



Committee and date

Central Planning Committee

13 November 2014

### Development Management Report

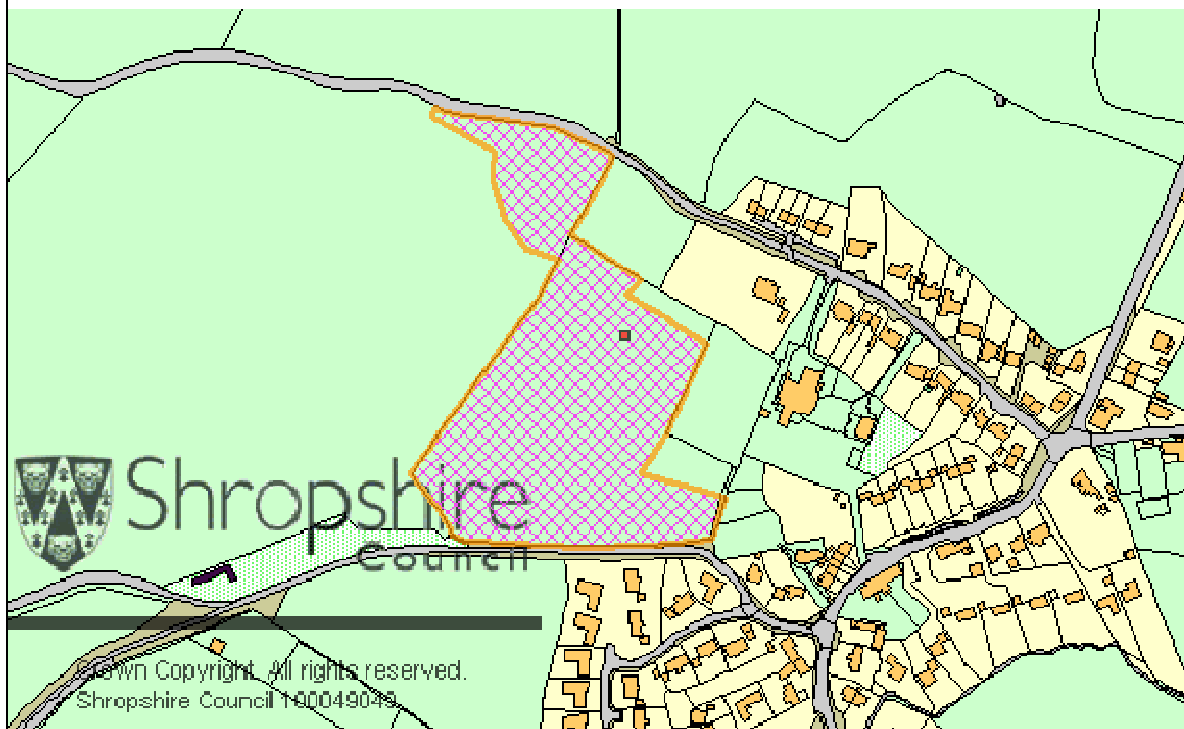
Responsible Officer: Tim Rogers

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#### Summary of Application

|  |  |         |
|--|--|---------|
| <b>Application Number:</b> 14/01704/OUT  | <b>Parish:</b>   | Longden |
| <b>Proposal:</b> Outline application for the erection of 35 dwellings to include means of access, together with resiting of school football pitch, provision of extended school car park and new school access (amended description) |  |         |
| <b>Site Address:</b> Proposed Development Land South Of Plealey Lane Longden Shropshire  |  |         |
| <b>Applicant:</b> Mr & Mrs D Jones   |  |         |
| <b>Case Officer:</b> Steve Drury   | <b>email:</b> <a href="mailto:planningdmc@shropshire.gov.uk">planningdmc@shropshire.gov.uk</a> |         |

**Grid Ref:** 344020 - 306547



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**Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and a Section 106 legal agreement to secure the provision of on-site affordable dwellings, the provision of school car park, repositioning of school playing field, enhancements to school site and transfer of land to school.**

## REPORT

### 1.0 THE PROPOSAL

- 1.1 This application seeks outline permission for residential development on land at Plealey Lane, Longden. The application includes a consideration of access with all other matters reserved for later consideration.
- 1.2 The proposal includes the provision of 35 dwellings and includes the provision of a 51 space secure car park for use by Longden C of E Primary School together with the relocation of the existing school playing field, relocation and provision of a new equipment store/changing and alterations to the existing school car park layout.
- 1.3 The scheme will also involve the enhancement of a public footpath linking the site to Plealey Lane to the north together with the diversion of part of the public footpath around the relocated school football pitch.
- 1.4 The proposal includes an agreement to provide the necessary provision of affordable housing in accordance with Policy CS11 of the Core Strategy. The nature of the provision will be set at the date of the submission of the reserved matters application.
- 1.5 The scheme has been amended to address a number of concerns raised by officers. The number of dwellings proposed has been reduced from 50 to 35 and dwellings have been omitted from the parcel of land immediately adjacent the site entrance.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site consists of land on the western edge of Longden village, approximately 7 miles south west of Shrewsbury. It is situated to the west of Longden C of E Primary School and comprises one whole field together with the north east corner of a larger field to the west. Both fields are currently used as arable agricultural land, consisting of Grade 3 classification.
- 2.2 The south of the site is bordered by a private lane which serves as an access drive to Longden Manor. A number of single storey properties are located beyond the lane to the south on land at a lower level. Longden C of E Primary School is located to the east of the site and the site wraps around the school football pitch which will be moved further south to accommodate the extended car park. The north of the site is bordered by The Rectory and a smaller grazed field which both separate the site from Plealey Lane to the north. The site is bordered on all sides by a well established, native hedgerow and a number of mature trees along the northern side of the site. A public footpath, FP33 Longden, extends along the eastern side of the site and onto Plealey Lane through the school grounds to the north east.

2.3 The site extends into the north east corner of the adjacent field from where vehicular access onto Plealey Lane will be provided. A mature hedgerow and 3 Oak trees are located along the southern side of Plealey Lane and form the existing field boundary.

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 In accordance with Part 8 of the Shropshire Councils Scheme of Delegation, a request to consider the application at Central Planning Committee has been received from the local member for the Longden ward, based on material planning considerations following an objection from Longden Parish Council.

### 4.0 COMMUNITY REPRESENTATIONS

#### 4.1 Consultee Comments

##### 4.1.1 Longden Parish Council: Object

Object on the grounds that the development contravenes SAMDev and would spoil the character and balance of the village. Furthermore, the Parish Council desire family and affordable homes, and have specifically requested developments of between 6 and 10 properties. There are also access and drainage issues with the development.

Following reconsultation: -

After discussion it was agreed that the Parish Council still opposed this application, It does not believe it is in compliance with the SAMDev the Parish Council was consulted on. Also the Parish Council wanted family homes and affordable homes. It is in an area within the village which was highlighted as not for development when the residents were consulted in 2012 on where development was to be within the village. The Parish Council specifically requested developments of between 6 and 10 properties and not large scale developments which will change the character of the village. There are also many access issues with this development.

##### 4.1.2 SC Highways:

Initially recommended objection on following grounds: -

- Transport Assessment not submitted
- Improvements to footpath are on private land outside of developers control
- Works would alter status of footpath to footway and would compromise security at the school
- Consent of education provider is required.
- All ability access must be provided along the footway
- Proposed development relies upon delivery of pedestrian route through school to achieve pedestrian connection with village.
- Parking area will not be adopted by highway authority.
- Applicant needs to hold discussions with the school to establish who will carry out maintenance/management of the proposed car park.

Following reconsultation: -

Confirm objection now withdrawn on following grounds: -

- Improved connectivity with village through upgrading of public footway following no objection from the school as landowner
- Also proposes new school parking and improvements to address on-going issues within Plealey Lane

- Transport Assessment no longer required following reduction in dwelling numbers
- Provision of pick up and drop off points within school grounds will mitigate parking issues on Plealey Lane
- Still question whether Longden is a sustainable site for a development of the scale proposed.

No objection subject to use of conditions relating to footway link provision, details of access roads and a construction method statement.

#### 4.1.3 SC Rights of Way:

FP 33 Longdon abuts the eastern boundary of the site as shown on the attached plan. I note that it is intended to surface the path throughout which we would not object to in principle in view of its use as an access to the adjacent school. The applicant would need to apply for a temporary closure of the footpath for the duration of the surfacing work and the future maintenance of the route would need to be discussed with the outdoor recreation team prior to any works being carried out.

Further comments received in response to reconsultation:-

The Mapping and Enforcement Team does not object to the proposed development but any diversion of the public footpath under section 119 of the Highways Act 1980 would have to satisfy the test that the new route will be as 'substantially as convenient' for use by the public and the circuitous nature of the proposed footpath diversion around the school playing field and through a proposed car parking area may attract objections from user groups. It is noted that the proposed new route would include a new pedestrian crossing within the new school parking area and we would like further details of the nature of this crossing and confirmation as to its future maintenance since we do not have the resources to accept additional maintenance responsibilities for the route which is currently an unfenced rural footpath in character. We would also like further details and the intended extent of any proposed surfacing of the footpath as this should not be carried out without the agreement of the Mapping and Enforcement Team.

#### 4.1.4 SC Ecology:

Raise no objections, subject to conditions and informatives relating to Bats, Great Crested Newts and Nesting wild birds. A landscaping plan is also requested to ensure the provision of amenity and biodiversity afforded by appropriate landscaping design.

#### 4.1.5 SC Trees:

Tree report requested 25<sup>th</sup> July 2014. Following submission of a Tree Report, the Councils Trees Officer commented as follows:-

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

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

The AIA notes that the proposed development would result in the loss of 4 mature category A2 (Highest Value) trees, however, the accompanying tree removal plan SR2 show 5 cat A2 trees to be removed and, from an examination of the submitted site layout plan LVS/PP/05 and the tree removal plan SR2, it would also appear that the proposed site access road would be constructed within the Root Protection Area of T2, a category A2 mature oak tree and that this tree and T14, Cat. A2 mature oak tree would be within the required visibility splay. It is therefore considered that there is the potential for the loss of both these specimens in addition to the 4 trees already identified. The proposal also requires the removal of two sections of species rich hedgerow. As noted all these specimens are mature trees of high value and long future life expectancies. Trees T1, 2 & 14 are roadside trees and are significant features in the street scene and important components in the character of the local landscape. They are large canopy, native species trees and this is significant as trees of this type have the greatest potential to make a positive contribution to the local landscape, biodiversity and in providing ecosystem services. As mature trees, these benefits are already being realised and their loss would be very difficult to mitigate.

Para 118 of the NPPF recognises the benefits that mature trees bring and states that 'planning permission should be refused for development where this would result in the loss or deterioration of irreplaceable habitats such as ancient woodland and aged or veteran trees unless the need for, and the benefits of the development in that location clearly outweigh the loss'. In addition to the roadside oak trees, the development will result in the loss of a mature oak tree T21, which forms part of a row of trees adjacent to the existing school access road. This tree is an important component of this group of this significant arboricultural feature and its loss will diminish the value of the group in terms of its landscape quality and its contribution to ecosystem services through a significant reduction in canopy cover. The 3 other trees shown to be removed are mature poplars planted along the existing boundary of the school playing field where they provide a prominent and attractive landscape feature.

The proposed development would result in the loss of a significant number of mature trees with high amenity values. It would appear that little attempt has been made to accommodate these important trees into the site design though altering the layout or seeking alternative access routes. It is also not accepted that the replanting scheme proposed could in any way compensate or mitigate the loss of the mature trees. It is recommended that planning permission be refused as it is contrary to policies CS6 & CS17 of the core strategy and to NPPF guidance".

#### 4.1.6 SC Drainage:

The drainage details, plan and calculations could be conditioned and submitted for approval at the reserved matters stage if outline planning permission were to be

granted.

Requests details of surface water, finished ground levels and the incorporation of sustainable drainage measures.

4.1.7 SC Affordable Housing team:

If this site is deemed suitable for residential development, the scheme would be required to contribute towards affordable housing in accordance with Policy CS11 of the adopted Core Strategy. The level of contribution would need to accord with the requirements of the SPD Type and Affordability of Housing and at the prevailing housing target rate at the time of Reserved Matters application.

4.1.8 SC Learning and Skills:

Object to this proposal because no consultation prior to submission of the application was received, despite being the principal landowner in relation to the elements of the scheme that affect the school.

Following reconsultation, confirmation has been received that this objection has now been resolved following further discussions between the school and the agent.

4.1.9 Sport England:

The planning application involves development that would result in the loss of playing field. As such a statutory objection to the application is raised because it has not been clearly demonstrated that the development would accord with any of the exceptions to Sport England's playing field's policy or the NPPF. Objections would be reconsidered should further / amended information be provided to address the policy requirements.

Following further reconsultation: -

- Satisfied that the playing field will not be lost and the development will ensure maximum continuity of the playing field provision
- However, concerned about uncertainty regarding the footpath diversion and resurfacing
- Also limited information provided regarding the proposed equipment store and changing room
- Therefore maintains current objection.

4.2 Public Comments

4.2.1 At the time of writing, a total of 62 objections have been received from members of the public in response to the application. All comments are available in full on the planning file but the key issues have been summarised as follows: -

Highway Safety:

- ☐ Plealey Lane is too narrow for the proposed access to be safe.
- ☐ Plealey Lane would not cope with the increased traffic. In particular, new residents would likely flock to Pontesbury for many services. This would exacerbate existing traffic problems along the connecting road and would potentially lead to a bottleneck at Plealey.
- ☐ The lanes and roads in the surrounding area would not be able to cope with the increase in traffic. The safety of cyclists, walkers and horse riders,

commonly found in the locality, is of particular concern.

- ☐ Vehicular access to the new development would be gained by driving past a primary school, posing a threat to children.
- ☐ Passing cars travel faster than the 35mph stated in the application.
- ☐ Local parking issues would be exacerbated.
- ☐ There are not many employment opportunities in Longden and the majority of new residents would probably work in Shrewsbury. More traffic entering Shrewsbury would also create issues. Longdon Road passes two secondary schools on the outskirts of Shrewsbury and feeds into a nearby, already congested round-a-bout.
- ☐ If the plan goes ahead, it should be ensured that traffic exiting the new housing estate cannot access Plealey Lane via the school car park.
- ☐ Increase in commuter traffic
- ☐ Nearby roads need to be upgraded or resurfaced in order to divert local traffic away from Longden

#### Damage to the Community:

- ☐ The capacity of the local school may be inadequate to accommodate the increase in population.
- ☐ Whilst the land is potentially suitable for development, the current proposal is for too many houses. The number of dwellings in the village would almost double and there are no proposals to improve village services. Furthermore, it exceeds the Council's recommended number of new houses for the village. In particular, the proposal may contravene SAMDev.
- ☐ Parish Plan 2010 stated 25 to 30 houses be built by 2026, by infill or small developments of a few houses spread throughout the Parish
- ☐ Total of 31 planning applications in the village and 24 nearby, which would exceed the Parish Councils number of units projected for 2026.
- ☐ The proposed improvements to parking at the local school would only be useful for a fraction of the day and would only benefit a small section of the community.
- ☐ The rural character of the village would be destroyed.
- ☐ Loss of village community
- ☐ Due to the location and size of the development, there would be difficulty in integrating with the existing village. The development risks creating a community separate to Longdon.
- ☐ Amenities, such as shops and public houses, have traditionally struggled in Longdon. Therefore Longdon fails to have sufficient amenities to justify acceptance of this new development.
- ☐ Local medical services would be unable to cope.
- ☐ There may be issues with power and telecommunication systems.
- ☐ The application contains numerous inaccuracies and contravenes national and local planning policy.
- ☐ The proposal is draconian and should have a greater provision of affordable housing.
- ☐ Potential for future extension of the site, increasing the number of houses further

Damage to the Landscape and Environment:

- ☒ Wildlife concerns have not been addressed.
- ☒ The development site is outside the village boundary and prime agricultural land.
- ☒ The proposed development site is situated on higher ground than the village. The development would create an eyesore for anyone approaching the village by road or foot. It would spoil the existing attractive countryside.
- ☒ Great Crested Newts living in the school pond may be endangered.
- ☒ The proposed playing fields are unnecessary and further increase the proposed development's encroachment on the countryside.
- ☒ Protected trees may be endangered.

Personal Concerns:

- ☒ Some residents may suffer a loss of privacy as a result of new houses 'overlooking' their property.
- ☒ Many elderly and / or unwell people will suffer as a result of the development.

Transport:

- ☒ Only public transport is by bus, which is limited to Shrewsbury and Pulverbatch
- ☒ Heavy reliance on cars
- ☒ At least 2 cars per household (70+ cars) entering and leaving Plealey Lane

Water and Drainage:

- ☒ It would potentially be difficult to install adequate water and sewage systems.
  - ☒ There may be an increased risk of flooding in the village, as a result of the loss of open fields and inadequate drainage provision.
- 4.2.2

A letter of objection has also been received from A.F. McDonald & Partners, which has been endorsed by Longden Parish Council, raising further concerns, which have been summarised as follows: -

- Suitability of junction with Plealey Lane
- Standard of Existing School Access
- Need for Transport Assessment and Highway Improvements
- Impact of Possible Widening of lane
- Predicating further development of land to west of site
- Proposed School Car Park
- Provision of Acoustic Fence on boundary with The Rectory
- Diversion of Public Footpath
- Cost of Construction and Maintenance

- 5.0 THE MAIN ISSUES
- Principle of Development
  - Access and Highways Issues
  - Layout and Scale
  - Impact upon Residential Amenity
  - Trees and Landscaping Issues



Ecology Issues  
Alterations to School Grounds  
Other matters

6.0 OFFICER APPRAISAL

6.1 Principle of Development

6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Since the adoption of the Councils Core Strategy the National Planning Policy Framework (NPPF) has been published and is a material consideration that needs to be given weight.

6.1.2 At paragraph 12 the National Planning Policy Framework (NPPF) states that proposed development that accords with an up-to-date Local Plan should be approved, and development that conflicts should be refused unless other material considerations indicate otherwise. There is a presumption in favour of sustainable development and at paragraph 14 the NPPF it explains that for decision taking this means that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted for development unless:

- 1) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- 2) specific policies in the NPPF indicate that development should be restricted.

6.1.3 With regards to housing development paragraph 49 of the NPPF is relevant and states that:

‘Housing applications should be considered in the context of the presumption in favour of sustainable development’.

and that

‘Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.’

6.1.4 Following the submission of the SAMDev Final Plan to the Planning Inspectorate at the end of July, the Council’s position (as published in an amended Five Year Housing Land Supply Statement on 12/08/14) is that it has identified a housing supply of 5.47 years for Shropshire which is sufficient to address the NPPF 5 year housing land supply requirements. In the calculation of the 5 years’ supply, the Council recognises that full weight cannot yet be attributed to the SAMDev Final Plan housing policies where there are significant unresolved objections. Full weight will be applicable on adoption of the Plan following examination but, even as that document proceeds closer to adoption, sustainable sites for housing where any adverse impacts do not significantly and demonstrably outweigh the benefits of the development will still have a strong presumption in favour of permission under the NPPF, as the 5 year housing supply is a minimum requirement and the NPPF aim

of significantly boosting housing supply remains a material consideration. However, with a 5 years' supply including a 20% buffer and supply to meet the considerable under-delivery since 2006, existing planning policies for the supply of housing are not out-of-date by virtue of NPPF para 49 and these provide the starting point for considering planning applications.

- 6.1.5 The starting point for consideration of housing proposals is therefore the Development Plan but as this can only be given limited weight, applications should still be determined in the context of the NPPF's presumption in favour of sustainable development and its aim of boosting housing supply.
- 6.1.6 When assessed against saved SABC Local Plan Policy H3: Housing in Villages with Development Boundaries the site is located outside but immediately adjoining the western boundary of the Longden Village Development Boundary. Therefore under the existing development plan the site would be considered to be located within countryside. Policy CS5 of the Shropshire LDF Core Strategy does not generally support the provision of new open market residential development in the countryside.
- 6.1.7 Shropshire Council has an adopted Core Strategy which contains Policy CS4: Community Hubs and Community Clusters which outlines that development that is of a scale that is appropriate to the settlement will be allowed in villages in rural areas that are identified as Community Hubs and Clusters within the SAMDev DPD.
- 6.1.8 Within the SAMDev Pre-Submission Draft submitted to the Secretary of State for examination on the 31st July 2014 the village of Longden has been included as a Community Cluster under Core Strategy Policy CS4 along with settlements of Hook-a-gate, Annscroft, Longden Common and Lower Common/Exfords Green. Emerging policy S16.2 (xi) Community Hub and Cluster Settlements outlines that development by infilling, groups of houses and conversions may be acceptable on suitable sites within the development boundary identified on the Policies Map, with housing guidelines of around 25-30 in Longden. The Longden Parish Development Statement (2013) advises that no individual site should be of more than 10-15 houses and indicates a preference for lower cost, 2-3 bedroom properties for development in Longden. There are no allocated housing sites within the village.
- 6.1.9 Notwithstanding the above, weight must be given to the requirements of the NPPF and the presumption in favour of sustainable development. Longden is a village comprising approximately 129 dwellings and 331 residents which is located approximately 7 miles south west of Shrewsbury. The village benefits from a range of essential services and facilities including a Primary School, post office and village shop and public house. It also has a church and a village hall. The nearest Secondary Schools are at Pontesbury, Meole Brace, Shrewsbury or Church Stretton. The village is also served by the 546 Pulverbatch to Shrewsbury bus service which runs 7 services per day Monday to Friday and on Saturdays.
- 6.1.10 The site is located immediately adjoining the western boundary of the village and it is considered that the above services that are all within an easy walking distance of the application site. Furthermore, the proposal includes provisions to upgrade the

footpath link to the village, thus improving pedestrian connectivity from the site. It is therefore considered that the site is situated in a sustainable location with regard to accessibility and proximity to essential day to day services without over reliance or long journeys by private motor car.

6.1.11 However 'sustainable development' isn't solely about accessibility and proximity to essential services but the NPPF states that it is 'about positive growth – making economic, environmental and social progress for this and future generations'. In paragraph 7 of the NPPF it states that these three dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

6.1.12 Economic role – The proposal will help boost the supply of housing in Shropshire and will provide local employment for the construction phase of the development supporting small local builders and building suppliers. The provision of 35 additional houses will also support local businesses as future occupiers will access and use local services and facilities. The provision of more homes will create a stimulus to the economy and address the housing shortage. The proposal will also make a financial contribution to the supply of affordable housing in addition to a CIL payment which will provide financial contributions towards infrastructure and opportunities identified in the Place Plan.

6.1.13 Social role – Villages need to expand in a controlled manner in order to provide support for and maintain the level of services and facilities available in the village and surrounding area. The NPPF positively encourages the siting of housing in smaller settlements where it will support facilities within the settlement and those nearby, thereby helping to retain services and enhancing the vitality of rural communities. Providing housing will support and maintain existing facilities and will benefit both the existing and future residents and help meet the needs of present and future generations. It is considered that the additional 35 dwellings now proposed would not provide any significant additional pressure on services that would render them unable to sustain services for residents. The proposed school car park extension and improvements, provision of new equipment store/changing block and footway upgrade will be of benefit to the school the local community.

#### 6.1.14 Environmental role –

The site comprises Grade 3 Agricultural land and has no official heritage, cultural or ecological designation. The proposal will not have any detrimental impact upon local wildlife and any loss of significant or protected trees can be mitigated through a suitable landscaping scheme to involve the provision of replacement planting and the two significant areas of landscaping indicated on the site plan. A consideration of the likely visual impact upon the surrounding area will take place at the reserved matters stage.

#### 6.2 Access and Highways Issues

6.2.1 The proposed development has been the subject of on-going discussions between the developer, the highways Authority and the primary school, given that the proposal involves the provision of additional school car parking and alterations to the school access and egress, in addition to access arrangements for the proposed residential development.

6.2.2 The proposed development will involve the provision of a new vehicular access onto Plealey Lane, to be formed in the north west corner of the site, utilising the corner of an adjacent, larger field. The access has been positioned to achieve maximum visibility and will contain visibility splays measuring 79 metres in each direction which Highways officers consider adequate for the speed of traffic on Plealey Lane.

6.2.3 The proposed residential development has been amended to reduce the number of units from 50 to 35 dwellings and as such, does not require the submission of a Transport Assessment. Highways officers have considered the proposal and are satisfied that the road network surrounding the site will be able to accommodate the additional vehicle movements likely to be generated by the development.

6.2.4 The local highway authority initially questioned the sustainability of the development due to a lack of a suitable accessible walking connection to the village centre. The proposal has now been amended to provide an enhanced footway link to Plealey Lane to the north east of the site. The works will include the provision of a tarmaced surface and erection of a 1.8 metre high fence to provide security for the primary school. The upgraded footway would then be adopted by the local highway authority. It is understood that the school/education authority raise no objection to the proposed works.

6.2.5 The proposed development also includes the provision of a new school car parking facility to be provided in the north east corner of the site. The proposal will involve the provision of a 51 space car park, together with alterations to traffic flows within the site which will see school traffic enter the site via the proposed new entrance, travel through the site in an anti-clockwise direction and exit the site via the existing school entrance. The proposal will allow parents to drop off and collect children away from Plealey Lane where there have been ongoing issues at school opening and closing times for many years. The local highway authority raise no objection to this aspect of the scheme which it is considered is unlikely to solve all of the issues around the school on Plealey Lane, but will help to mitigate any potential conflict with additional traffic resulting from the proposed development. The land on which

the car park will be sited will be gifted to the school as part of the development and confirmation has been provided by the developer that the cost of the provision of the car park will also be met by the developer together with alterations to the car park layout including the provision of a coach park and pick up point. The new car park and access will not be adopted by the local highway authority therefore maintenance responsibility will fall upon the school, which has been acknowledged by the Council's Learning and Skills section.

6.2.6 The local highway authority raise no objection to the proposal which it is considered can be provided without detriment to local highway or pedestrian safety. In addition, the proposal will contain significant benefits to highway safety given that the proposed 51 space car park which will significantly reduce problems associated with on-street parking within Plealey Lane at school pick up and drop off times.

6.2.7 Notwithstanding the above comments, officers will seek to impose conditions to any planning approval requiring the submission of details of the design and construction of new roads and access, surface water drainage, a construction method statement, prior to the commencement of the development.

### 6.3 Layout and Scale

6.3.1 Development should meet the relevant criteria of Shropshire Core Strategy Policy CS6: Sustainable Design and Development Principles. This policy states that development should be appropriate in scale, density, pattern and design and should also safeguard residential and local amenity. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.

6.3.2 All matters other than the access onto Plealey Lane are reserved for later approval in this case and it would be these submissions, in the event of outline planning permission being given, that would consider the appropriateness of the layout and detailed design issues. The submitted Design and Access Statement does, however, indicate a mixture of 2-3 bedroom properties together with some larger 4-5 bed units.

6.3.3 Whilst an indicative plan was initially submitted with the application, this indicated a total of 50 dwellings to be provided. The application has subsequently been amended to reduce the number of dwellings to a maximum of 35, however, no further indicative layout has been submitted. Officers are, however, satisfied that the site is of a size capable of accommodating the number of dwellings proposed without appearing cramped or overdeveloped.

6.3.4 The submitted plans do show two areas of landscaping to be provided in the south east and the north west corners of the site. Precise details of the contents of these areas will be provided as part of a landscaping condition attached to any planning approval. It is considered that the area of planting in the south west corner will act as a buffer between the existing properties to the south of the site on Well Mead Lane.

6.3.5 The proposed development will also include a 51 space car park to be provided in the north east corner of the site on land which will be gifted to the school. To

accommodate the car park, the existing school football pitch will need to be moved further south which will also involve land to be gifted to the school. The new playing field will be enclosed by a 1.8m high perimeter fence, details of which will be agreed with the planning department prior to erection. FP33 Longden which currently runs inside the school curtilage will be diverted around the perimeter of the relocated playing field as part of the proposal.

#### 6.4 Impact upon Residential Amenity

6.4.1 The nearest residential properties to the site are 4 properties located on Well Mead Lane, which are located across the private driveway which runs along the south site boundary, and The Rectory which is located immediately to the north of the site. The existing school access is located between The Rectory and Inscape and adjoins Plealey Lane immediately opposite Floradene and No. 6 Little Barnyard.

6.4.2 As all matters other than the access onto are reserved for later approval, it would be the layout, scale and appearance of the development which would consider the likely impact upon the amenities of nearby residents.

6.4.3 The proposed school car park and footpath improvements will be provided adjacent the boundary with The Rectory, however, whilst it is likely that such items will involve an increase in noise and activity during school hours, the applicant has indicated that a 2 metre fence will be erected along the boundary with The Rectory in order to mitigate any potential disturbance to the occupants of that property. Furthermore, gates will be installed at the car park entrance to prevent use out of school hours in order to prevent unauthorised access and activity at more unsociable hours. The gates will be the responsibility of the school and are also necessary to maintain security at the school.

6.4.4 Officers note that the provision of a car park within the site and the associated one-way system is likely to increase the number of vehicles egressing the site via the existing access located between The Rectory and Inscape. As a result, the occupants of those properties may experience some additional noise and disturbance during school hours, however, given that proposal will should reduce the problems caused by parents parking along Plealey Lane, the scheme is considered to have significant wider benefits to the amenities of residents along Plealey Lane, and this will outweigh the inconvenience experienced by the occupants of those properties immediately adjacent the school driveway. In addition, vehicle movements will largely be limited to school hours and are unlikely to take place during evenings or weekends.

#### 6.5 Trees and Landscaping Issues

6.5.1 An arboricultural impact assessment has been submitted with the application which identifies and classifies the trees on the site in accordance with BS 5837: 2012 recommendations.

6.5.2 The proposal has the potential to impact upon a number of significant trees within and adjacent to the site. As a result, Tree Protection Orders have been placed upon 3 Oak trees within the hedgerow in the north west corner of the site where the new vehicular access is to be provided. Whilst only one of the trees (T1) will need to be removed to accommodate the necessary visibility splays, the Trees Officer is

of the opinion that the two remaining Oaks (T2 and T14) will also be compromised. The Trees Officer has also raised concerns that the proposal will require the removal of 3 mature poplar trees (T4, T5 and T6) within the site together with a mature Oak (T21) along the boundary with The Rectory which are all considered to be of high amenity value. The Trees Officer does not consider that the replanting scheme proposed could compensate or mitigate the loss of these mature trees.

- 6.5.3 The applicant is aware of the concerns raised and has submitted additional comments in response. An additional plan (SR4) proposes a semi-mature replacement Oak to replace T1 and together with measures to ensure the long term survival of trees T2 and T14. In addition, the planting of 60-90cm whips will take place either side of the entrance to ensure prolonged tree cover should the trees not survive.
- 6.5.4 Whilst no justification has been provided for the removal of the Oak and Poplars within the site, it is clear that their removal is necessary to facilitate the provision of the car park and access. Whilst the concerns raised by the tree officer are noted, a number of significant trees including Oak and Poplar will remain in the rows along the side of the existing access and along the side of the football pitch and as a result, it is not considered that the loss of the 4 trees would result in significant harm to the character and appearance of the school site and immediate locality.
- 6.5.5 The proposed works to provide the new school car park and to upgrade the public footpath in the north east of the site will take place alongside the boundary with The Rectory where a number of trees are located on neighbouring land. The submitted tree report identifies mitigation measures necessary to avoid damaging the trees which include appropriate construction methods and the use of protective fencing around the crown spread of the trees concerned.
- 6.5.6 The proposal will also require the removal of 158 metres of hedgerow in order to accommodate the 2.4m by 79m visibility splays in each direction. Whilst such a loss would have a significant impact upon the character of the area, a new hedgerow will be replanted behind the visibility splays, in a species mix to the agreement of the Trees Officer and as such, it is considered that the proposed replanting will prevent significant adverse impact to the character of the street scene and wider landscape character.
- 6.5.7 The proposal will also include the provision of two areas of landscaping within the development site in the south east and north west corners. Precise details of the contents of these areas will be provided as part of a landscaping condition attached to any planning approval, however, it is considered that the area of landscaping to be provided in the north west part of the site will help to soften the impact of the vehicular entrance upon the surrounding landscape which is rural and agricultural in character. The area of planting in the south west corner will help to act as a buffer between the existing properties to the south of the site on Well Mead Lane.

## 6.6 Ecology Issues

### 6.6.1 Bats:

A bat survey was carried out of the trees with bat potential including the Oak tree to be removed at the site entrance and no bats activity was recorded. The Planning

Ecologist has requested that works are carried out in accordance with the recommendations of the Environmental Survey and that 6 woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species are installed on site prior to first occupation of the dwellings permitted. Lighting control will be needed to prevent impact on commuting and foraging bats.

6.6.2 Great Crested Newts:

A historic record of Great Crested Newts has been recorded at Longden Primary School and full GCN surveys have been conducted as part of the application. No presence of GCN was recorded on site, however, Greenscape Environmental Ltd has provided a method statement in order to ensure the protection of amphibians and reptiles as part of the development and a condition will be imposed to ensure this is complied with.

6.6.3 Nesting Birds:

The site has the potential to support nesting birds therefore a condition will be imposed requiring the erection of 6 artificial bird nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow prior to occupation of the development.

6.7 Alterations to School Grounds

6.7.1 In order to accommodate the proposed school car park, it will be necessary to relocate the existing school football pitch approximately 25 metres further to the south. The developer has therefore agreed to gift a further parcel of land located to the south of the existing pitch measuring approximately 270 sq metres to the school and has agreed to carry out and meet the cost of the proposed works. In addition, the developer has agreed with the school to provide further facilities including a relocated and enlarged equipment store/changing block, to be situated to the east of the relocated pitch, a 1.8m high fence around the perimeter of the pitch to provide increased security, and the provision of gates for maintenance and access around the pitch and also at the entrance to the proposed car park.

6.7.2 It is noted that an objection has been received from Sport England, initially in relation to the relocation of the playing field, and subsequently regarding the diversion of the footpath and the relocation of the equipment store. Following the submission of a further plan by the agent, Sport England are satisfied that there will be no net loss in playing field at the school, however, a condition will be imposed controlling the timing of the delivery of the relocated playing field and the standard of the pitch to be provided. Sport England have raised concerns that any resurfacing of the diverted footpath could impact upon the quality of the playing field as a result of additional surface water runoff, however, as the Council's PROW team are not willing to adopt the footpath, it is intended that to leave the footpath as bare earth or a basic porous surface such as crushed stone. Further Sport England concerns have been raised concerning the relocated equipment store and a lack of information submitted, however, officers are mindful that this has been proposed at the request of the school and full elevational plans would not be required as the application is for outline consent only. Officers do, however, consider that the building will be located a sufficient distance from the pitch to avoid compromising the quality of the surface. Whilst the above information has been provided to Sport England, further comments have not been received at the time of writing and it is



assumed that their objection continues to stand. Any subsequent comments will be reported to members as additional representations.

6.7.3 Officers are of the opinion that the proposal will not result in the loss of playing field space or compromise the quality of existing facilities at the school, in accordance with Policy CS8 and para 74 of the NPPF.

6.8 Other matters

6.8.1 Flood Risk and Drainage Issues:

The site is not located within Flood Zones 2 or 3 and is not within an area known to be at risk of flooding.

6.8.2 The application has been referred to the Council's Flood and Surface Water Management Team who confirmed on the 2nd May 2014 that the drainage details, plan and calculations could be conditioned and submitted for approval at the reserved matters stage if outline planning permission were to be granted.

6.8.3 Officers note the concerns raised with regard to potential runoff and flooding of neighbouring land at lower levels to the south of the site. The reserved matters application will need to explore the use of soakaways for surface water disposal with percolation tests and the sizing of the soakaways designed in accordance with BRE Digest 365 to cater for a 1 in 100 year return storm event plus an allowance of 30% for climate change. If soakaways are not feasible, drainage calculations to limit the discharge rate from the site equivalent to a greenfield runoff rate would have to be submitted for approval. The attenuation drainage system will be designed so that storm events of up to 1 in 100 year + 30% for climate change will not cause flooding of any property either within the proposed development or any other in the vicinity.

6.8.4 This scheme will meet its requirements in respect of surface water drainage through the submission and approval of appropriate details at the reserved matters stage which will be implemented prior to any occupation of the dwellings and the scheme will accord with Policy CS18.

6.8.5 Public Rights of Way:

The proposal will involve the diversion of public footpath FP33 Longden which currently runs along the east site boundary, linking Plealey lane to the north with the private driveway to the south of the site. The footpath will be diverted around the perimeter of the relocated football pitch and will then cross the new school car park before turning east, then north where it will re-join its original course towards Plealey Lane. The Council's Public Rights of Way team have inspected the proposal and whilst they do not raise any objection in principle, they do advise that granting of planning permission would not constitute a formal diversion of the footpath which will need to be obtained separately under section 119 of the Highways Act 1980.

6.8.6 The PROW team have also confirmed that they would not be willing to adopt the diverted footpath should the surface be improved as part of the diversion works.

6.8.7 Affordable Housing:

Policy CS11 of the Core Strategy requires an appropriate contribution to made local needs affordable housing, either in the form of on-site provision or a financial contribution towards off site provision. The level of contribution would need to accord with the requirements of the SPD Type and Affordability of Housing and will be set at the prevailing housing target rate at the time of Reserved Matters application.

6.8.8 The applicants have agreed to make the necessary contribution in accordance with the requirements of the Type and Affordability of housing SPD and in this respect the application is considered to accord with Policy CS11.

## 7.0 CONCLUSION

7.1 The planning application relates to the provision of a residential development comprising 35 dwellings on land outside of the Longden Development Boundary as shown in saved Policy HS3 of the SABC local plan and is therefore located in open countryside and contrary to Core Strategy Policies CS4 and CS5. Limited weight can be given to the SAMDev Plan in which Longden is being promoted as a Community Cluster with an aspiration for 25-30 dwellings over the plan period to 2026, with no individual site consisting of more than 10-15 houses. Notwithstanding this point, the application must also be considered in accordance with the NPPF which has a presumption in favour of sustainable development. Longden is a village which has a number of local facilities and services, and as such the site is considered to represent a sustainable site for residential development in principle.

7.2 It is considered that the site is of a sufficient size to accommodate the proposed number of dwellings and would not result in an unacceptable form of development immediately adjacent to the village. The proposal would have no adverse environmental or ecological implications and would not impact on highway safety or the amenity of nearby residents. Any loss of significant or protected trees can be mitigated through a suitable landscaping scheme to involve the provision of replacement planting and the two significant areas of landscaping indicated on the site plan.

7.3 Whilst concerns have been raised regarding the size of the proposed development, it is considered that existing infrastructure is sufficient to support the proposed development and the proposal will provide local needs affordable housing and CIL payment towards local priorities. The scheme will also include significant enhancements and additions to facilities at the primary school including the provision of a 51 space car park, alterations and improvements to the existing car park layout, relocation of school playing field and provision of a new equipment store and the additional land involved will be gifted to the school. The proposal will therefore include significant benefits to the local community and will help to address existing parking problems along Plealey Lane presently occurring at school drop off and pick up times.

7.4 It is considered that Longden is a sustainable location for the 35 dwellings (over and above the 25-30 put forward by the Parish as part of SAMDev) due to its range of essential services and facilities and access to public transport reducing reliance on long journeys by private motor car. It is considered that the proposal represents sustainable development that will contribute to providing a balance of available

housing and would help support facilities and services in this and neighbouring towns and villages and therefore promote 'strong, vibrant and healthy communities'.

7.5 It is therefore recommended that members support this application and grant planning permission in line with clear guidance within the NPPF. Permission, if granted, should be subject to the completion of a S106 Agreement to secure the provision of affordable housing and the provision of the school car park and relocated playing field in accordance with the Councils adopted policy.

## 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 three months 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 (NPPF)

Core Strategy and Saved Policies:  
CS1: Strategic Approach  
CS4: Community Hubs and Community Clusters  
CS5: Countryside and Green Belt  
CS6: Sustainable Design and Development Principles  
CS8: Facilities, Services and Infrastructure Provision  
CS9: Infrastructure Contributions  
CS11: Type and Affordability of Housing  
CS17: Environmental Networks  
CS18: Sustainable Water Management

SABC Local Plan (Saved Policies)  
HS3: Houses in Villages with Development Boundaries

Relevant Planning History:

None

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| List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)<br>See planning file |
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| Cabinet Member (Portfolio Holder)<br>Cllr M. Price |
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| Local Member<br>Cllr Roger Evans |
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| Appendices<br>APPENDIX 1 - Conditions |
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## APPENDIX 1

### Conditions

#### STANDARD CONDITION(S)

1. Approval of the details of the layout, scale and external appearance of the development and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Article 4 of the Development Management Procedure Order 2010 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of reserved matters shall be made to the local planning authority before the expiration of one year from the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3. The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

4. The following information shall be submitted to the local planning authority concurrently with the first submission of reserved matters:

The number of units  
The means of enclosure of the site  
The levels of the site  
The finished floor levels

Reason: To ensure the development is of an appropriate standard.

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

5. No development shall take place until details of the design and construction of any new roads, footways (including the new link through the school grounds), accesses together with details of the disposal of surface water have been submitted to, and approved by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby approved is commenced or the building(s) occupied.

Reason: To ensure a satisfactory access to the site.

6. Prior to the commencement of any works on the existing school playing field to provide the new school car park, the new school playing field shall have been repositioned as

indicated on the approved plans and in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011).

Reason: To ensure the continued provision of sports facilities for the school and wider community.

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

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

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

8. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to, and approved by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

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

9. The first submission of reserved matters shall include a scheme of landscaping and these works shall be carried out as approved. The submitted scheme shall include:

- a) Means of enclosure, including all security and other fencing
- b) Minor artefacts and structures (e.g. lighting)
- c) Planting plans, including wildlife habitat and features (e.g. bat and bird boxes)
- d) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate. Native species used to be of local provenance (Shropshire or surrounding counties)
- e) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works
- f) Implementation timetables

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

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

10. Prior to the first occupation of the residential development hereby approved, the proposed footway link through the school grounds shall be fully implemented and opened for use in accordance with the agreed design and shall thereafter permanently be retained as such.

Reason: To provide a safe walking route for the future residents of the site.

11. A total of 6 woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species and a total of 6 woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be erected on the site prior to first occupation of the dwellings hereby permitted. All boxes must be at an appropriate height above the ground with a clear flight path and thereafter be permanently retained.

Reason: To ensure the provision of roosting opportunities for bats which are European Protected Species.

12. Prior to construction and/or demolition activities occurring on site a dust management statement detailing how the developer will reduce dust from spreading off the site shall be submitted to the local planning authority for approval in writing. Any methods contained within any approved statement shall be implemented on site.

Reason: To protect the amenity of the area and the health and wellbeing of local residents.

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

13. Work shall be carried out strictly in accordance with the Phase 1 and Phase 2 Environmental Survey conducted by Greenscape Environmental Ltd (April 2014).

Reason: To ensure the protection of Bats, a European Protected Species

14. No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

15. No burning shall take place on site including during clearance of the site.

Reason: to protect the amenity of the area and protect the health and wellbeing of local residents.

16. No residential development shall be provided in the two areas of landscaping indicated on the proposed site layout plan reference LVS/PP/05.

Reason: In order to preserve the amenities of nearby residents and to protect the character of the countryside through the prevention of built development on the part of the site containing the new vehicular access.

17. The development shall be carried out in accordance with the recommendations of the Arboricultural Report carried out by Sylvan Resources Ltd received 9th September 2014.

Reason: To ensure the satisfactory preservation of retained trees on the site and neighbouring land in accordance with BS5837:2012.

### **Informatives**

1. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.
2. Your application is viewable online <http://planningpa.shropshire.gov.uk/online-applications/> where you can also see any comments made.
3. All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended).

If a live bat should be discovered on site at any point during the development then work must halt and Natural England should be contacted for advice.

4. Great Crested Newts are protected under the European Council Directive of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (known as the Habitats Directive 1992), the Conservation of Habitats and Species Regulations 2010 and under the Wildlife & Countryside Act 1981 (as amended).

If a Great Crested Newt is discovered on the site at any time then all work must halt and Natural England should be contacted for advice.

5. 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 closefitting 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.
6. On the site to which this consent applies the storage of all building materials, rubble, bricks and soil must either be on pallets or in skips or other suitable containers to prevent their use as refuges by wildlife.
7. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.



All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: 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 cannot be clearly seen to be clear of bird's nests then an 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

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