

# AGENDA ITEM



Committee and date

**16<sup>th</sup> April 2024**

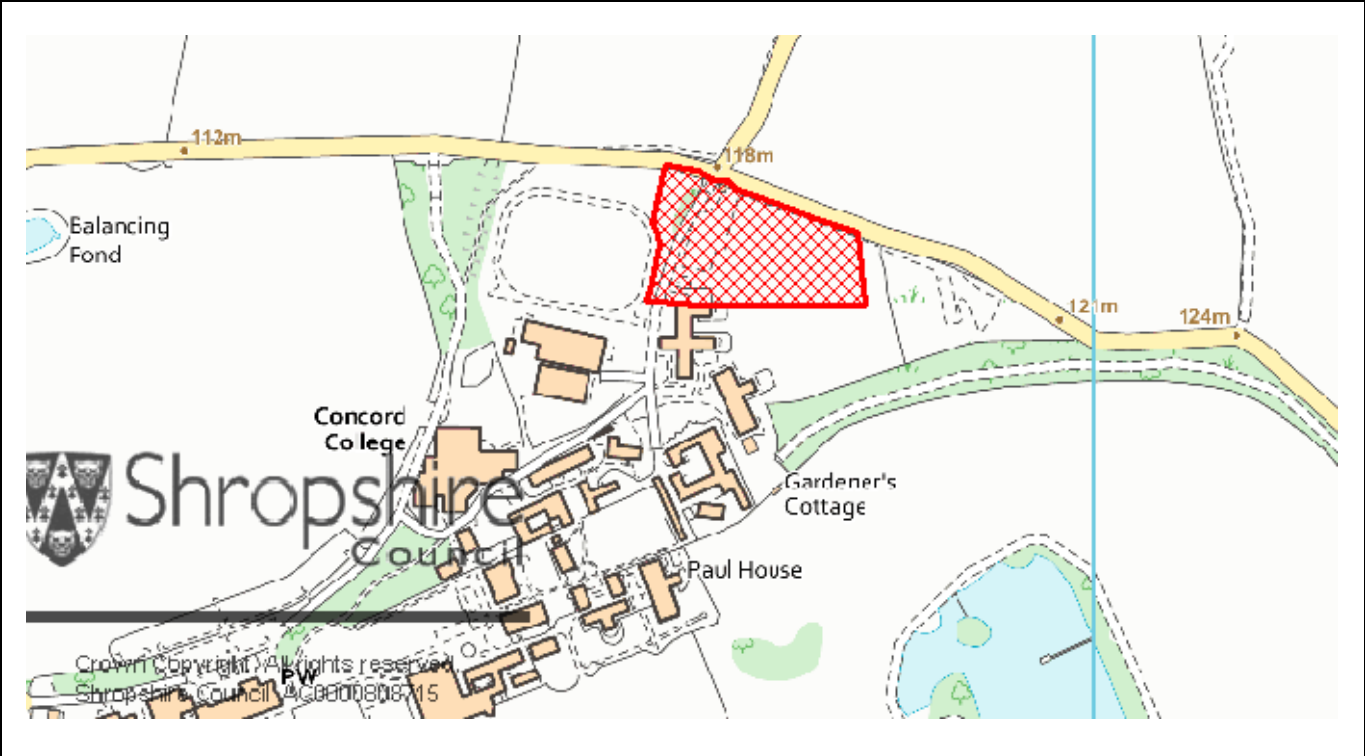
## Development Management Report

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

### Summary of Application

<b>Application Number:</b> 23/04725/FUL	<b>Parish:</b>	Acton Burnell
<b>Proposal:</b> Erection of boarding house with staff accommodation, associated landscaping and parking.		
<b>Site Address:</b> Concord College Acton Burnell Shrewsbury Shropshire SY5 7PF		
<b>Applicant:</b> Concord College		
<b>Case Officer:</b> Lynn Parker		<b>email:</b> <a href="mailto:lynn.parker@shropshire.gov.uk">lynn.parker@shropshire.gov.uk</a>

**Grid Ref:** 353422 - 302018



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

## REPORT

### 1.0 THE PROPOSAL

1.1 This application is for the erection of a new boarding house at Concord College, Acton Burnell. The proposed development includes a three storey boarding house with 60 ensuite bedrooms, staff accommodation, re-provision of car parking spaces, resurfacing of a private track, tree removal and hard and soft landscaping works. The building is proposed to the north east section of the campus adjacent to existing boarding houses.

1.2 Concord College is an independent boarding school well established over decades at the Acton Burnell site and which has been steadily growing in pupil numbers and reputation. It is an internationally recognised establishment within Shropshire that caters for boarding and day pupils with a licence of up to 630, many of whom are from overseas and live on the campus for most of the academic year. Through the development of a masterplan strategy for the College, whilst the focus is for a consolidation period, inadequacies in the current boarding facilities were identified. A number of the existing boarding houses do not have ensuite facilities and offer limited flexibility due to the need for separate boys and girls accommodation.

1.3 The proposed boarding house is designed to meet the National Minimum Standards for Boarding Schools. In addition to each bedroom having an ensuite shower room and toilet, the layout provides increased access control to internal corridors to allow the building to be divided in multiple ways both vertically and horizontally to house boys and girls securely in the same building. This layout would be adaptable to differing male and female student intake numbers. Common spaces to provide a central place to socialise and cook, staff accommodation in the form of Boarding Parents living accommodation, Assistant House Boarding Parents apartment and a tutor bedsit are included the layout. The aim is to enhance student wellbeing and provide a safe base to live whilst they are away from home.

1.4 To achieve a sustainable design, the proposed boarding house would have thermally insulated walls, floors and roofs, and natural ventilation. Low energy use systems including air source heat pumps and roof mounted solar panels are incorporated into the proposed development to achieve energy efficiency. All entrance and exits will have level access thresholds and the ground floor level houses 3 accessible bedrooms with accessible shower rooms.

1.5 As a result of a design development process, the final form of the boarding house is proposed with an irregular footprint intended to break up the facades of the building and reduce its perceived massing, albeit of a scale commensurate with the

adjacent existing boarding house at Taylors Residence. The proposed materials have been selected to integrate the building into its surrounding context and environment rather than replicating what is already present. An upgraded palette is indicated of high quality materials to include timber cladding, zinc facades and roofing, a black brick base and red brick spine.

- 1.6 During the course of the application, various amendments have been made in response to concerns raised by consultees and through public representation. The main amendments reduce the height of the proposed building by 0.6m and alter the materials palette by introducing darker more recessive finishes by replacing the red brick with black, and indicating a darker stain for the timber cladding. Additionally the LVA has been amended and updated, and planting proposed within the landscape strategy increased and enhanced with typical parkland species.

## 2.0 SITE LOCATION/DESCRIPTION

- 2.1 Concord College is located on the east side of the settlement of Acton Burnell and is accessed via minor and C roads from the A458 to the north and east and the A49 to the west. The campus occupies 73 acres of land with the main College building, Grade II\* Listed Acton Burnell Hall, positioned centrally on the south side. There are additionally Grade I St Mary's Church and Grade I Acton Burnell Castle in the south west corner of the campus. The Castle is also a Scheduled Monument as a moated site with a chamber block and tithe barn. The whole campus falls within Acton Burnell Historic Park and Garden and the majority of it within Acton Burnell Conservation Area. However the north west corner in which the new boarding house is proposed is outside the Conservation Area boundary.

- 2.2 The wider site benefits from much mature landscaping around and between its buildings with larger open areas of garden and sports fields to the north and south of the central built environment. The main access is via a tree lined driveway extending from the northern boundary with the main sports field on its west side and the site for the new boarding house adjacent to the east side. The development site is level and currently a gravelled car park. It is adjacent to two more recently constructed boarding houses to the south and a field extending to the east which contains ground source heat pumps.

- 2.3 This site is visible from adjacent roads and countryside to the north and east behind its native perimeter hedging dotted with mature trees. There are no neighbouring properties within 500m of the proposed boarding house site outside the campus as the adjacent land to the north comprises level agricultural fields with views across to the Wrekin in the distance.

## 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Parish Council comments are at variance with the Officer view and the Local Member has requested Committee determination. The Chair of the South Planning Committee, in consultation with the Development Manager South, consider that material planning considerations are raised which warrant consideration by the

South Planning Committee.

4.0 Community Representations

4.1 Consultee Comments

4.1.1 Acton Burnell, Frodesley, Pitchford, Ruckley and Langley Parish Council (06-02-24)  
- Maintain their strong objection to this proposal as detailed in comments dated 11th December 2023. The very large building would be clearly visible from the road and completely alter the natural environment and views approaching Acton Burnell from Acton Pigott, Evenwood and Cound Moor.

Acton Burnell, Frodesley, Pitchford, Ruckley and Langley Parish Council (111-12-23) - Strongly object to this planning application. The Council is not opposed to the principle of building a new boarding house on the College site, however the scale, nature and location of the proposed development close to the road would have a severely negative impact on the natural and historic environment of Acton Burnell. The application fails to comply with CS6, CS17, MD2 and MD13. Concerned over: the modern design of the building and its construction materials; its domination of the skyline; impact on the adjacent Conservation Area; that it would become a local landmark overshadowing the beautiful views and heritage buildings of the village; that it would result in increased light pollution. A very detailed construction traffic management plan is requested.

4.1.2 SC Drainage - The drainage proposals are acceptable.

4.1.3 SC Highways - No objection. Pre-commencement conditions recommended in relation to the provision of a Construction Management Plan.

4.1.4 SC Environmental Protection - No comments.

4.1.5 SC Conservation - In principle there is no heritage objection raised with the location and plan form for this new building. The amended more muted external finishes should go some way to mitigating the visual impact of the relatively large building form as will the revised landscaping scheme.

4.1.6 SC Archaeology - No comments to make on this application with respect to archaeological matters.

4.1.7 Historic England - Do not offer any advice, and suggest we seek the views of our specialist conservation and archaeological advisers.

4.1.8 The Gardens Trust and Shropshire Gardens Trust - No objection.

4.1.9 SC Trees - No objection. A detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) have been produced which demonstrate how the proposal can be achieved without damaging the significant trees including 2 veteran Oaks which are important locally and to the appearance of the site. Pre-

commencement condition recommended in relation to tree protection measures.

4.1.10 SC Landscaping - The assessment methodology of the LVA reflects the recommendations of GLVIA3 and the landscape and visual assessment results are generally reliable. Pre-commencement conditions recommended in relation to a detailed soft landscaping scheme and a Landscape Management and Maintenance Plan.

4.1.11 SC Ecology - The information and plans submitted with the application have been reviewed and the level of survey work carried out is acceptable. A pre-commencement condition in relation to biodiversity net gain is recommended.

## 4.2 Public Comments

4.2.1 Confirmation of site notice display received on 16th November 2023. Proposed development advertised in the Shropshire Star on 21st November 2023 as being a Major development and affecting a Conservation Area.

4.2.2 Five letters of public representation have been received from four different members of the public expressing objection to the application. These can be viewed in full online, however the concerns are summarised below:

- The amendments to the scheme are minimal and will not mitigate the impact of this building on the environment.
- Object to the location, massing and visual intrusion of the proposed 3 storey building on the adjacent highway and surrounding land.
- Too close to the road with no screening or bunding to mitigate its dominance in the landscape.
- The proximity of the proposed new building and its access to existing trees.
- A residential building of this scale and size will have considerable impact on the views towards Acton Burnell Hill and the Conservation Area unless it is carefully positioned and adequately screened.
- There should be more screening of the building.
- The approach views from the east across the landscape into Acton Burnell would be impacted upon.
- There will be considerable light spillage from over 100 windows in the building to the detriment of local residents and wildlife.
- Continued usage of a substandard access to the highway.
- There is a lack of consultation with the residents of Acton Pigott.

## 5.0 THE MAIN ISSUES

- Principle of development
- Siting, scale and design of structure
- Visual impact and landscaping
- Impact on the historic environment
- Ecology and BNG

## 6.0 OFFICER APPRAISAL

### 6.1 Principle of development

6.1.1 Concord College is an established educational facility which occupies a significant area of the settlement of Acton Burnell. The planning use of the campus is a residential institution falling within Class C2. Unrestricted residential open market housing would not be supported in this area as it is countryside outside of any development boundaries designated under existing planning policies. However Policy CS11 does allow for specialist housing provision in appropriate locations and where there is an identified need.

6.1.2 LDF Core Strategy Policy CS5 states that proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits. It identifies specific types of development which may be acceptable, including the retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate. Policy CS8 seeks to protect and enhance existing facilities, including schools, and to facilitate the timely provision of additional services to meet identified needs in locations that are appropriate and accessible.

6.1.3 The College has identified a need for additional student accommodation and a requirement for it to be of a higher quality than some of the existing boarding houses on the campus. The proposed development would be specialist housing provision for an identified need that appropriately expands an established business within its existing site. The scheme is therefore considered to be acceptable in principle.

### 6.2 Siting, scale and design of structure

6.2.1 The proposed site on the north eastern side of the campus has been carefully selected by the College as the most viable for a new boarding house for a number of reasons. Most of the new development that has taken place at the College in recent years has been directed to the north eastern section of the campus which is not within the Conservation Area and is furthest away from the Listed Buildings and Scheduled Monument within the site, limiting intervisibility with them. This part of the campus is additionally furthest away from the buildings and residences within Acton Burnell itself. Therefore it is logical to site a new boarding house in this location where it would be adjacent to two existing boarding houses. The specific siting of the boarding house in this area is limited by the presence of ground source heat pumps under the ground immediately to the east restricting any potential re-positioning, and by the sports facilities across the driveway to the west where there is a covenant on the land which prevents permanent structures there. Any development further west would also result in the inappropriate loss of existing sports pitches. Given that as part of the College masterplan, it has been identified that additional boarding facilities are required above the replacement and upgrading of some existing boarding houses (projects which are also to be

forthcoming), the most logical and practical position for the new boarding house is the one hereby proposed.

6.2.2 The scale of the proposed boarding house is determined by the number of additional bedrooms identified as being required. The proposed building is three storeys to limit its footprint - a lower building would result in a significantly larger footprint to accommodate 60 bedrooms. The adjacent existing boarding house is of a commensurate scale with three storeys and accommodates 65 bedrooms.

6.2.3 The design and form of the building have been carefully compiled to both minimise its mass and to introduce materials and shapes that could aid integration with the surrounding environment. Substantial sections of timber cladding have been employed on all facades together with solar shading fins to soften its appearance in respect of the adjacent natural environment. This treatment of the facades has a vertical emphasis which also alludes to the tree line driveway to the west. The proposed irregular footprint shape and variation in elevation depths unified by a central spine combined with the high quality palette of materials indicated would result in an institutional building with much visual interest rather than one which is a simple rectangular block. SAMDev Plan Policy MD2 allows for the embracing of opportunities for contemporary design solutions, which take reference from and reinforce distinctive local characteristics to create a positive sense of place, and the proposed boarding house responds positively in this way achieving a well-designed and beautiful place in accordance with Section 12 of the NPPF.

6.3 Visual impact and landscaping

6.3.1 A Landscape and Visual Appraisal (LVA) has been submitted in support of the application which has been twice amended in response to consultee comments. SC Landscape comments have been sought on the most recently submitted version - Rev C, and have confirmed the landscape and visual assessment results as generally reliable.

6.3.2 The Appraisal concludes that the proposed campus location specifically selected outside the Conservation Area and furthest distance from Listed Buildings, the Scheduled Monument and residential properties in Acton Burnell to minimise both potential landscape and visual effects, would at worst have a moderate adverse effect. The landscape strategy proposed to mitigate the effect is based on several core principles including the conservation and enhancement of the existing characteristic boundary hedgerows and mature trees, and the proposed provision has been increased through amendment. It introduces semi-mature evergreen trees to screen the proposed development from the north and a change in the management of the boundary hedgerow to allow it to increase in height alongside the woodland buffer to the east. Additionally, the choice of cladding materials has been selected to be more reflective of the historic and rural setting and of colours to help the proposal recede into the existing landscape.

6.3.3 SC Landscape had previously commented that there were concerns that the

proposed mitigation planting to the north of the proposed boarding house would likely to be inadequate to sufficiently mitigate adverse landscape and visual effects to the north of the site. Additionally recommendations were made to amend the methodology of the LVA and landscape strategies. The LVA has been amended to explain how the value and susceptibility of receptors has been combined through the methodology and to address the effectiveness of mitigation planting to the north of the boarding house, reducing the visual effects for users on the two adjacent lanes.

6.3.4 The amended landscape strategy has introduced planting appropriate to a parkland setting into the north eastern corner of the campus where the boarding house is proposed. The submitted Heritage Statement advises that this section of the campus has relatively recently been included in the parkland and this accounts for the existing absence of mature trees here. The introduction of the landscaping proposed in this section would protect and enhance this valued landscape in accordance with Section 15 of the NPPF. Semi-mature Holm Oaks are proposed along the northern boundary and at the northern gable end of the building as these are an evergreen species of parkland tree which would provide all year screening to filter views of the boarding house. Their positioning would provide a layering of trees canopies between the road and boarding house which would further visually break up its mass in addition to its design, and would contribute positively to the special character of the parkland. This planting would complement the existing veteran Oaks immediately to the west. In accordance with Policy MD12, the amended LVA and landscape strategy would avoid harm to Shropshire's natural assets and their conservation, enhancement and restoration would be achieved.

6.4 Impact on the historic environment

6.4.1 Further to the submission of the LVA Rev C and the revisions to the proposed material palette, SC Conservation have confirmed that the visual impact of the relatively large building form would be suitably mitigated.

6.4.2 There is no in principle heritage objection to the proposed development, its location or plan form. Its location is within the north east extent of the campus away from the Listed Buildings and other buildings/features of historic interest. New build elements have been previously encouraged within this area to avoid issues of co-visibility and intervisibility with built heritage assets, and to better mitigate potential setting impacts. The proposed boarding house of three storey height in the selected position adjacent to the northern boundary would be visible from outside the campus.

6.4.3 Following the amendment to reduce the height of the boarding house, SC Conservation had retained some concern that it could still be a dominant form looking into the site and the Conservation Area, and that this may be exacerbated by the less recessive appearance of natural cladding indicated for the elevations. However, the proposed landscape strategy has been revisited and planting is now indicated that would both further contribute to filtering the view of the building and



to enhancing the existing parkland. This together with the amended more muted materials palette would reduce the potential dominance of the structure in this environment. The proposed development, as amended, is appropriate in its scale and design in that it would conserve and enhance the historic context of this campus avoiding harm to the heritage assets within the site and their settings in accordance with Policies CS6, CS17, MD2 and MD13.

## 6.5 Ecology and BNG

6.5.1 A Preliminary Ecological Appraisal and Biodiversity Metric Assessment have been submitted in support of this application in addition to proposed landscaping. SC Ecology have noted that no further ecological surveys are required and have recommended ecological enhancement conditions accordingly. BNG has been proposed as on-site provision and predicts a net gain of 29.7% Habitat Units and 123.7% Hedgerow Units. A Construction Environment Management Plan and Habitat Management Plan will be required pre-commencement in order to protect existing habitat during construction, to ensure the formation of new habitat as indicated, and to secure the habitat compensation value at no net loss.

## 7.0 CONCLUSION

7.1 The proposed boarding house and associated works, as amended, with a reduction in height, a revised materials palette with darker more recessive finishes and a more robust landscaping strategy is acceptable development for specialist housing where there is an identified need in this appropriate campus location serving a viable and internationally recognised College. Whilst the proposed boarding house would be visible from outside the campus and could not be fully screened, it has been identified that a building of this scale is required and it is of a commensurate scale with the adjacent boarding houses. Both the design of the building and the landscape strategy now proposed would help to reduce potential impact from the mass of the structure. Sufficient information has been submitted to demonstrate that this is the most viable site within the campus where the new boarding house will have the least impact on the various environments concerned. The development would not adversely impact on the character and appearance of heritage assets or their settings and would provide enhanced landscaping appropriate to the surrounding parkland. As such my recommendation is for Approval.

## 8.0 Risk Assessment and Opportunities Appraisal

### 8.1 Risk Management

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

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.

- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

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

## 8.2 Human Rights

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

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

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

## 8.3 Equalities

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

## 9.0 Financial Implications

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

## 10. Background

### Relevant Planning Policies

#### Central Government Guidance:

National Planning Policy Framework

National Planning Practice Guidance

#### LDF Core Strategy Policies:

CS5 Countryside And Green Belt

CS6 Sustainable Design And Development Principles

CS8 Facilities, Services And Infrastructure Provision

CS13 Economic Development, Enterprise And Employment

CS17 Environmental Networks

CS18 Sustainable Water Management

#### Site Allocations & Management Of Development (SAMDev) Plan Policies:

MD2 Sustainable Design

MD12 Natural Environment

MD13 Historic Environment

### RELEVANT PLANNING HISTORY:

There is no planning history specifically for the proposed location, however there is substantial planning history for the wider College campus. The following details relate to the existing adjacent boarding house:

14/05709/FUL - Erection of accommodation block comprising 65 student beds and two self contained staff dwellings. Granted 1st June 2015

## 11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S3CVP0TDL4700>

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

- Planning Statement dated October 2023
- Drainage Design Report by Causeway dated 19/01/24.
- BEA Landscape & Visual Appraisal 2367-TGW-LVA001 Rev C.
- BEA LVA Figures 1-8A

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- BEA LVA Figures 9-18.
- Biodiversity Metric Assessment by Middlemarch and Appendix dated October 2023.
- Preliminary Ecological Appraisal by Middlemarch dated September 2023.
- Arboricultural Survey - Arboricultural Impact Assessment by Llanerch Arboriculture LA-2023-021 Revision A and Appendices dated 26/09/23.
- Arboricultural Survey - Method Statement by Llanerch Arboriculture and Appendices dated 23/01/24.
- Heritage Statement by Pegasus Group P23-1548 dated 20/10/2023.
- Transport Statement by Pegasus Group P23-1437 TRO2 dated October 2023.
- Flood Risk Assessment & Drainage Strategy Report R100 Revision 1.2 dated October 2023.

Cabinet Member (Portfolio Holder) - Councillor Chris Schofield

Local Member - Cllr Dan Morris

Appendices

APPENDIX 1 - Conditions

## APPENDIX 1

### Conditions

#### STANDARD CONDITIONS

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, drawings and documents as listed in Schedule 1 below.

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

3. Details and samples of all the materials to be used externally on the boarding house and hard surfacing hereby approved, shall have been first submitted to and approved by the Local Planning Authority in writing before being used in the development. The development shall be carried out in accordance with the approval details.

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

#### CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. 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.

5. No development shall take place, including any demolition works, until a Construction Management Plan incorporating a Method Statement has been submitted to and approved in writing by the Local Planning Authority. and shall provide for:

1. A construction programme including phasing of works.
2. 24 hour emergency contact number.
3. Hours of operation.
4. Expected number and type of vehicles accessing the site: deliveries, waste, cranes, equipment, plant, works, visitors; size of construction vehicles; the use of a consolidation operation or scheme for the delivery of materials and goods; phasing of works.

5. Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction).
6. Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
7. Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site.
8. Locations for storage of plant/waste/construction materials.
9. Arrangements for the turning of vehicles, to be within the site unless completely unavoidable.
10. Arrangements to receive abnormal loads or unusually large vehicles.
11. Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available.
12. Any necessary temporary traffic management measures.
13. Measures to protect vulnerable road users (cyclists and pedestrians).
14. Arrangements for temporary facilities for any bus stops or routes.
15. Method of preventing mud being carried onto the highway.
16. Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The Plan shall be adhered to throughout the construction period.

Reason: This information is required prior to the commencement of the development in the interests of the safe operation of the adopted highway in the lead into the development both during its demolition and construction phase to result in the provision of a sustainable development.

6. Before any construction works hereby approved are commenced, a Construction Environment Management Plan (CEMP) and Habitat Management Plan (HMP) expanding upon the information provided within the Biodiversity Metric, Landscape Plan and Ecological Appraisal documents detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat, to secure a habitat compensation value of no net loss, shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP/HMP document the following information shall be provided:

1. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur).
2. Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation.
3. Details of species composition and abundance (%age within seed mix etc.) where planting is to occur.
4. Proposed management prescriptions for all habitats for a period of no less than 30 years.
5. Assurances of achievability.
6. Timetable of delivery for all habitats, and

7. A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.

The development shall thereafter be undertaken in accordance with the approved CEMP/HMP.

Reason: This information is required prior to the commencement of the development to ensure the sustainable provision of natural environment and to protect and enhance features of recognised nature conservation importance, in accordance with MD12, CS17 and section 180 of the NPPF.

7. A Landscape Management and Maintenance Plan for the landscape areas identified in the Landscaping Scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All vegetation detailed within the Landscaping Scheme shall be managed in accordance with the approved Landscape Management and Maintenance Plan for a minimum of five years following planting. If within this 5 year period any tree, shrub or hedgerow or any replacement planting is removed, uprooted or dies or becomes seriously damaged or diseased, replacement planting of the same species and size shall be planted in the same location in the next planting season.

Reason: This information is required prior to the commencement of the development to secure and maintain establishment of the landscaping in the interests of visual amenity and ecology.

8. No development shall take place until a scheme providing full details of the soft landscaping to be implemented on the site has been submitted to, and approved in writing by, the Local Planning Authority. The Landscaping Scheme submitted shall be in accordance with the details illustrated on the approved Soft Landscape Strategy (Drawing 23-076-P-01 REV P05). The Scheme shall include a planting plan and specification for all grassed areas, tree, shrub and hedgerow planting providing schedules for all new planting and seeding, noting species, mixes, planting sizes and proposed numbers/densities where appropriate, and a timetable for implementation. All new planting shall be implemented in accordance with the approved details and implementation programme. If within a period of 5 years from the date of planting, any tree, shrub or hedgerow or any replacement planting is removed, uprooted or dies or becomes seriously damaged or diseased replacement planting of the same species and size shall be planted in the same location in the next planting season.

Reason: This information is required prior to the commencement of the development to ensure the sustainable provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and the provision of enhancements for biodiversity in accordance with the NPPF, MD12 and CS17.

9. All pre-commencement tree works and tree protection measures as detailed in the submitted Llanerch Arboricultural Method Statement and Appendix 1 Tree Protection Plan LA-2023-045-TPP 10 shall be fully implemented to the written satisfaction of the Local Planning Authority, before any development related equipment, materials or machinery are brought onto

the site.

Reason: This information is required prior to the commencement of the development to safeguard important trees

10. Prior to the commencement of the development the consulting arboriculturist shall be appointed to undertake supervision and monitoring of the tree protection fencing and other measures at pre-commencement stage and throughout the construction period as outlined in Appendix 2 Arboricultural Method Statement Checklist Ref: LA-2023-045 and submit to the Local Planning Authority a satisfactory Completion Statement to demonstrate compliance with the approved tree protection measures at each stage listed.

Reason: This information is required prior to the commencement of the development to ensure the satisfactory overview and delivery of tree protection measures on site that require supervision by a competent arboriculturist.

## **CONDITIONS THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT**

11. Prior to first occupation/use of the boarding house hereby approved, the makes, models and locations of wildlife enhancements shall be submitted to and approved in writing by the Local Planning Authority.

The following boxes shall be erected on the site:

- A minimum of 8 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 8 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), house martins (house martin nesting cups), swallows (swallow nesting cups) and/or small birds (32mm hole, standard design).
- A minimum of 6 artificial nests, of integrated brick design, suitable for swifts (swift bricks).
- A minimum of 4 invertebrate bricks/houses of integrated or external design, suitable for pollinators.
- A minimum of 2 hedgehog domes (standard design) suitable for hedgehog refuge.

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

Swift bricks should be positioned as follows:

- 1) Out of direct sunlight
- 2) At the highest possible position in the buildings wall
- 3) In clusters of at least three
- 4) 50 to 100cm apart



- 5) Not directly above windows
- 6) With a clear flightpath to the entrance
- 7) North or east/west aspects preferred.

(See <https://www.swift-conservation.org/Leaflet%20-%20Swift%20Nest%20Bricks%20-%20installation%20&%20suppliers-small.pdf> for more details)

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

12. Prior to the erection of any external lighting on the site, a Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trusts Guidance Note 08/18 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

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

13. Prior to the erection of any associated signage on the boarding house hereby approved, full details shall be submitted to approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory and that the addition of signage would not result in an adverse visual impact.

14. Prior to first occupation/use of the boarding house hereby approved, details of any external extraction or servicing equipment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

## **CONDITION THAT IS RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

15. The boarding house hereby approved shall not be used for any other purposes than those uses within Use Class C2 - Residential Institutions of the Town and Country Planning (Uses Classes) Order 1987 (as amended), and shall only be used in connection with Concord College educational establishment. The boarding house shall not at any time be sold, let or otherwise disposed of as separate unit.

Reason: The application has been considered on the basis of it providing accommodation for a specific housing group only and its suitability for other uses has not been assessed. The site is

an area where unrestricted residential accommodation would not be supported by local plan policy.

## **Informatives**

1. In determining the application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework

National Planning Practice Guidance

LDF Core Strategy Policies:

CS5 Countryside And Green Belt

CS6 Sustainable Design And Development Principles

CS8 Facilities, Services And Infrastructure Provision

CS13 Economic Development, Enterprise And Employment

CS17 Environmental Networks

CS18 Sustainable Water Management

Site Allocations & Management Of Development (SAMDev) Plan Policies:

MD2 Sustainable Design

MD12 Natural Environment

MD13 Historic Environment

2. Where there are pre commencement conditions that require the submission of information for approval prior to development commencing at least 21 days notice is required to enable proper consideration to be given.

3. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from [www.planningportal.gov.uk](http://www.planningportal.gov.uk) or from the Local Planning Authority. The fee required £145 per request, and £43 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

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

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

All vegetation clearance, tree removal and scrub removal and/or conversion, renovation and demolition work in buildings [or other suitable nesting habitat] should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

[Netting of trees or hedges to prevent birds from nesting should be avoided by appropriate planning of work. See guidance at <https://cieem.net/cieem-and-rspb-advise-against-netting-on-hedges-and-trees/>.]

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

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

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

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

Areas of long and overgrown vegetation should be removed in stages. Vegetation should first be strimmed to a height of approximately 15cm and then left for 24 hours to allow any animals to move away from the area. Arisings should then be removed from the site or placed in habitat piles in suitable locations around the site. The vegetation can then be strimmed down to a height of 5cm and then cut down further or removed as required. Vegetation removal should be done in one direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife.

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

# AGENDA ITEM

- 16<sup>th</sup> April 2024

Concord College

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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