. Consequently, the existing access location from the B4380 is considered to provide an appropriate location for the development to access the local road network. It is intended that the existing access from the A4169 will be retained as an emergency access, but this shall always remain locked and will only be used in an emergency situation."*

The Transport Statement comments that the existing speed limit on the Buildwas Road at the site access is presently the national speed limit. The terminal signs for a 40mph speed limit for Buildwas village is some 60 metres west of the access. The application proposes that the 40mph speed limit is extended to a point to the east of the site access near to the junction with Much Wenlock Road. The Transport Statement asserts the visibility splays achievable at the proposed site access of 2.4 metres by 79 metres, applying criteria from Manual for Streets 2, in conjunction with the 40mph speed limit extension, would be appropriate for the prevailing highway conditions. There is an existing ghost island for the private access with the B4380 which would be retained and improved as part of the proposed development for the benefit of traffic turning right into the access to the proposed development off the B4380.

- 6.5.4 The Transport Statement includes a review of collisions in the last five years within 250 metres of the site access, of which there has been four at the junction of the B4380 with the A4169 to the east of that access. It does not consider the details of these incidents suggest that there is a significant road safety problem with that junction, which is unrelated to that proposed for use by this development. The conclusions reached by the Transport Statement are:

*"The site benefits from excellent connectivity with the wider road network via the A1469 which joins the B4380 just a short distance from the site*

*Sustainable travel options are available for the development in the form of a local bus route and potential opportunities for cycling and walking trips. We also propose that a shuttle bus service to and from Ironbridge is provided for customers staying at the site.*

*We estimate that the development will generate an additional 266 2-way traffic movements on the network per day. We consider that the site access and local road network has sufficient capacity to accommodate these*

*movements and no road safety or capacity issues are anticipated as a result of the proposed development."*

6.5.5 The final comments of the Council's Highways Consultants are set out at 4.2 above, with their initial commentary being at 4.2.1. they consider that the proposals would not have an unacceptable impact on highway safety, and would have no significant effects on the transport network (In terms of capacity and congestion) provided that the proposed right turn lane/ghost island enhancements are delivered in conjunction with the speed limit extension. With these measures paragraph 111 of the NPPF (Quoted in full at the end of paragraph 6.5.1 above) would not be engaged. A Section 106 Agreement would be required as part of any grant of planning permission to provide a financial contribution of £5000.00 towards the cost of the Traffic Regulation Order for the speed limit extension.

## 6.6 Ecology

6.6.1 Core Strategy policies CS6 and CS17 seeks to ensure developments do not have an adverse impact upon protected species, and accords with the obligations under national legislation.

6.6.2 The application is accompanied by an Ecological Appraisal which incorporates an Extended Phase 1 Survey, a Preliminary Roost Assessment of trees and a Habitat Suitability Assessment (HSI) in respect of ponds and great crested newts. This work has established that further Phase 2 surveys to inform licensing or mitigation measures are not necessary.

6.6.3 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 Core Strategy policy CS6 seeks to safeguard residential amenity. The nearest residential properties to the site are those situated in the vicinity of the junction of the private road which would serve the development with the B4380. Other properties are well to the south of the site, beyond woodland on the opposite side of the A1469. The separation distances between the proposed lodges and existing dwellings, coupled with the topography and proposed layout would ensure no significant privacy or overbearing impacts on existing properties. The proposed

landscaping scheme would also assist in reducing further the inter-visibility between the properties. While there would be noise and fumes associated with the traffic movements generated by the proposed development, in addition to the current farm and caravan storage traffic using this access road, it is not considered that this would be sufficient to justify a refusal on the grounds of undue harm to the residential amenities of the locality.

6.8.2 It is almost inevitable that building works anywhere cause some disturbance to adjoining residents. This issue is addressed by a recommended condition on the restricting hours of working to 07.30 to 18.00 hours Monday to Friday; 08.00 to 13.00 hours Saturdays and not on Sundays, Public or Bank Holidays, and a condition requiring the approval of a construction method statement to mitigate the temporary impact.

## 6.9 Contamination

6.9.1 Core Strategy policy CS6 seeks to secure safe developments. The National Planning Policy Framework (NPPF), at paragraph 183, advises that planning decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from land instability and contamination. It states that adequate site investigation information, prepared by a competent person, should be available to inform these assessments. The NPPF continues at paragraph 184 stating where land is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. A Phase 1 Contaminated Land Report has been submitted with the application which has been prepared by Ground First Ltd. The report concludes that further investigation and/or suitable mitigation is required in order to manage potential low to moderate ground gas risks, due to past landfill activity on part of the site, and a suitable watching brief should be maintained during the groundworks phase of development.

6.9.2 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 above.

## 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 on the grounds of the proposals contained in this application would cause unacceptable visual harm to the landscape, and 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 using nationally recognised standards and modelling 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, 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)
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.



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

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

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

### **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  
ocarry 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  
oundertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway, or

ootherwise 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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