



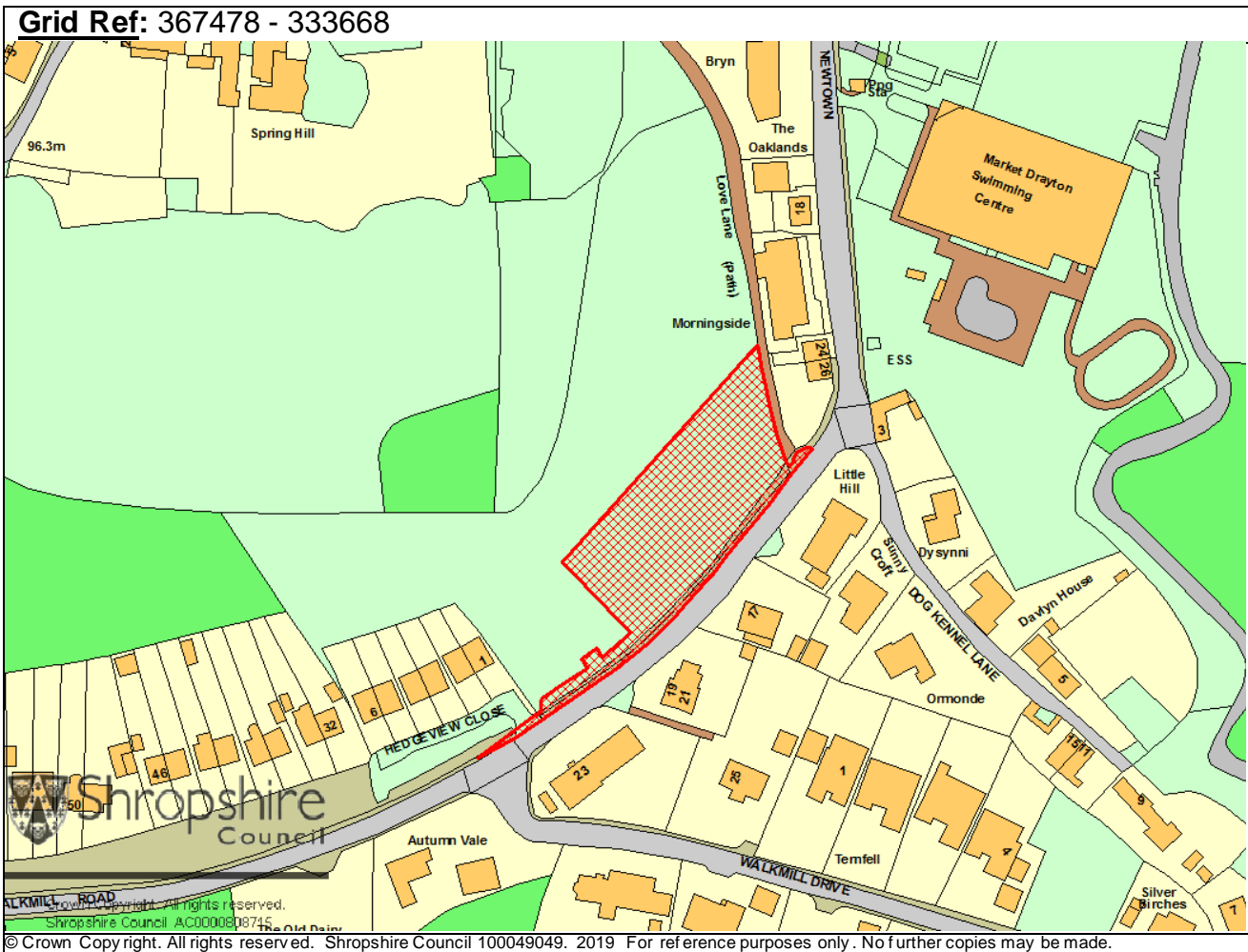
Committee and date
North Planning Committee
 18th February 2025

Development Management Report

Responsible Officer: Rachel Robinson, Director of Health Wellbeing and Prevention

Summary of Application

Application Number: 24/01359/FUL	Parish:	Market Drayton
Proposal: Erection of three detached bungalows including formation of single shared vehicular access, provision of new vehicular access to paddock and provision of 2 metre wide footpath		
Site Address: Land Off Walkmill Road, Walkmill Road, Market Drayton, Shropshire		
Applicant: Amos Investments Ltd		
Case Officer: Richard Denison	Email: richard.denison@shropshire.gov.uk	



Recommendation: Grant permission subject to the satisfactory completion of a Section 106 agreement to secure the Biodiversity Net Gain for 30 years, and conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This application relates to the erection of three detached bungalows on part of a paddock along Walkmill Road in Market Drayton. Each of the bungalows will incorporate a central hallway providing access to an open plan kitchen/dining room with separate utility room, a lounge, three bedrooms (one with en-suite shower room) and a bathroom.
- 1.2 A new vehicular access will serve the three bungalows with a small shared private driveway and a single garage and two car parking spaces for each property. An existing field access will be relocated slightly further to the south west to provide access into the paddock.
- 1.3 The roadside hedgerow will be removed to allow the provision of a 2 metre wide footpath. A new native hedgerow and trees will be planted along the roadside and surrounding the bungalows. Additional hedgerow and tree planting will be provided to the north of the site in the applicants ownership to improve ecological biodiversity.
- 1.4 This application has been accompanied by the following supporting information:
- Planning Statement
 - Design and Access Statement
 - Drainage and Flood Risk Statement
 - Proposed Drainage and Highway Layout Plan
 - Preliminary Ecological Appraisal & Biodiversity Net Gain
 - Heritage Impact Assessment
 - Arboricultural Report Tree and Hedgerow Protection Plan
 - Zones of Theoretical Visibility
 - Street Scene, Cross Section and Landscape Plans
- 1.5 This application has not been subject to any pre-application enquiry.

Amendments

- 1.6 The application has been subject to amendments as follows:
- The finished floor levels of the bungalows have been lowered by between 1.00 metre and 1.85 metres resulting in the eaves and ridge lines also lowered by these amounts.
 - In addition, the roof pitches have also been reduced from 45 degrees to 35 degrees resulting in the ridge lines being further reduced to between 1.47 metres and 2.32 metres.

- Amended plans have been received to indicate the changes in scale to each of the bungalows, together with revised Street Scene and Proposed Cross Sectional plans.
- The Landscape Plan has been amended to provide additional hedge planting around the garden boundaries and provision of strategic tree planting along the site frontage.

2.0 SITE LOCATION/DESCRIPTION

2.1 The proposed site fronts onto Walkmill Road and is roughly rectangular in shape measuring approximately 0.248 hectares. The land to the north rises up and forms part of a larger paddock and properties positioned on The Mount. To the east of the site lies Love Lane a pedestrian route into the town centre and beyond this are a number of residential properties. To the south lies the frontage onto Walkmill Road which is formed by a mature high hedge and a narrow footpath between 0.8 metres and 0.95 metres wide. A number of detached residential properties are located on the opposite side of the road. To the south-west are six new semi-detached houses fronting Walkmill Road and to the west is the wider area of paddock and the property Spring Hill. The proposed site falls within the Market Drayton Conservation Area.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 A formal request from the local ward member Cllr Ian Nellins was received within 21 days from the validation of the application requesting that this application be considered at the Northern Planning Committee.
- 3.2 Cllr Ian Nellins has provided a material planning objection to the application regarding the proposed development and impact on the Market Drayton Conservation area. Any further development in this area would be overly dominant and would result in the loss of an important open space which contributes towards the unique character, appearance and setting of the Market Drayton Conservation area. The proposed dwellings are out of character with the Conservation area, whilst the development will result in the loss of biodiversity and habitat in the heart of Market Drayton.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

- 4.1.1 **Shropshire Council, Highways** - No objection subject to safeguarding condition regarding Construction Method Statement; visibility splays; access, parking and turning; access apron construction; and provision of 2 metre wide footway.
- 4.1.2 **Shropshire Council, Trees** - The Arboricultural Report and Tree and Hedgerow Protection Plan indicates that the arboreal impact of the scheme is low - mainly affecting 3 hedges on site for which detailed management has been recommended including the translocation of one section to provide a 2 metres footpath. In the report at Summary of Site and Key points it states that a Tree and Hedgerow Protection and Replacement Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved

and maintained thereafter. No objection is raised subject to conditions regarding tree and hedgerow protection and monitoring of tree protection.

- 4.1.3 **Shropshire Council, Housing** - If this site is a continuation of the development already permitted under 22/04151/FUL then an affordable housing proforma should be submitted so the affordable housing contribution can be calculated and agreed. A scheme of 9 dwellings in this area is required to provide a financial contribution.
- 4.1.4 **Shropshire Council, Ecology** - A Biodiversity Net Gain 25.54% habitat units and 54.79% hedgerow units will be provided through a mixture of on-site and off-site (within the blue-line boundary) interventions. Because the BNG is considered to be significant, a s106 will be required to secure the BNG for 30 years. The level of survey work and proposed ecological enhancements are acceptable subject to safeguarding a condition regarding Construction Environmental Management Plan and informative regarding protection of wildlife.
- 4.1.5 **Shropshire Council, Drainage** - The proposed drainage strategy is acceptable in principle and no objection is raised subject to a safeguarding condition regarding a scheme of surface and foul water drainage being agreed prior to any development taking place.
- 4.1.6 **Shropshire Council, Rights of Way** - Footpath 23 runs along Love Lane, alongside the development area. Although not directly affected by the development of the new property please ensure that this footpath is taken into consideration at all times during development.
- 4.1.7 **Shropshire Council, Conservation** - A Zones of Theoretical Visibility has been submitted to provide an evidence base to address the concerns raised that there was insufficient assessment made with regard to potential impacts on Grade II* listed Pell Wall Hall. From a review of this information Officers would advise that whilst it appears that there would be no intervisibility between Pell Wall and the proposed dwellings, this is from a fixed point and therefore would suggest that any harm to the significance of the Pell Wall from other areas of the building or grounds would be at the lower end of less than substantial.

A supplementary Historic Impact Assessment has also been submitted which further covers the other concerns raised in Historic Environment Team comments made previously. Officers do not contest their assessment and conclusions therein with regard to concerns raised previously. It is suggested that should the application be considered supportable by Development Management Team that appropriate conditions are attached (see below) to ensure the quality of the development, landscaping etc does provide the enhancement required by local and national policies, retained and maintained in the future.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is applicable in considering this application where special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area and in addition Section 66(1) of the above Act is engaged, where the Act requires the need to pay special regard to the preservation of listed buildings and their settings. It should be noted, as documented above, that the level of harm is considered to be at the low end of less than substantial and this

should be noted when decision takers are weighing public benefits of the scheme against the identified harm, as required by the NPPF and MD13 of SAMDev.

Suggested conditions should include all building materials (notwithstanding the notes included on the submitted drawings) - (samples and sample panel of brickwork for buildings required), Roof details (JJ7), Heads and sills (JJ9), Windows and doors (JJ20), boundary treatments and landscaping.

4.1.8 Shropshire Council, Archaeology - The current application follows a previous application (23/04625/FUL) that was withdrawn in December 2023. It is noted that a Heritage Statement by Hampton Heritage Design & Consultancy was prepared in October 2023 for the previous application. Based on the assessment and information on known heritage assets recorded on the HER available at the time, Council Archaeology Team did not comment on the previous application.

In January 2024, the Shropshire Historic Environment Record (HER) was updated with a possible extent of the Roman Road that linked Chesterton to Wroxeter (HER PRN 36498). The possible route of the road was recorded by the Ordnance Survey, but survival and the precise route has not been substantiated by archaeological investigations.

The proposed development comprises the erection of three detached bungalows in an area that is smaller than the area of the previous application. The western-most bungalow extends further to the west, possibly across the Roman Road.

Therefore, the proposed development site is nearby and/or adjacent to a possible Roman Road (HER PRN 36498) and the historic street system of Market Drayton (HER PRN 05695). The site is considered to have low archaeological potential.

It is understood that the Conservation Officer will provide comments on this application, and their advice should be followed in full.

Given the above, and in relation to Policy MD13 of the Local Plan and Paragraphs 211 of the NPPF (December 2023), it is advised that a programme of archaeological work is made a condition of any planning permission for the proposed development. This should comprise an archaeological watching brief maintained during groundworks for the detached bungalows and associated services.

4.1.9 Shropshire Council, Landscape Consultant - We note that the scheme is for three bungalows with garages located on land off Walkmill Road. Given the settlement context of the proposed development and the single storey design of the proposed dwellings we consider that notable longer-distance visual effects are unlikely to result from the proposed development. A well-used public right of way (Love Lane) passes alongside the eastern boundary of the site, but the intervening hedge is to be retained and visual effects on users of this route resulting from the proposed scheme are likely to be limited

The scheme includes the loss of the boundary hedgerow with Walkmill Road to allow for a visibility splay and the widening of the existing roadside footway. The widening of the footway is likely to be of benefit to pedestrians, but the loss of hedge is likely to result in adverse landscape and visual effects in the short-term.

However, the proposed native boundary hedge identified in the landscape plan (FCA-015-S2-04) is likely to effectively mitigate this loss in the medium to long term. We consider successful establishment of this hedge and its maintenance to a suitable density and height to be of particular importance in landscape and visual terms.

We note that the site is steeply sloping, and it would be helpful to see a series of sections passing through each dwelling to show the existing road, widened footway, new boundary hedge, rear garden retaining walls and rear garden boundaries, in the context of existing levels. These sections should include appropriately designed planting areas to allow the proposed Walkmill Road hedge to establish successfully.

The landscape plan (FCA-015-S2-04) also includes an additional native species hedge alongside an existing fence line, resulting in a net gain of this landscape resource that is characteristic of the local area. However, we consider it a missed opportunity that native hedging is not included to the long north-western boundary and shorter south-western boundaries of the application site.

Considering the above, we recommended that prior to determination:

1. A section be provided through each dwelling to show to show the existing road, widened footway, new hedge, rear garden retaining walls and rear garden boundaries, in the context of existing levels.
2. Additional native hedge planting to the north-western and south-western boundaries of the application site be included within the proposals.
3. A pre-commencement condition with the suggested wording be applied to the grant of any application: No development shall take place until a detailed hard and soft landscape scheme for the whole site has been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include:

Plant species, sizes, numbers and densities, method of cultivation and planting, means of protection and programme for implementation. This is for all grassed areas, tree, shrub, and hedgerow planting.

Details of all boundary structures, including materials

4. A pre-commencement condition with the suggested wording be applied to the grant of any application: No development shall take place until a schedule of landscape maintenance for hedges, trees and verges for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. A minimum height and width for the maintenance of hedges shall be included. The maintenance shall be carried out in accordance with the approved schedule. The maintenance schedule shall include for the replacement of any plant (including trees and hedgerow plants) that is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective. The replacement shall be another plant of the

same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

4.1.10 **Shropshire Council, Historic England** - Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

4.1.11 **Gardens Trust and Shropshire Parks & Gardens Trust** - This is a joint response on behalf of both the Gardens Trust, which is a Statutory Consultee in matters relating to proposed developments likely to affect historic parks and gardens on the National Heritage List, and the Shropshire Parks and Gardens Trust.

Location of the proposed development

The area of land in question above, lies immediately to the south and east of Spring Hill, which is an early-19th century villa development of some architectural merit, which therefore qualifies as a non-designated Heritage Asset.

Likely visibility and impact on Pell Wall House, Pell Wall Park and other associated Heritage Assets

The proposed development area lies within lands formerly part of the Pell Wall estate, which are still visible from the Grade II* Listed Pell Wall house, as well as from its encircling Grade II Registered Pell Wall Park. Pell Wall house was built in 1822-8 by the eminent architect Sir John Soane (1753-1837) and is illustrated in a fine series of watercolours produced in 1828. It was carefully orientated to take full advantage of the superb views across the parkland towards Market Drayton and this intention is confirmed by the extensive ha-ha (a sunken ditch and wall, designed to allow views while itself remaining invisible) on its northern side.

Also, as outlined and described previously by Mr. Gareth Williams in his response to the previous application for this site, (23/04625/FUL), the north facing elevation to Pell Wall House was specifically furnished with a full-height projecting bay containing windows that still provide extensive views across Pell Wall park towards Market Drayton.

Levels indicated in the '*Proposed Site Plan*' also suggest that the roofs of all three proposed buildings will similarly be visible above the tree line at the bottom of the valley.

In addition to the above negative impact upon Pell Wall house and Park, another five Listed buildings are also contained within the designed landscape and add considerably to the heritage status of this property:

- North Lodge (1293767, Grade II*);
- Summerhouse (1055324, Grade II);
- The Court House (1366843, Grade II);
- Stables (1366844, Grade II);

- Old Lodge (1190616, Grade II).

Visual and physical impacts upon the fabric of the Market Drayton Conservation Area

The whole of the proposed development lies within the Market Drayton Conservation Area and will detract visually from it, as well as causing actual physical damage to and loss of that part of the area within which it will be situated. We have previously commented on the important role of the Conservation Area in this location, in maintaining a clear separation between the historic core of Market Drayton and those suburban areas to the south beyond Walkmill Road, which the proposed development would substantially reduce.

Visual and physical impacts upon the fabric of the proposed development site itself, as well as on adjacent areas

An earlier development to the west of the site shows a disastrous attempt at 'translocation' of what may have been a later-18th or early-19th century hedge line are clearly visible.

Likely harm caused by the proposed development to Pell Wall House and other associated designated Heritage Assets

It is disappointing that the applicant has failed to submit an appropriate assessment of the likely impacts of the proposed development on the many designated and non-designated heritage assets surrounding its location, as required by the National Planning Policy Framework (NPPF 2023, para.200 *et seq.*) and notwithstanding statements to the contrary included at Paragraphs 3.13 & 3.14 of the applicant's *Planning Statement*. In the absence of such an analysis, we present our own assessment of these likely impacts.

Overall, we consider that, in consequence of the location and rising nature of the ground on which the proposed development is intended to be sited, it will be clearly visible from Pell Wall House, and would therefore cause harm to the Setting of the Grade II* Pell Wall House as well as to the Setting of the Grade II* Listed North Lodge, the Grade II Registered Pell Wall Park and to a lesser extent of the other Grade II Listed Heritage Assets within this historic villa development, as outlined above.

Related to the above and as referenced previously, on October 26th 2023, the Levelling Up and Regeneration Act received Royal Assent. In part, this strengthens the protection for Registered Parks and Gardens and World Heritage Sites amongst others, giving them **the same level of planning protection as Listed Buildings and Conservation Areas.**

Chapter 3 (Heritage), Para 102, 58B (1) states:

'In considering whether to grant planning permission or permission in principle for the development of land in England which affects a relevant asset of its setting, the local planning authority or (as the case may be) the Secretary of State must have special regard to the desirability of preserving or enhancing the asset or its setting.'

It continues in Para 102, 58B (2):

'For the purposes of subsection (1), preserving or enhancing a relevant asset or its setting includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.'

We have stated above also that the proposed development will similarly cause actual physical damage to and loss of that part of the Market Drayton Conservation Area within which it will be situated, as well as compromising and diminishing the Conservation Area's key role in providing a setting for the historic core of Market Drayton when viewed from the south and in particular for the Grade II* Listed Church of St. Mary and the Grade II Listed Old Vicarage to the south.

Taking into account the suburban character of the proposed dwellings, we consider also that this development will similarly lessen the present (and intended) role and effect of this part of the Conservation Area in maintaining a clear physical and visual separation between the historic core of Market Drayton, with its more than 50 Listed Buildings and other structures, and those suburban areas to the south beyond Walkmill Road.

We similarly consider that the proposed development would cause considerable harm to the immediate setting of the non-designated early-19th century villa known as *Spring Hill* which lies to the north and west of the proposed development area, and to the non-designated villa known as *The Mount* situated to the north of the proposed development area.

For these reasons we **strongly object** to the proposed development.

4.1.12 **MOD Defence Infrastructure Organisation** - The proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed.

4.1.13 **Market Drayton Town Council** - To object to this planning application on the basis it will have an effect on listed buildings and conservation area.

4.2 **Public Comments**

4.2.1 31 letters of objection have been received raising the following concerns:

- Proposed excavation works will undermine stability of the land.
- Loss of hedgerow and impact on wildlife.
- Impact on Conservation Area and heritage assets.
- Market Drayton housing targets have already been met.
- Accesses are on inside of blind bend and will cause highway safety concerns.
- Loss of green space.
- Impact on the setting of Pell Wall Hall a grade II* listed building.
- Damage from construction vehicles to neighbouring properties.
- No space for site construction vehicles.
- Impact from removal of excavated ground.

- Insufficient local infrastructure for additional dwellings.

4.2.2 A standard objection letter raising the following concerns has been individually submitted and signed by 60 local residents:

- The development will not preserve or enhance the character and appearance of the Conservation Area.
- Loss of a historic hedge and impact on habitat value and important wildlife corridor.
- Impact on St Marys Church when entering Market Drayton and last remaining open space pastureland within town centre.
- Proposed development will impact on land stability.
- Housing requirement has been met with no requirement to build further houses.
- Fourth application on the site with previous two application be refused and the most recent one being withdrawn.

4.2.3 A letter of objection has been received from Winterburn Heritage & Planning consultants on behalf of the owner of Pell Wall Hall a grade II* listed building and the associated Park which is Registered Grade II and covers 60ha. The principle objection is due to the proximity, poor design and position within a designed view from the Hall which will have negative impact on the designated heritage asset. It is considered that the Application Scheme will cause 'less than substantial harm' to the significance of Pell Wall Hall Park as a designated Grade II Registered heritage asset. By extension, and because it forms part of their settings, it will also cause less than substantial harm to the Grade II* Listed Building of Pell Well Hall, as well as Market Drayton Conservation Area. This triggers the requirements of Paragraphs 205 - 208 for a demonstration of Public Benefits to mitigate the scheme. As there is no shortfall in the Council's Five Year Housing Land Supply, there is no identified need for such residential units, and much of the other stated benefits would be partial and/or unenforceable. The application cannot thereby demonstrate any tangible 'Public Benefits' that would clearly outweigh the negative impact of the proposed works.

4.2.4 3 letters of support have been received indicating that the proposed bungalows will benefit the needs of the elderly and disabled in the community.

5.0 THE MAIN ISSUES

- Background
- Policy & Principle of Development
- Layout, Scale and Appearance
- Impact on Conservation Area & Heritage Assets
- Impact on Residential Amenity
- Highways
- Impact on Trees
- Ecology
- Biodiversity Net Gain
- Drainage & Flooding
- Affordable Housing
- Other Matters

6.0 OFFICER APPRAISAL

6.1 Background

- 6.1.1 A previous application for the erection of six bungalows with associated access onto Walkmill Road, parking, garden areas and landscaping was withdrawn in December 2023. This development indicated the bungalows running along Walkmill Road and Love Lane along the eastern edge of the paddock. During the consideration of the application officers considered that the bungalows on the upper portion of the land were too prominent and would impact on long range views towards the site (including views from Pell Wall Hall) and the Conservation Area.
- 6.1.2 This revised application removes three plots which were positioned on the higher ground and proposes only three bungalows on the lowest portion of the site fronting Walkmill Road. This ensures that the bungalows sit low in the street scene and have no impact on the long range views into the site and/or the Conservation Area.

6.2 Policy & Principle of Development

- 6.2.1 Policies CS1 and CS3 of the Core Strategy set out the strategic approach to housing provision. It is envisaged that Market Towns and Other Key Centres will maintain and enhance their roles in providing facilities and services to their rural hinterland, balancing housing, and employment development, of an appropriate scale and design that respects each town distinctive character and is supported by improvements in infrastructure within the towns development boundaries and on site allocated for development. Policies CS1 and CS3 are consistent with the objectives of the NPPF to focus new development in sustainable locations.
- 6.2.2 Market Drayton within the adopted plan is a Principal Centre with an identified development boundary. SAMDev Settlement policy S11.1 sets out the expectations for Market Drayton which is a focus for development in the north eastern part of the county with a housing guideline of around 1,200 dwellings within the plan period (2006 to 2026). New housing development will be delivered through the allocation of greenfield sites together with a windfall allowance which reflects opportunities within the town's development boundary.
- 6.2.3 The revised NPPF in December 2024 provides a new standard method for calculating housing need, the purpose of which is to significantly boost housing delivery across England. The new standard methodology for Shropshire has resulted in an increased requirement of 1,994 dwellings per annum, whereas the adopted Local Plan sets out a requirement for 1,375 dwellings per annum (above the local housing need of 1,070 dwellings).
- 6.2.4 The Councils latest 'Five Year Housing Land Supply Statement' (published March 2024) assessed deliverable housing sites against the adopted housing land supply requirement, this concluded in a demonstration of sufficient deliverable dwellings for 5.91 years supply. However, in light of the recent changes to the standard methodology and the uplift in local housing need for Shropshire, the Council considers that on balance, it is unable to demonstrate a five years supply

of deliverable dwellings and the adopted Local Plan policies concerning the delivery of housing development are currently out-of-date. The effect of this is that the tilted balance, as set out in paragraph 11 d) of the NPPF, is engaged which directs development to sustainable locations and making effective use of land.

- 6.2.5 Paragraph 73 of the NPPF supports the development of windfall sites which can make an important contribution to meeting the housing requirement of an area and gives great weight to the benefits of using suitable sites within existing settlements.
- 6.2.6 The proposed site is roughly rectangular in shape and located linear to Walkmill Road with roadside residential development to the east, south, and west. The site falls wholly within the development boundary for Market Drayton and does not have any specific planning policy allocation and would therefore represent a windfall site. The site has direct pedestrian access into the town centre along Love Lane to local services and is considered a highly sustainable location. The proposed site is located within the Market Drayton Conservation Area.
- 6.2.7 The principle for residential development would be supported with the key issues being the layout, scale and appearance of the development; the impact on the Conservation Area and heritage assets; and impact on residential amenity, highways, ecology and trees.

6.3 **Layout, Scale and Appearance**

- 6.3.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. This is reiterated in policy MD2 of the SAMDev Plan which indicates the development should contribute and respect the locally distinctive or valued character and existing amenity value.
- 6.3.2 The proposed site covers an area of 0.248 hectares which provides a site density of 12 dwellings per hectares. This level of density is very low for an urban location which is very close to the built up centre of the town. However, the proposed site is located directly opposite three wide frontage properties (two of which are bungalows) within spacious plots. A three bedroom bungalow has a larger footprint than a 2 storey dwelling and therefore a scheme wholly of bungalows would have a lower density. The proposed scheme incorporating a lower density development is more in character with the adjacent properties and is supported by officers.
- 6.3.3 Dwellings within the vicinity of the site towards The Mount to the north, Newton to the east and Walkmill Road to the south west are predominately 2 storey dwellings, whilst the properties directly to the south are predominantly bungalows. Given the topography and the location of the site access, the site is more closely associated with the properties along Walkmill Road which are predominantly bungalows. The bungalows are set back from the edge of the road and amended plans have been received to reduce the overall ridge height and mass of the roof. This has resulted in the bungalows siting lower in the landscape in order to minimise any visual impact upon the wider area of the Conservation Area.

- 6.3.4 The development is built on the lower flat southern part of the site with the provision of a single vehicular access to serve the bungalows and will allow the provision of a replacement hedgerow and additional landscaping surrounding the site.
- 6.3.5 Plots 1 and 2 will have a similar layout albeit handed and provide 128sqm of floor area and 126sqm of floor area respectively. Plot 3 will have a slightly different footprint and be 136.8sqm. However, all three bungalows will be constructed from a red brick with a natural slate roof incorporating recessed black solar panels. The entrance door will be positioned in a central position, whilst window openings will have a vertical emphasis with sandstone cills and arched soldier detail above. The bungalows will include a small chimney stack and incorporate front and rear projecting gables and pitched details above some windows and the entrance doors.
- 6.3.6 Officers consider that the proposed bungalows will retain the character and setting of the adjacent development incorporating similar features to the existing house types.
- 6.3.7 Each bungalow will be provided with a large level rear patio area with Plots 1 and 2 having a rear terraced gardens which will match the six dwellings approved under application 22/04151/FUL to the west of the site, whilst Plot 3 will have a sloping rear garden. Adequate space will be provided for the storage of waste and recycling bins within the rear garden with the provision of a small surfaced area adjacent to the site access for bin collections directly off Walkmill Road.
- 6.3.8 The proposed layout, design and scale of the bungalows would be acceptable within this area and would not impact on the character of existing properties or local area.
- 6.3.9 A number of conditions are proposed to control the appearance of the bungalows so that they are visually in keeping with adjoining built development which include external materials; roof details; walling details of heads and sills; and window/door details.

6.4 **Impact on Conservation Area & Heritage Assets**

- 6.4.1 The proposed site falls within the Market Drayton Conservation Area which is classified as a designated heritage asset. The site is positioned at the southernmost edge of the Conservation Area and consists of part of a grassed paddock which rises up northwards towards the more built up area of the town centre.
- 6.4.2 Objections have been received regarding the impact on the Conservation Area and the impact on heritage assets and notable the setting of Pell Wall Hall a grade II* listed building and its associated registered Park & Garden. Pell Wall Hall is located approximately 685 metres away to the south east and separated by existing dwellings, mature trees, and part of the registered Park.

- 6.4.3 Local Plan Policy CS17 'Environmental Networks' of the Core Strategy indicates that development should protect and enhance the local character of the built and historic environment. Whilst Policy MD13 'The Historic Environment' of the SAMDev Plan indicates that proposals wherever possible avoid harm or loss of significance to heritage assets including their settings and where development proposals can be justified in terms of public benefits these should outweigh any harm to the historic environment.
- 6.4.4 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is applicable in considering this application against where special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and in addition Section 66(1) of the above Act is engaged, where the Act requires the need to pay special regard to the preservation of listed buildings and their settings.
- 6.4.5 Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.4.6 The application has been accompanied by a Heritage Impact Assessment (March 2024) which covers issues of heritage including the Conservation Area and impacts upon nearby heritage assets. A Supplementary Heritage Impact Assessment (October 2024) has also been submitted to address concerns raised regarding the impact on Pell Wall Hall; loss of hedgerow screening; lack of variation of architectural detail and heavy excavation including bank retention; and the cumulative impact in association with the six dwellings approved under application 22/04151/FUL.
- 6.4.7 A Zones of Theoretical Visibility has been submitted to provide an evidence base to consider the concerns raised regarding the potential impact on the grade II* listed Pell Wall Hall. From a review of this information officers would advise that whilst it appears that there would be no intervisibility between Pell Wall Hall and the proposed bungalows due to the existing intervening trees and built environment, this is from a fixed point (the Ladies' Morning Room) and therefore would suggest that any harm to the significance of the Pell Wall Hall from other areas of the building or grounds would be at the lower end of less than substantial.
- 6.4.8 It is considered that there would be a very low adverse effect from removal of the hedgerow along Walkmill Road, but as this would be temporary and only effect a very small part of the Conservation Area, it would result in a negligible impact on the heritage significance, and would score at the lowest end of the spectrum for less than substantial harm in terms of the NPPF.
- 6.4.9 Further details have been provided on the architectural design and on the excavation to terrace the rear gardens of the bungalows into the hillside, showing

that the design helps reduce the potential prominence of the buildings whilst delivering an excavated area that would blend into the general field background.

6.4.10 The Supplementary Heritage Impact Assessment indicates there would be no cumulative impact on the Conservation Area from the recently constructed housing on the north side of Walkmill Road in combination with the proposed bungalows.

6.4.11 The Council Conservation Officer has indicated that the level of harm as a result of the development on the heritage assets is considered to be at the low end of less than substantial. As indicated in the NPPF and policy MD13 of the SAMDev Plan the proposed harm has to be weighed up against the public benefits of the proposed scheme.

6.4.12 The proposed development provides a number of public benefits as follows:

- **Housing Supply:** Part 5 of the NPPF sets out the Government's objective of significantly boosting the supply of homes and that the needs of groups with specific housing requirements are addressed. It is clear that the Council's housing land supply position has changed dramatically in light of the new housing targets and this proposed development will assist in the supply of additional housing in Shropshire.
- **Provision of 2 metre Wide Footpath:** The existing footpath along the northern side of Walkmill Road is less than a metre wide and is hazardous especially when passing other pedestrians as one or other needs to step onto the carriageway to pass. This danger becomes more pronounced with pushchair and wheelchair users and with the significant number of children who use this route to and from School. The provision of a 2 metre wide footpath along the road frontage is a significant improvement for pedestrian safety in the local area and a significant planning gain.
- **Property Type Demand for Bungalows:** Bungalows have been a very under-represented house type on new residential developments in Market Drayton and having regard to the close proximity to the town centre and local services this scheme meets a very pronounced demand in the local area.
- **Biodiversity Net Gain:** The land on the upper parts of the paddock (around 0.65 hectares) are put forward for a significant increase in Biodiversity Net Gain which will benefit the ecology and visual enhance the amenity value of this area of the Conservation Area.

6.4.13 In conclusion officers consider that the level of harm the bungalows would cause is less than substantial harm and the public benefits will outweigh the low end of the less than substantial harm on the Conservation Area and heritage assets.

Archaeology

6.4.14 The Council Archaeological Officer has indicated that the Shropshire Historic Environment Record was updated in January 2024 with a possible extent of the

Roman Road that linked Chesterton to Wroxeter. The possible route of the road was recorded by the Ordnance Survey, but survival and the precise route has not been substantiated by archaeological investigations. However, there is a possibility that Plot 1 may be positioned across or close to the line of the Roman Road and nearby to the historic street system of Market Drayton. Although the Council Archaeological Officer has indicated that the site is considered to have low archaeological potential it has been advised that a safeguarding condition is proposed to provide a programme of archaeological work which would comprise an archaeological watching brief during groundworks so that any archaeological remains can be recorded.

6.5 Impact on Residential Amenity

- 6.5.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity.
- 6.5.2 The proposed bungalows will have a front elevation facing towards Walkmill Road and the three properties directly opposite. Cross sectional views have been submitted with the application indicating the Plot 1 would be 991mm taller than No.19 Walkmill Road and separated by 27 metres, Plot 2 would be 996mm taller than No.17 Walkmill Road and separated by 26 metres, and Plot 3 would be 1,1281mm taller than No.15 Walkmill Road and separated by 27 metres. The side elevation of Plot 3 would be positioned 20 metres from No.26 Newtown which is screened by mature hedgerow along the eastern boundary of the site and is being retained.
- 6.5.3 Having regard to the layout and distance away from neighbouring properties the proposed three bungalows will not result in any significant detrimental impact from overlooking or loss of privacy, cause an overbearing impact, or result in loss of light.
- 6.5.4 The proposed additional traffic movements from three bungalows will not result in any significant impact from noise or disturbance.

6.6 Highways

- 6.6.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should be designed to be safe and accessible to all.
- 6.6.2 The existing paddock is served by a dropped kerb and an entrance gate slightly set back from Walkmill Road, whilst a narrow footpath runs along the roadside with a mature hedgerow. The proposed development will result in the existing roadside hedgerow being removed and set back to allow an increase in the width of the existing pavement to 2 metres. This will be provided across the entire site frontage and link into the existing footpath which was widened under application 22/04151/FUL for the six dwellings to the west of the site. This will provide a significant public/pedestrian benefit to the scheme allow a safe pedestrian link into the town centre. The existing field access will be relocated further along Walkmill Road to the south west, whilst a new vehicular access to serve the three bungalows will be located to the north east.

- 6.6.3 The new field access will have entrance gates set back 10 metres from the carriageway, whilst the new access for the bungalows will have an entrance width of 4.5 metres to allow two vehicles to pass and will be constructed in accordance with the Council Highways specification. The visibility splays of both accesses will be 2.4 metres x 43 metres in both a northerly and southerly direction.
- 6.6.4 The proposed private driveway and parking areas serving the bungalows will be constructed from permeable paving. Each bungalow will have a single garage and two tandem parking spaces, together with electric car charging points and suitable manoeuvring space to allow vehicles to leave the site onto Walkmill Road in a forward gear.
- 6.6.5 The Council Highways Officer has indicated that the principle for the accesses, visibility splays, parking and turning arrangements is acceptable and will not have a detrimental impact on highway safety. No objection is raised subject to safeguarding conditions regarding Construction Method Statement; visibility splays; access, parking and turning; access apron construction; and provision of a 2 metre wide footway.

6.7 **Impact on Trees**

- 6.7.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development should protect and enhance the local natural environment.
- 6.7.2 An Arboricultural Report and Tree & Hedgerow Protection Plan has been submitted with the application and has indicated that the existing hedgerow along the southern and eastern boundary of the site is in general good health. It is indicated that the retention and protection of the existing hedge is recommended which will provide visual amenity and provide opportunities for wildlife.
- 6.7.3 However, the proposed development will result in the removal of the hedgerow along the southern boundary to facilitate an improved two metre wide footpath and visibility for the accesses. A new native boundary hedgerow with three trees will be planted alongside the edge of the footpath, together with additional hedgerow planting along the south western and northern boundary of the bungalows. Although there will be some initial loss of visual amenity due to the removal of the hedgerow in time the replanted hedgerow will mature and provide improved amenity value and increased opportunities for wildlife.
- 6.7.4 The Council Tree Officer has assessed the application and implications of the removal of the hedgerow and has raised no objection subject to safeguarding conditions regarding a Tree and Hedgerow Protection Plan and Tree Protection Monitoring. The application has been accompanied by a Landscape Plan which will be conditioned to ensure the hedgerows and trees will be provided.

6.8 **Ecology**

- 6.8.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development will identify, protect, expand and connect Shropshire's environmental assets to create a multifunctional network and natural and historic resources. This will be achieved by ensuring that all development protects and

enhances the diversity, high quality and local character of the natural environmental and does not adversely affect the ecological value of the assets, their immediate surroundings or their connecting corridors.

- 6.8.2 A Preliminary Ecological Appraisal & Biodiversity Net Gain report has been submitted to provide an assessment of the ecological value of the site in local context and to identify potential ecological constraints relating to the development and recommend measures to avoid, reduce or manage negative effects and provide new ecology gain.
- 6.8.3 The ecological appraisal indicates that the development will result in the loss of a native hedgerow along the southern boundary and indicates that a replacement hedgerow and planting will be required. The proposed site forms part of a field used for grazing and does not contain any protected or rare species.
- 6.8.4 The development will have no impact upon the woodland to the west of the site and the gradient of the land further divides the site from any potential sett chambers in this woodland. The habitats on site are unlikely to be of significance to bat species and there are no potential roosting sites present on or adjacent to the site. The removal of hedgerow has the potential to disturb breeding birds, although works will be timed so as to avoid the main breeding season. There are no ponds within 250 metres of the site and no records of Great Crested Newts. The site does not provide particularly suitable terrestrial opportunities for reptiles and is largely isolated from nearby known reptile records. However, a grass snake has been recorded at Springhill recently and therefore mitigation measures will be required during construction work on site.
- 6.8.5 The ecological appraisal indicates that the development will include ecological enhancements through native tree planting, native hedge planting, on-going management of remaining grassland at the site and the inclusion of wildlife features into the new dwellings. The Council Ecology Officer has indicated that the level of survey works and ecological enhancements are acceptable subject to a safeguarding condition regarding the provision of a Construction Environmental Management Plan being agreed prior to any works commencing.

6.9 **Biodiversity Net Gain**

- 6.9.1 Under Schedule 7A of the Town and Country Planning Act 1990 Biodiversity Net Gain for small sites (residential development between 1 and 9 dwellings) was mandatory from the 2nd April 2024. Having regard this application was received on the 3rd April 2024 this development must deliver at least 10% increase in biodiversity value relative to the existing on site habitat. A Small Sites Biodiversity Net Gain Metric has been completed which demonstrates that the proposed development would result in an increase in Habitat units of 0.44 resulting in a 25.54% biodiversity net gain, and an increase in Hedgerow units of 0.39 resulting in a 54.79% biodiversity net gain. The Biodiversity net gain for the proposed site will be achieved by native tree planting, native hedge planting, on-going management of remaining grassland at the site and the inclusion of wildlife features into the new dwellings.
- 6.9.2 The Council Ecology Officer has indicated that because the Biodiversity Net Gain is considered to be significant some of which will be provided off site on adjoining

land in the applicants ownership, a Section 106 agreement will be required to secure the Biodiversity Net Gain for 30 years. The level of survey work and proposed ecological enhancements are acceptable subject to a safeguarding condition regarding Construction Environmental Management Plan and informative regarding protection of wildlife.

6.10 Drainage & Flooding

- 6.10.1 Policy CS18 'Sustainable Water Management' of the Shropshire Core Strategy indicates that development should integrate measures of sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity and provide opportunities to enhance biodiversity.
- 6.10.2 The application indicates that foul water drainage will be directed to the existing foul mains which is the preferred option and allows the foul water to be dealt with in an effective and sustainable manner. Whilst the surface water will be directed through a flow control device for each bungalow allowing the water to discharge to the combined sewer which passes through the site at a rate of 2 litres/second. The Council Drainage Officer has indicated that the proposed drainage strategy is acceptable in principle subject to a safeguarding condition regarding foul and surface water drainage being agreed prior to any works commencing.
- 6.10.3 The proposed site lies within Flood Zone 1 where there is a 'Low Probability of Flood Risk'. The Environment Agency surface water flooding maps indicates that the site has not known to be subject to any flooding. There will be no detrimental impact upon any future occupiers of the bungalows through flood risk and the development of the site will not result in the loss of any flood storage capacity.

6.11 Affordable Housing

- 6.11.1 The Council Affordable Housing Officer has indicated that this development should provide an affordable housing contribution as the proposed development is a continuation of the adjacent application 22/04151/FUL and will provide a total of 9 dwellings. The adjoining development was in the same ownership as the proposed development approved six dwellings in November 2022 all of which have been completed and are now occupied.
- 6.11.2 The Written Ministerial Statement published in November 2014 indicated that affordable housing contributions on sites of 10 units or less or 5 units or less in designated protected rural areas would not be required. The proposed site falls within the development boundary of Market Drayton and is not classified as countryside or a designated protected rural area.
- 6.11.3 Having regard that the combined number of dwellings is less than 10 units then no affordable housing provision is required.

6.12 Other Matters

- 6.12.1 Concerns have been raised by the Garden Trust indicating the 60,000 tonnes of material will need to be excavated and transported off site. However, a detailed calculation breakdown has been submitted by the agent which indicates that approximately 2,279 cubic metres or 3,646 tonnes would be excavated. This

would result in 91.15 lorry loads (40 tonne/lorry). It is anticipated that this excavation would be undertaken during the working day between 10:00am and 4:00pm to avoid peak traffic times. At 4 lorries per hour this would equate to 24 vehicles per day and a maximum of 4 days' work. A banksman would be used on site to manage the access and the loading of the vehicles within the site. Having regard to the requirement to excavate the ground and transport it off site a safeguarding condition regarding the submission and approval of a Construction Environmental Management Plan is proposed which would include a restriction on the hours of extracted material to minimise any impact on neighbouring properties and the highway network.

- 6.12.2 Concerns have been raised that there is insufficient local infrastructure for additional dwellings. However, policy CS9 'Infrastructure Contributions' of the Shropshire Core Strategy indicates that development that provides additional dwellings should help deliver more sustainable communities by making contributions to the local infrastructure. The arrangements for the use of the levy funds are detailed in the Local Development Frame Implementation Plan. All three of the bungalows will be required to pay a Community Infrastructure Levy.
- 6.11.3 Concerns have been raised that there is no space for site construction vehicles and the damage that construction vehicles may make to neighbouring properties. The requirement for parking for construction vehicles would be managed by the developer. The Council Highways Officer has recommended a condition requiring a Construction Method Statement which includes details of the parking provision of vehicles of site operatives and visitors including loading and unloading of plant and materials. This would have to be agreed with the Council prior to the development commencing. Any damage caused by construction vehicles is not a planning consideration and any damage would be dealt with by the vehicles insurance company.

7.0 CONCLUSION

- 7.1 The principle for residential development is acceptable, whilst the proposed design and layout will respect neighbouring properties and will not result in any detrimental impact on residential amenity. The application has demonstrated that it will not impact on the historic character and appearance of the conservation area or impact on the setting or views from heritage assets. The repositioning of the roadside boundary hedge will facilitate the provision of a standard width footpath which will improve pedestrian accessibility into the town centre for residents along Walkmill Road. The proposed accesses will provide adequate visibility for the ingress and egress of vehicles and will not result in highway safety concerns, whilst adequate off street parking and manoeuvring is provided. The proposed development will not impact on any protected species and will benefit from Biodiversity Net Gains.
- 7.2 This application is recommended for approval subject to the satisfactory completion of a Section 106 agreement to secure the Biodiversity Net Gain for 30 years, and conditions set out in Appendix 1.

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 - written representations, a hearing or inquiry.
- The decision is 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 a) promptly and b) in any event not later than 6 weeks after the grounds to make the claim first arose 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 give 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 1970.

9.0 **FINANCIAL IMPLICATIONS**

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

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

10.0 BACKGROUND

10.1 Relevant Planning Policies

Policies material to the determination of the Application. In determining this application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework

Shropshire Council Core Strategy (February 2011):

CS1 : Strategic Approach

CS3 : The Market Town and Other Key Centres

CS6 : Sustainable Design and Development Principles

CS17 : Environmental Networks

CS18 : Sustainable Water Management

Site Allocations and Management Development Plan (December 2016):

MD2 : Sustainable Design

MD3 : Delivery of Housing Development

MD12 : Natural Environment

MD13 : Historic Environment

S11 : Market Drayton

10.2 Relevant Planning History

23/04625/FUL - Erection of six bungalows with associated access onto Walkmill Road, parking, garden areas and landscaping. Withdrawn 20th December 2023.

PREAPP/23/00621 - Erection of 6 bungalows with associated access onto Walkmill Road, parking, garden areas and landscaping. Acceptable in Principle 11th September 2023.

10/02934/FUL - Residential development of ten eco-homes with formation of new vehicular access and associated landscaping. Refused 17th November 2010.

09/02114/FUL - Residential Development comprising 57 houses; formation of new vehicular access, visibility splay and estate roads; erection of retaining wall and boundary treatment; landscaping scheme. Withdrawn 17th December 2009.

11.0 ADDITIONAL INFORMATION

List of Background Papers - Planning Application reference 24/01359/FUL

Cabinet Member (Portfolio Holder) - Cllr Chris Schofield

Local Member - Cllr David Minnery & Cllr Ian Nellins

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. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
Reason: To ensure that the external appearance of the development is satisfactory.
4. The visibility splays shown on the Highway Detail plan (drawing no. FCA015-S2-03 Rev. A) shall be set out in accordance with the splay lines shown. All growths and structures in front of these lines shall be lowered to and thereafter maintained at carriageway level prior to the dwellings being occupied and thereafter be maintained at all times free from any obstruction.
Reason: To provide a measure of visibility from the new access in both directions along the highway in the interests of highway safety.
5. The accesses, parking and turning areas shall be satisfactorily completed and laid out in accordance with the Highway Detail plan (drawing no. FCA015-S2-03 Rev. A) and the Proposed Landscape plan (drawing no. FCA015-S2-04 Rev. C) prior to the dwellings being occupied. The approved parking and turning areas shall thereafter be maintained at all times for that purpose.
Reason: To ensure the formation and construction of a satisfactory access and parking facilities in the interests of highway safety.
6. The access aprons shall be constructed in accordance with Shropshire Councils specification currently in force for a residential access and agricultural access and shall be fully implemented prior to the dwellings being occupied.
Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety.
7. The widening of the footway to 2.0 metres along the site road frontage be satisfactorily completed and laid out in accordance with the Highway Detail plan (drawing no. FCA015-S2-03 Rev. A) and the Proposed Landscape plan (drawing no. FCA015-S2-04 Rev. C) prior to the dwellings being occupied.
Reason: In the interests of highway safety.

CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

8. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a phased programme of archaeological work in accordance with a Written Scheme of Investigation This written scheme shall be approved in writing by the Local Planning Authority prior to the commencement of works.
Reason: The site is known to hold archaeological interest.
9. Prior to commencement of development a Tree and Hedgerow Protection Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved. The protective fence shall be erected prior to commencing any approved development related activities on site and maintained throughout the duration of the development and the applicant shall submit to the Local Authority a photograph and / or a completion statement to demonstrate compliance with the approved tree protection measures.
Reason: To safeguard the amenities of the local area by protecting 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 works to the hedges as outlined in the submitted tree and hedgerow report 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: To ensure delivery of tree protection measures on site that require supervision by a competent arboriculturist.
11. No development shall take place (including 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.
 - (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.
 - (h) A traffic management and HGV routing plan and local community protocol.
 - (i) The parking of vehicles of site operatives and visitors.

- (j) Loading and unloading of plant and materials.
- (k) Storage of plant and materials used in constructing the development.
- (l) Wheel washing facilities.

Reason: To protect features of recognised nature conservation importance, in accordance with MD12, CS17 and Section 174 of the NPPF and to avoid congestion in the surrounding area and to protect the amenities of the area.

12. No development shall take place until a detailed hard and soft landscape scheme for the whole site has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The details shall include Plant species, sizes, numbers and densities, method of cultivation and planting, means of protection and programme for implementation. This is for all grassed areas, tree, shrub, and hedgerow planting. Details of all boundary structures, including materials.
Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
13. No development shall take place until a Schedule of Landscape Maintenance for hedges, trees and verges for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. A minimum height and width for the maintenance of hedges shall be included. The maintenance shall be carried out in accordance with the approved schedule. The maintenance schedule shall include for the replacement of any plant (including trees and hedgerow plants) that is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective. The replacement shall be another plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.
Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
14. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).
Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

CONDITIONS THAT REQUIRE APPROVAL DURING CONSTRUCTION AND PRIOR TO OCCUPATION

15. Details of the roof construction including details of eaves, under cloaks ridges, valleys and verges shall be submitted to and approved in writing by the Local Planning Authority before the relevant works commences. The development shall be carried out in complete accordance with the approved details.
Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.
16. Details of the materials and form of the heads and sills to new openings in the external walls of the dwellings shall be submitted to and approved in writing by the Local Planning Authority before the relevant works commence. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

17. Prior to the commencement of the relevant work details of all external windows and doors and any other external joinery shall be submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of each joinery item which shall then be indexed on elevations on the approved drawings. All doors and windows shall be carried out in complete accordance with the agreed details

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.