



Committee and date

South Planning Committee

6 October 2015

Development Management Report

Responsible Officer: Tim Rogers

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Summary of Application

Application Number: 14/02683/FUL	Parish: Broseley
Proposal: Erection of 2 dwellings including creation of new vehicular access	
Site Address: Proposed Development Land South Of 14 Legges Hill Off Speed's Lane Broseley Shropshire	
Applicant: Mr And Mrs Murphy	
Case Officer: Lynn Parker	email: planningdmse@shropshire.gov.uk

Grid Ref: 367035 - 302371



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Contact: Tim Rogers (01743) 258773

Recommendation:- Grant Permission subject to the completion of a Section 106 Agreement to secure the affordable housing contribution and to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

1.1 This application as originally submitted was for the erection of two detached dwellings. During the course of the application, in response to officers concerns, the scheme has been amended to a pair of traditional semi-detached cottages. The proposal is now for 'L' shaped dwellings of one and a half storeys comprising an entrance hall, dining room or study, sitting room, utility, kitchen and WC at ground floor level, and a master bedroom with ensuite, 2 further bedrooms and a bathroom at first floor level. Each dwelling now proposed measures 9m wide x 10.35m in depth x 7.25m to ridge height, 4.25m to eaves. Design features include chimneys to each side, solid brick porches, eaves dormers, side gables, and arched brickwork over the openings. Four parking spaces are proposed, two for each dwelling, to be located within the frontage adjacent to the side boundary as the buildings are set back from the road by some 10m. It is indicated within the Design and Access Statement that one of the dwellings is intended for occupation by the applicant, and the other by their son.

1.2 Brick walls and clay roof tiles are indicated to match those of the adjacent dwellings, windows and doors to LPA approval. The boundaries will be defined by a mixture of native hedging and brick walls, and the vehicular access of tarmac. Foul sewage will be disposed of via the mains sewer, surface water to SUDs. No trees or hedges will be affected by the development.

1.3 An Affordable Housing Contribution Proforma has been submitted agreeing to pay a financial contribution of £27,000 (13,500 x 2) towards off site affordable housing provision as the internal floorspace is identified as being over 100m² for each dwelling. The applicable target rate for this area at the time of submission was 15%. (0.30 x 100m² x 900 = £27,000).

2.0 SITE LOCATION/DESCRIPTION

2.1 The site falls within, but adjacent to the development boundary of the Key Centre of Broseley to the north west of the Town Centre and is accessed directly from Speed's Lane either via Legges Hill and King Street to the north, or from the B4375 to the south. The site is on the edge of the part of Broseley characterised by its tangle of streets and lanes, and mix of dwellings on irregular plots, linked by pathways and flights of steps, as the land is essentially the eastern slope of a valley side. The growth of the settlement was instigated in the late 16th Century when the Lord of the Manor, James Clifford allowed miners to build cottages on plots in the unenclosed commons and wastes north of the ancient village. The proposed plot is at the valley bottom where the land becomes less steep and more open and is within a Conservation Area.

2.2 The site is set at a lower level than the adjacent road and slopes gently downwards to the west. It is garden land belonging to no. 14 Legges Hill which is laid to grass and not overly cultivated, however, there are some modern outbuildings and other domestic paraphernalia within its curtilage. The eastern boundary with the road is defined by a substantial length of block wall, the western boundary more open as it borders onto meadow land. No. 14 Legges Hill is a white painted/rendered cottage with multiple brick chimneys, a south facing front elevation and on site parking/turning provision.

2.3 There is a neighbouring cottage immediately opposite the proposed plot and one beyond the site approximately 25m to the south on the same side of the road. Both of these dwellings are also white painted/rendered and set centrally within generous plots. The dwelling opposite is raised slightly above the road but quite close to it behind a mature low evergreen hedge and has off road parking and garaging to its north side.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 Applications requested to be referred, by the Local Member to the relevant Planning Committee within 21 days of electronic notification of the application and agreed by the Service Manager with responsibility for Development Management in consultation with the Committee Chairman or Vice Chairman to be based on material planning reasons.

4.0 Community Representations

4.1 -Consultee Comments

4.1.1 Broseley Town Council (27-06-14) – Object

a. Councillors were concerned about the safety and visibility of an additional access onto the narrow Speeds Lane at this point.

b. The design, appearance and alignment of the proposed houses was not in keeping with the historic character of this part of the Conservation Area.

Broseley Town Council (03-10-14) – Uphold Objection

Councillors preferred the revised design which was more in keeping with the historic area of the town. However, no effort had been made to address access issues previously raised and Councillors remain concerned about the proposed access to the site.

4.1.2 Barrow Parish Council (07-07-14) – Object

The size and style of the proposed houses is not consistent with the majority of surrounding properties, especially given the difference in scale.

Would not preserve or enhance the character of the conservation area.

New access is very unsuitable for the narrowness of speeds lane.

4.1.3 SC Highways (23-07-14) – Object

The highway authority recommends that this application is refused as the site is approached by means of a narrow county road which is considered unsuitable in terms of its width to serve the additional traffic likely to be generated by the development proposed.

SC Highways (20-07-15) – No objection, previous objection withdrawn.

Further to previous Highway comments submitted, Shropshire Council as Highway Authority would consider that the proposed access to the site is substandard in terms of carriageway width along Legges Hill and Speeds Lane, and as Highway Authority we remain concerned with regard to the access to the site.

However, having considering adopted planning policies and in view of the location of the development and the proximity of the proposed dwellings to Broseley Town Centre, it is not considered that the additional vehicle movements associated with the proposed dwelling will have a severe impact on Highway safety, and a highway objection could not be sustained on this basis.

Shropshire Council as Highway Authority would therefore withdraw previous highway objection and raise no objection to the granting of consent. On site construction condition recommended

4.1.4 SC Drainage - The foul and SUDs details, plan and calculations could be conditioned if planning permission were to be granted. If non permeable surfacing is used on the new access, driveway and parking area and/or the new access slopes toward the highway, the applicant should submit for approval a drainage system to intercept water prior to flowing on to the public highway. On the Pluvial Flood Map, the land where the proposed access and car parking area is at risk of surface water flooding. The applicant should provide details on how the surface water runoff will be managed and to ensure that the finished road/ car parking levels are set above any known flood.

Standard advice supplied in relation to the encouragement of measures listed to minimise the risk of surface water flooding.

4.1.5 SC Conservation (10-07-14) – Concerns raised

The site lies within the conservation area and is fairly visible in wider views, therefore any proposed development will be visible from the wider conservation area and should aim to protect and enhance the character of the area.

Whilst it is understood that the design has taken influence from existing Victorian properties within Broseley, it is considered that the approach taken does not wholly reflect its immediate context. The properties surrounding the site have a simpler style that may be more appropriate on this site.

SC Conservation (10-10-14) – Support

The revised design has been viewed and it is felt that this is an improvement on the previous scheme and it is not considered that it would result in any detrimental impact on the conservation area.

4.1.6 SC Archaeology - No comments.

4.1.7 SC Ecology – A condition is recommended relating to external lighting re bats, and informatives in relation to Great Crested Newts, and nesting wild birds.

4.2 - Public Comments

4.2.1 Two letters of public representation were received from adjacent properties which can be viewed in full online, however their concerns are summarised as follows:

- o The access for cars along Speed's Lane is very restricted, particularly narrow at this point, is poorly maintained, contains blind corners, and has no ability to carry further traffic.
- o The single wide access will not provide an additional passing place in the lane.
- o If planning was granted, building contractor vehicles would become a major issue due to the limited access.
- o The access will be almost opposite our front gate and driveway putting pedestrian access to our property at risk.
- o The design of the properties is not in keeping with others close by within the conservation area.
- o The low hedge at the front of our property will not protect our privacy.
- o Removal of the blockwork boundary wall will only afford a view of our house from the new properties.
- o The houses appear taller than ours and will block light in the evenings.
- o This proposal could encourage other local residents to sacrifice some of their garden area to build additional properties.

4.2.2 Following notification of the amended plans, two further letters were received from the same neighbours re-iterating their concerns, and adding that the single monolithic block would be worse than the previous proposal in relation to loss of light.

5.0 THE MAIN ISSUES

- o Principle of development
- o Affordable Housing
- o Design, scale and character and impact on Conservation Area
- o Highways/Access
- o Impact on neighbours/residential amenity

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 Council's Core Strategy, the National Planning Policy Framework (NPPF) has been published and needs to be given weight in the determination of planning applications.
- 6.1.2 The NPPF in itself constitutes guidance for Local Planning Authorities as a material consideration to be given significant weight in determining applications. The NPPF sets out the presumption in favour of sustainable development. These considerations have to be weighed alongside the provisions of the development plan.
- 6.1.3 For the purposes of the assessment of this application the development plan presently comprises the adopted Shropshire Core Strategy 2011, certain saved policies of the Bridgnorth Local Plan and a range of Supplementary Planning Documents, in addition to the emergent SAMDev.
- 6.1.4 Following on from the adoption of the Core Strategy in 2011, the Council has also been progressing the Site Allocations and Management of Development Plan (SAMDev) and that Plan is now at an advanced stage. The SAMDev Plan Inspector has recently confirmed the proposed main modifications to the Plan following the examination sessions held in November & December 2014. The main modifications were published on 1st June 2015 for a 6 week consultation period ending on 13th July 2015. Any Plan content not included in the schedule of proposed main modifications may be considered to be sound in principle in accordance with NPPF paragraph 216. Therefore significant weight can now be given to SAMDev policies in planning decisions where these are not subject to modifications.
- 6.1.5 A key objective of both National and Local Planning Policy is to concentrate new residential development in locations which promote economic, social and environmental sustainability. Specifically, Core Strategy Policies CS1, CS3, CS4, CS5 and CS11 seek to steer new housing to sites within Market Towns, other 'Key Centres' and certain named villages ('Community Hubs and Clusters') as identified in the Council's emerging SAMDev Plan.
- 6.1.6 The proposed site falls within the Key Centre of Broseley in which the principle of erecting open market dwellings is supported by LDF Core Strategy Policy CS3 – The Market Towns and Other Key Centres, as a more sustainable form of development. Bridgnorth District Local Plan 'Saved' Policy H3 identifies Broseley as a key settlement where residential development will be permitted provided the site is appropriate. The Market Towns and other key centres are identified in LDF Core Strategy Policy CS1 – Strategic Approach as maintaining and enhancing their traditional roles in providing services and employment and accommodating around 40% of Shropshire's residential development over the plan period. Greater self-containment is the key objective of the Market Town revitalisation programme.

- 6.1.7 The 'appropriateness' of the site can be considered as the perceived interaction between the proposed and existing visual and physical factors involved. Both the National Planning Policy Framework (NPPF) and LDF Core Strategy Policies CS6 and CS17 direct that a high quality development should be created whilst contributing to local character, and protecting and enhancing the natural, built and historic environment.
- 6.1.8 Broseley Town Plan supports new housing within its development boundary and within its Conservation Area, provided that proposals offer a conservation gain, either by sympathetic restoration of a heritage feature or property, or via an infill development or conversion with a design that compliments the surrounding townscape (Policy H.3). Additionally, the Broseley Design Statement which forms part of the Town Plan, but which can be taken as a separate document, requires proposed designs to be in keeping with the form and materials that define the town's heritage (DS.1), and blend in with the town vernacular, including amongst other criteria, roof height (DS.2).
- 6.1.9 Therefore there is no in principle planning policy objection to new housing in this location, as it is positioned within the development boundary of the Key Centre of Broseley and the surrounding environment is predominantly residential. The acceptability or otherwise of the proposal therefore rests with the consideration of the detailed matters in the following sections of this report.
- 6.2 Affordable Housing
- 6.2.1 LDF Policy CS11 seeks to meet the diverse housing needs of Shropshire residents now and in the future and to create, mixed, balanced and inclusive communities by securing a financial contribution from residential unit proposals to provide for affordable housing within the Shropshire Council jurisdiction. Accordingly an affordable housing contribution proforma indicating the correct contribution has been submitted with this application.
- 6.2.2 Regarding the need for an affordable housing payment, officers acknowledge the November 2014 Ministerial statement and national Planning Practice Guidance (PPG) which advised against the use of planning obligations to secure tariff-style contributions on housing developments of this scale. These were afforded weight in a number of recent appeal cases, although the Council contended that those decisions did not set a binding precedent since the evidence underpinning its Core Strategy Policy CS11 had not been considered in full as part of the appeal process. In any event the Government has subsequently withdrawn the Statement and associated PPG following a successful High Court challenge (as of the 31st July 2015) . The Council therefore maintains its position that an appropriate affordable housing contribution will continue to be sought in all cases in accordance with adopted Policy CS11 and the Housing SPD.
- 6.3 Design, scale and character
- 6.3.1 Policy CS6 of the Shropshire Council LDF Core Strategy states that development should conserve and enhance the built and historic environment and be appropriate in its scale and design taking account of local character and context. LDF Core Strategy Policy CS17 is also concerned with design in relation to its environment, but places the context of the site at the forefront of consideration i.e. that any

development should protect and enhance the diversity, high quality and local character of Shropshire's historic environment and does not adversely affect the heritage values and function of these assets. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also requires local authorities to have regard to the desirability of preserving or enhancing Conservation Areas and their setting in the exercising of statutory functions.

6.3.1 Following concerns raised by SC Conservation, the type and design of the dwellings proposed has been significantly altered to be keeping with the character and appearance of the surrounding built environment. A semi-detached layout rather than detached is now proposed, a lower height of one and half storeys indicated, and features included in the design such as chimneys on each side, solid brick porches, eaves dormers, side gables and arched brickwork over the openings. It is felt that these revisions combine to form dwellings of a more traditional and high quality appearance suited to the context of the surrounding townscape. It is also considered that the amended plans would not detract from the character or appearance of the Broseley Conservation Area.

6.4 Highways/Access

6.4.1 Core Strategy policy CS6 seeks to secure safe developments and saved Bridgnorth District Local Plan policy D6 requires the local road network and access to the site to be capable of safely accommodating the type and scale of traffic likely to be generated. It also states that on site car parking should have regard to the Council's recommended parking standards. Initially issues were raised by SC Highways in relation to the safe use of the carriageway outside the plot and the same concerns picked up by both Broseley and Barrow Parish Councils, and within the public representations submitted.

6.4.2 Within the NPPF consideration is given to the acceptability of developments in terms of highway and transport matters, paragraph 32 stating that;

'All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;

safe and suitable access to the site can be achieved for all people; and

improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

Additionally paragraph 34 of the NPPF states, '

'Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised'

6.4.3 Therefore taking NPPF policy into account and in view of the location of the development and the proximity of the proposed dwellings to Broseley Town Centre, it is not felt that the additional vehicle movements associated with the proposed dwelling will have a severe impact on highway safety and SC Highways consider that an objection on this basis could not be sustained.

6.4.4 The proposal includes a generous parking and turning area for each dwelling in addition to a single wide access being created in order to maximise visibility on egress from the site. This will improve road safety for both occupiers and road users and the formation of the wide access through the removal of a section of the wall will also have the benefit of visually creating more space within the narrow carriageway. The amount of off street parking proposed would comply with the parking standards of the former Bridgnorth District Council which are still in force in south east Shropshire.

6.5 Impact on neighbours/residential amenity

6.5.1 Core Strategy policy CS6 seeks to safeguard residential amenity. It is considered the amended scheme would not result in any significant overbearing or overlooking impacts. The plot is set at a lower level than Speed's Lane and the neighbouring property across it to the east, so that the first floor dormer windows will not be directly opposite each other. This factor combined with the lowering of the height of the dwellings by over 1m in comparison with the detached designs originally proposed and the distance between the proposed cottages and the neighbouring property to the east of approximately 19m is felt to be sufficient to ensure there would be no undue adverse impact on mutual residential amenity.

6.5.2 Proposed windows on the side elevation facing north towards no. 14 Legges Hill are set back 8m from the boundary and will have views across to the end half of the neighbouring garden rather than towards any private amenity space. There are no other neighbouring properties within 30m. It is therefore considered that there will be no detrimental impact from the proposed development due to the relative land levels and generous space around the dwellings.

7.0 CONCLUSION

7.1 The site is located within the development boundary of the settlement, where new residential development is considered to be acceptable. The nature and scale of the proposed development is considered appropriate for a windfall site within Broseley, a Market Town/Key Centre as set out in Core Strategy Policy CS3. Consideration has been given to all the material planning considerations and concerns. The development would respect the context of the site and would not be harmful to the residential amenities of nearby dwellings or to the surrounding area.

7.2 The site proposes sufficient off road parking and is of a scale and design which is held to be acceptable within its immediate Conservation Area setting. The proposal is consistent with the objectives of SAMDev, and in accordance with the requirement of the NPPF and Core Strategy Policy CS6 in respect of scale and sustainability. The NPPF supports development in sustainable locations in settlements unless other material considerations lead to a different conclusion.

7.3 The proposal is therefore supported and planning permission should be granted subject to the completion of a s106 Legal Agreement to secure a contribution towards the provision of off-site affordable housing.

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)
National Planning Practice Guidance

Core Strategy And 'Saved' Policies

CS1: Strategic approach
CS3: The Market Towns and Other Key Centres
CS6: Sustainable design and development principles
CS9: Infrastructure contributions
CS11: Type and affordability of housing
CS17: Environmental Networks
CS18: Sustainable Water Management
S1: Development Boundaries
H3: Residential Development in Main Settlements

Supplementary Planning Documents (SPDs):

Type And Affordability Of Housing

Broseley Town Plan 2013-2026

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

MD1: Scale and Distribution of development
MD2: Sustainable Design
MD8: Infrastructure Provision

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

Design And Access Statement received 16th June 2014

Adjacent Pond Information received 8th October 2014

Cabinet Member (Portfolio Holder)

Cllr M. Price

Local Member

Cllr David Turner

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 and drawings

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

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

Reason: To ensure that the external appearance of the development is satisfactory and to protect the character and appearance of the Conservation Area.

CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. Prior to the commencement of works full details, calculations, dimensions and location plan of the percolation tests and the proposed soakaways shall be submitted to and approved in writing by the Local Planning Authority, and the agreed recommendations shall be implemented in full prior to the first occupation/use of the development (whichever is sooner). Percolation tests and soakaways should be designed in accordance with BRE Digest 365.

Reason: To minimise the risk of surface water flooding. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

5. As the site is at risk of surface water flooding on the Pluvial Flood Map, information detailing how the surface water runoff will be managed and demonstrating that the finished floor level is set above any known flood level should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and the agreed recommendations shall be implemented in full prior to the first occupation/use of the development (whichever is sooner)

Reason: To minimise the risk of surface water flooding. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

6. If non permeable surfacing is used on the driveway and/or the driveway slopes towards the highway, details of a drainage system to intercept water prior to flowing on to the public highway should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and the agreed recommendations shall be implemented in full prior to the first occupation/use of the development (whichever is sooner).

Reason: To ensure that no surface water runoff from the new driveway runs onto the highway. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

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. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

8. No development approved by this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and these works shall be carried out as approved. The submitted scheme shall include:

- Means of enclosure
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)

- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

Reason: To ensure the provision of amenity afforded by appropriate landscape design. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

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

9. Prior to completion of development, a planting plan shall be submitted to the written satisfaction of the Local Planning Authority. The plan shall give details of the species, numbers, sizes, planting location, means of protection and support and early-years maintenance of the trees and shrubs to be planted in association with the development.

Reason: To enhance the development and contribute towards long-term continuity of tree cover at the location.

10. The approved planting plan shall be implemented in full during the first available bare-root planting season (November to February inclusive) following commencement of development. Any planted tree or shrub, or replacement tree or shrub, which within a period of three years from planting, becomes diseased, dies, or is otherwise lost or destroyed, shall be replaced by another of similar specification.

Reason: To ensure a satisfactory form of landscaping to the development.

11. The dwelling hereby approved shall not be first occupied until the car parking area shown on approved plan have been constructed, and the parking spaces thereafter shall be kept clear and maintained at all times for that purpose.

Reason: To provide for the parking of vehicles, associated with the development, off the highway in the interests of highway safety.

12. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK.

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

CONDITION THAT IS RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or

without modification), no development relating to Schedule 2, Part 1 shall be erected, constructed or carried out.

Reason: To maintain the scale, appearance and character of the development and to safeguard residential and / or visual amenities.

Informatives

1. Where there are pre commencement conditions that require the submission of information for approval prior to development commencing at least 21 days notice is required to enable proper consideration to be given.
2. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £97 per request, and £28 for existing residential properties.

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

3. If your application has been submitted electronically to the Council you can view the relevant plans online at www.shropshire.gov.uk. Paper copies can be provided, subject to copying charges, from Planning Services on 01743 252621.
4. 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.
5. Consent is required from the service provider to connect into the foul main sewer.
6. To ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner, as part of SUDs, the applicant should consider employing measures such as the following:
 - Surface water soakaways
 - Swales
 - Infiltration basins
 - Water Butts
 - Rainwater harvesting system
 - Permeable surfacing on any new driveway, parking area/ paved area
 - Attenuation
 - Greywater recycling system
 - Green roofs

7. 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.

8. 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.
9. 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.
10. 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.