

Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: Monday, 7 June 2021

Committee: Southern Planning Committee

Date: Tuesday, 15 June 2021

Time: 1.00 pm PLEASE NOTE EARLIER START TIME

Venue: The Auditorium - Theatre Severn, Frankwell Quay, Frankwell, Shrewsbury. SY3 8FT

Members of the Public – The meeting will be live streamed (link to the live stream below) and there will be some access in the Theatre for the public and press to attend the meeting. In order to comply with Covid-19 regulations and to check that a seat will be available for you, if you wish to attend the meeting please contact the Committee Officer (contact details below).

The Council's procedure for holding Planning Committees at Theatre Severn including the arrangements for public speaking can be found by clicking on this link:

<https://shropshire.gov.uk/planning/applications/planning-committees/>

Members of the public will be able to access the live stream of the meeting by clicking on this link:

www.shropshire.gov.uk/SouthernPlanningCommitteeMeeting15June2021

You are requested to attend the above meeting.
The Agenda is attached

Tim Collard
Interim Assistant Director – Legal and Democratic Services

Members of the Committee

David Evans (Chairman)
Robert Tindall (Vice Chairman)
Caroline Bagnall
Andy Boddington
Nick Hignett
Richard Huffer
Hilary Luff
Nigel Lumby
Richard Marshall
Tony Parsons
Dave Tremellen

Substitute Members of the Committee

Julia Buckley
Nigel Hartin
Heather Kidd
Kevin Pardy
Claire Wild

Your Committee Officer is:

Tim Ward Committee Officer

Tel: 01743 257713

Email: tim.ward@shropshire.gov.uk

AGENDA

1 Apologies for Absence

To receive any apologies for absence.

2 Minutes (Pages 1 - 12)

To confirm the minutes of the Southern Planning Committee meetings held on 13 April 2021 and 20 May 2021

Contact Tim Ward (01743) 257713.

3 Public Question Time

To receive any questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is no later than 1.00 pm on Friday 11 June 2021.

4 Disclosable Pecuniary Interests

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

5 Ironbridge Power Station, Buildwas Road, Ironbridge, Telford, Shropshire TF8 7BL (19/05560/OUT) (Pages 13 - 108)

Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works

6 Proposed Quarry to the east of Much Wenlock Road, Buildwas, Telford Shropshire (19/05509/MAW) (Pages 109 - 150)

Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site

7 Date of the Next Meeting

To note that the next meeting of the Southern Planning Committee will be held at 1.00 pm on Tuesday 22 June 2021, in the Auditorium, Theatre Severn, Frankwell Quay, Shrewsbury.

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Committee and Date

Southern Planning Committee

15 June 2021

SOUTHERN PLANNING COMMITTEE

Minutes of the meeting held on 13 April 2021

2.00 - 6.22 pm

Meeting held virtually via Microsoft Teams

Responsible Officer: Tim Ward

Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

Present

Councillors David Evans (Chairman), David Turner (Vice-Chair), Andy Boddington, Simon Harris, Nick Hignett, Richard Huffer, Cecilia Motley, Tony Parsons, Madge Shineton, Robert Tindall and Tina Woodward

190 Apologies for Absence

There were no apologies for absence

191 Minutes

RESOLVED:

That the Minutes of the meeting of the Southern Planning Committee held on 16 March 2021 be approved as a correct record and signed by the Chairman.

192 Public Question Time

There were no public questions

193 Disclosable Pecuniary Interests

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

In relation to applications 18/01258/OUT, 19/01329/FUL, 20/03308/FUL and 20/04700/VAR, Councillor Cecilia Motley declared that she was a member of The Shropshire Hills AONB Partnership and The Shropshire Hills AONB Strategy and Performance Committee. She confirmed that she had not taken part in any discussion about the applications.

In relation to application 18/01258/OUT, 19/01329/FUL, 20/03308/FUL and 20/04700/VAR, Councillor Robert Tindall declared that he was a member of The Shropshire Hills AONB Partnership, he confirmed that he had not taken part in any discussion about the applications.

In relation to application 18/01258/OUT, 19/01329/FUL, 20/03308/FUL and 20/04700/VAR, Councillor David Turner declared that he was a member of The Shropshire Hills AONB Partnership and The Shropshire Hills AONB Strategy and Performance Committee, he confirmed that he had not taken part in any discussion about the applications.

194 Proposed Residential Development Land South East of Springbank Farm Shrewsbury Road Church Stretton Shropshire (18/01258/OUT)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor David Evans, local Ward Councillor, took no part in the debate and did not vote on this item.

The Vice Chair Councillor Turner took the Chair and asked Members to confirm that they had read the late representations.

The Consultant Planner introduced the application, which was an outline application for the erection of 5No dwellings, to include means of access and with reference to the drawings and photographs displayed, he drew Members' attention to the location, layout and elevations. He advised Members that following their decision to approve the application at their February meeting the application had been advertised as a departure and following this, objections had been received which was the reason why the application was before Members.

The Consultant Planner drew Members attention to the information contained in the schedule of late representations.

In accordance with virtual meeting speaking protocol the following Public Speaker statements were read out:

- Jim Bunce on behalf of the Save Snatchfield Group, All Stretton Village Society, Clive Avenue Residents Association and Strettons Civic Society
- Stuart Thomas (Agent) on behalf of the applicants

During the ensuing debate a Member commented that he had concerns that piecemeal development if allowed would eventually join up Church Stretton and All Stretton, and that although there is a shortfall of housing against a number yet to be agreed in the forthcoming plan, there should be a coherent plan to address this developed by the town council and Shropshire Council rather than relying on piecemeal development .

RESOLVED:

That in accordance with the Officer recommendation planning permission be refused for the reasons set out in appendix 1 to the report.

195 Acton Arms Hotel Morville Bridgnorth Shropshire WV16 4RJ (20/03647/OUT)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Robert Tindall, local Ward

Councillor, having submitted a statement, took no part in the debate, and did not vote on this item.

The Consultant Planner introduced the application, which was an Outline application for residential development of 3 no. detached dwellings to include access, layout and scale and with reference to the drawings and photographs displayed, he drew Members' attention to the location, layout and elevations. He reminded Members that this application had been deferred at a previous meeting to allow further discussion with the applicant with regard to securing a Section 106 agreement linking the proceeds of the development to the refurbishment of the public house.

In accordance with virtual meeting speaking protocol the following Public Speaker statements were read out:

- Robert Tindall (Local Member)
- James Collins (Agent) on behalf of the applicant.

During the ensuing debate Members comments included:

- Regret at the potential loss of a community facility.
- Number of houses in the cluster exceeded.

RESOLVED:

That in accordance with the Officer recommendation planning permission be refused for the following reason:

Although it is recognised that the proposal would contribute to the social objective by adding to the supply of housing in the village, potentially increasing the likelihood of the PH re-opening and there would be some limited economic benefit through the construction process, this development would result in the number of commitments and completions further exceeding the housing guideline (15 dwellings) set out in SAMDev policy S3.2 (iii) the by an additional 3 dwellings which is significant, in the light of the existing number of dwellings completed and commitments made (28 dwellings). This over-provision, that the scheme would add to, would undermine other elements of the development strategy for the area such as to direct development to areas with greatest access to facilities and as such, would not represent a suitable site for housing, with regard to the Council's housing strategy and would fail to accord with Policy CS4 of the CS and Policies MD1, MD3 and Policy S3.2 (iii) of the SAMDev regarding the scale and distribution of housing development in the area.

196 Proposed Residential Development Land To The South Of Doddington Shropshire (19/01329/FUL)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Madge Shineton, local Ward

Councillor, having submitted a statement, took no part in the debate and did not vote on this item.

The Principal Planner introduced the application, which was an application for the erection of 2no. detached dwellings and with reference to the drawings and photographs displayed, he drew Members' attention to the location, layout and elevations.

In accordance with virtual meeting speaking protocol the following Public Speaker statements were read out:

- Madge Shingleton (Local Member)
- Lisa Henning on behalf of the applicant.

RESOLVED:

That in accordance with the Officer recommendation planning permission be granted subject to the conditions set out in appendix 1 to the report

197 Middleton Mill Neenton Bridgnorth Shropshire (19/04823/FUL)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Robert Tindall, local Ward Councillor, took no part in the debate and did not vote on this item.

The Principal Planner introduced the application, which was an application for the erection of 1No dwelling, detached double garage with room above, summer house, installation of septic tank and with reference to the drawings and photographs displayed, he drew Members' attention to the location, layout and elevations.

During the ensuing debate Members comments included:

- Proposal of innovative design but some concerns over the potential level of light pollution.
- Some concern re possible risk of flooding from Rea Brook

RESOLVED:

That in accordance with the amended Officer recommendation planning permission be granted as a Departure, subject to the completion of a Section 106 Agreement to secure an affordable housing contribution and to the conditions set out in Appendix 1.

198 Land West Of Blacksmiths Cottage Broome Aston On Clun Shropshire (20/03308/FUL)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor David Evans, local Ward Councillor, took no part in the debate and did not vote on this item.

The Vice Chair Councillor Turner took the Chair.

The Principal Planner introduced the application, which was an application for the erection of one dwelling with detached garages and with reference to the drawings and photographs displayed, he drew Members' attention to the location, layout and elevations.

The Principle Planner drew members attention to the information contained in the schedule of late representations.

In accordance with virtual meeting speaking protocol the following Public Speaker statements were read out:

- Gordon Fryer (Local Resident)
- Hopesay Parish Council
- Amy Henson (Agent) on behalf of the applicant

RESOLVED:

That in accordance with the amended Officer recommendation planning permission be granted subject to the conditions set out in Appendix 1 and two further conditions (listed below) to secure the foul drainage and provision of ecological enhancements:

Foul Drainage condition:

Prior to the first use or occupation of the new dwelling hereby permitted, a foul drainage system in the form of a sealed cesspit as shown on the approved plans DS0963P-02.6 CP-SL and 201149/03b shall be fully installed. It shall thereafter be retained and maintained in full working order, and when emptied, all waste/effluent shall be disposed of outside the water catchment area of the River Clun. At no time shall any foul waste/effluent be discharged into the ground or any watercourse within the River Clun catchment area, including by means of connection to a public sewer.

Reason: To ensure that the development is provided with satisfactory means of drainage, to avoid increasing the risk of flooding or pollution at the site or elsewhere, and to safeguard the ecological interest of the River Clun Special Area of Conservation, in accordance with Policies CS6, CS17 and CS18 of the Shropshire Local Development Framework Adopted Core Strategy.

Bat and Bird box condition:

Prior to first occupation / use of the building, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:

- A minimum of 1 external woodcrete bat box or integrated bat brick, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), and/or house martins (house martin nesting cups).

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

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with MD12, CS17 and section 175 of the NPPF

199 **Proposed Residential Development Land To The South Of Callaughtons Ash Much Wenlock Shropshire (20/04432/FUL)**

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor David Turner, local Ward Councillor, having submitted a statement, took no part in the debate and did not vote on this item.

The Principal Planner introduced the application, which was an application for the erection of 14 No. affordable dwellings with associated parking, roads and landscaping and with reference to the drawings and photographs displayed, he drew Members' attention to the location, layout and elevations.

The Principal Planner drew Members attention to the information contained in the schedule of late representations.

In accordance with virtual meeting speaking protocol the following Public Speaker statements were read out:

- Lesley Durbin (Local Resident) in support of the application
- Councillor David Evans, local Member in support of the application. (In accordance with the public speaking protocol Councillor Evans read his statement).
- Paul Neep (Agent) in support of the application

During the ensuing debate Members comments included:

- Excellent proposal that will meet an identified need for affordable housing.
- Sure that with further work outstanding drainage issues can be addressed.

RESOLVED:

That contrary to Officers recommendation planning permission be granted and delegated authority be given to the Area Planning Manager to secure a section 106 agreement to ensure that the houses remain “affordable” in perpetuity, and to apply conditions as necessary to include:-

- Approval of a drainage scheme prior to commencement of development
- Landscaping
- Materials
- Tree Protection
- Ecology

Members felt that the development provided much needed affordable housing for the area, and that with additional work the objection on drainage grounds could be overcome

200 Development Land West of Springfield Park, Cleve Hill, Shropshire (20/04700/VAR)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Richard Huffer, local Ward Councillor, having submitted a statement, took no part in the debate and did not vote on this item.

The Consultant Planner introduced the application, which was an application for the variation of condition No.s 1 (approved plans) and 7 (landscaping) attached to Planning Permission Ref. 19/03888/VAR dated 28 January 2020 and with reference to the drawings and photographs displayed, he drew Members’ attention to the location, layout and elevations.

In accordance with virtual meeting speaking protocol the following Public Speaker statements were read out:

- Anita Rose (Local Resident)
- Richard Huffer (Local Member)
- Conor Flanagan (Agent) on behalf of the applicant.

During the ensuing debate Members comments included:

- Concern regarding the efficacy of the proposed draining scheme.

- Concern regarding the effect of increasing the height of the houses plots 1 – 3 which would have an adverse effect on neighbouring properties to the west

RESOLVED:

That contrary to Officer recommendation planning permission be refused for the following reason:

The raising of the level of the dwelling houses on Plot Nos. 1, 2 and 3 would give rise to an unacceptable impact on the residential amenity of the neighbouring properties to the west of the site by virtue their overbearing nature and overlooking, contrary to Policy CS6 of the Shropshire Local Development Framework Adopted Core Strategy (March 2011)

Councillors Harris and Hignett left the meeting.

201 Redthorne Farm Barns Redthorne Hill Cleobury Mortimer Shropshire (21/00180/FUL)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Madge Shineton, local Ward Councillor, having submitted a statement, took no part in the debate and did not vote on this item.

The Consultant Planner introduced the application, which was an application for the laying of a hardcore track and creation of a new access from an unregistered road into the field for the purposes of agriculture. and with reference to the drawings and photographs displayed, he drew Members' attention to the location, layout and elevations.

In accordance with virtual meeting speaking protocol the following Public Speaker statements were read out:

- Cleobury Mortimer Parish Council
- Madge Shineton (Local Member)
- Sarah Hulland (Agent) on behalf of the applicant

During the ensuing debate Members comments included:

- Is the track necessary as there are a number of other entrances to the field.

RESOLVED:

That contrary to Officer recommendation planning permission be refused for the following reason:

Insufficient agricultural purpose has been demonstrated to for the siting of the proposed access which would be insufficiently functionally and physically closely related to existing farm buildings when there is already another existing access and would give rise to adverse highway safety and environmental impacts in terms of sightlines, restricted manoeuvring space due to the narrowness of the road and neighbour amenity, contrary to Policies CS6 and MD7b of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (December 2015)

202 19 Burley Craven Arms Shropshire SY7 9LW (21/00496/FUL)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Cecilia Motley, local Ward Councillor, took no part in the debate and did not vote on this item.

The Principal Planner introduced the application, which was an application for the erection of single storey side extension and with reference to the drawings and photographs displayed, he drew Members’ attention to the location, layout and elevations.

RESOLVED:

That in accordance with the Officer recommendation planning permission be granted subject to the conditions set out in appendix 1 to the report

203 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 13 April 2021 be noted.

204 Date of the Next Meeting

RESOLVED:

That it be noted that the next meeting of the South Planning Committee will be held at 2.00 pm on Tuesday, 15 June 2021

Signed (Chairman)

Date:

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<u>Committee and Date</u>
Southern Planning Committee
15 June 2021

SOUTHERN PLANNING COMMITTEE

Minutes of the meeting held on 20 May 2021 in the The Auditorium - Theatre Severn, Frankwell Quay, Frankwell, Shrewsbury. SY3 8FT

Responsible Officer: Tim Ward
 Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

Present

Councillors Caroline Bagnall, Andy Boddington, David Evans, Nick Hignett, Richard Huffer, Hilary Luff, Nigel Lumby, Richard Marshall, Tony Parsons, Robert Tindall and Dave Tremellen

1 Election of Chairman

1.1 Nominations were received for Councillor David Evans and Councillor Andy Boddington

1.2 RESOLVED:

That Councillor David Evans be elected Chairman of the Southern Planning Committee for the forthcoming municipal year

2 Apologies for Absence

2.1 There were no apologies for absence

3 Appointment of Vice Chairman

3.1 A nomination was received for Councillors Robert Tindall

3.2 RESOLVED:

That Councillor Robert Tindall be appointed Vice Chairman of the Southern Planning Committee for the forthcoming municipal year

Signed (Chairman)

Date:

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<u>Committee and date</u>
Southern Planning Committee
15 June 2021

Development Management Report (Referral back to committee)

Responsible Officer: Tim Rogers
 email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

<u>Application Number:</u> 19/05560/OUT	<u>Parish:</u>	Buildwas
<u>Proposal:</u> Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works		
<u>Site Address:</u> Ironbridge Power Station, Buildwas Road, Ironbridge, Telford, Shropshire TF8 7BL		
<u>Applicant:</u> Harworth Group Plc		
<u>Case Officer:</u> Grahame French	<u>email:</u> planningdmsw@shropshire.gov.uk	

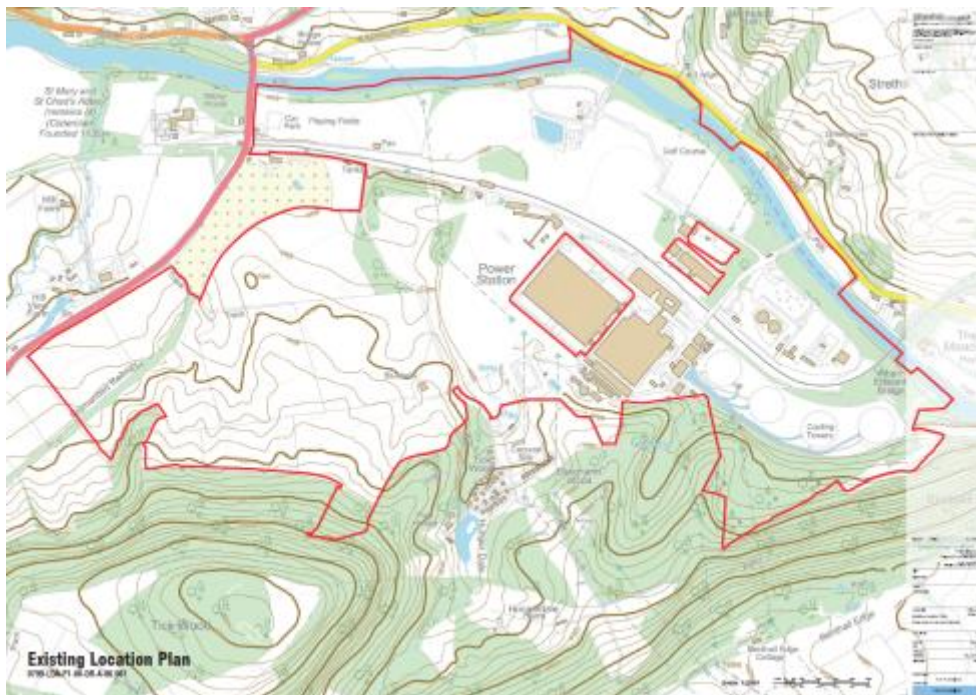


Figure 1 - Location

Recommendations:

- 1) To Grant Permission subject to the conditions and legal agreement clauses set out in Appendix 1.
- 2) That the Committee authorises the Head of Planning Services to enter into negotiations with Telford & Wrekin Council, if necessary, in order to secure a Memorandum of Understanding to deliver the cross-boundary infrastructure listed in Appendix 1 of this report (legal agreement clauses).
- 3) That Members note that if this cross-boundary application is approved arrangements will need to be entered into whereby Shropshire Council as the 'lead authority' can accept authority for onward delegation of planning control for the proposals from Telford & Wrekin Council. This will allow Shropshire Council to issue a single planning permission for the application and to assume sole responsibility for determining subsequent discharge of conditions and reserved matters applications relating to the application, whilst retaining Telford & Wrekin Council as consultees.

EXECUTIVE SUMMARY

- i. The application site is included as a strategic site under Policy S20 of the emerging Shropshire Local Plan (Pre-Submission draft 2021). The policy sets out a range of criteria which must be satisfied under a masterplan for the site for the development to proceed.
- ii. The application has been submitted in advance of adoption of the new local plan (anticipated in late 2022) due to practical and operational considerations linked to the acquisition of the site by the applicant, Harworth Group Ltd. However, it is not considered to be premature in advance of plan adoption for reasons set out in this report. Extensive stakeholder engagement has been undertaken by the applicant and a comprehensive planning consultation process has taken place involving three separate formal consultation exercises.
- iii. This is a cross-boundary application as a small part of the site comprising the existing road bridge into the site falls within the administrative area of Telford & Wrekin Council (T&W). Accordingly, the applicant has submitted an application for the outline masterplan development to both authorities. T&W subsequently resolved to approve its application at a meeting on 18th May 21 subject to conditions and legal agreement clauses. Shropshire is the 'lead authority' and is expected to determine any future applications linked to the current proposals.
- iv. A related application to extract mineral in the western part of the site has been received by the Council and forms a separate item on this agenda (19/05509/MAW). The objective is to create a level development platform for the masterplan housing proposals and to avoid sterilisation of mineral beneath the site. This would only be worked if the current scheme proceeds.
- v. A viability assessment provided by the applicant concludes that the masterplan development is financially constrained given the significant costs of remediating the brownfield areas of the site. This conclusion has been accepted by an independent viability consultant appointed jointly by Shropshire Council and Telford & Wrekin Council. Accordingly, there is limited funding available for infrastructure delivery and it is not

possible to deliver the full policy compliant level of affordable housing at the site. Additionally, it will be necessary to 'ring fence' all CIL revenues expected from the scheme in order to deliver infrastructure which is required specifically in order to deliver a sustainable scheme. The viability assessment supports the inclusion of proposals for housing in the western 'greenfield' part of the site within the application and under emerging Policy S20. This is in order to ensure a financially viable scheme which can subsidise the significant costs of remediating the brownfield area of the site.

- vi. Shropshire and T&W officers have worked hard in order to identify the infrastructure spending priorities needed to support the scheme, based on detailed discussions with relevant consultees and a spending schedule is set out at the beginning of Appendix 1 of this report. Notwithstanding these financial constraints officers are satisfied that sufficient funding is available to deliver a sustainable scheme which has the potential to deliver significant benefits both to the public and to the local environment which include a number of sensitive protected designations at both national and international levels.
- vii. The masterplan for the site prepared by the applicant has been informed by a considerable amount of stakeholder engagement and planning consultation, with numerous modifications taking place in response to this. Together with a sustainable design brief prepared by the applicant this will inform the future reserved matters phases of the development if the current application be approved. This would give reassurance that the sustainable design principle established at this stage can be carried forward to subsequent development phases.
- viii. The proposals have attracted opposition from some local stakeholders including Parish Council's in particular, regarding highway impact. A detailed traffic modelling exercise has been undertaken by the applicant's highway consultant in close consultation with the two Highway Authorities and Highways England. This has demonstrated to the satisfaction of the highway bodies that the highway impacts of the proposals can be made acceptable having regard to the mitigation proposals being put forward by the applicant. The scheme has been amended and further information has been provided in order to take account of detailed comments received during the planning consultation process. Whilst the parish council objections referred to above remain there are no outstanding objections from other technical consultees including SC Ecology, Historic Environment, Drainage and Trees.
- ix. This is a significant scheme which has the potential to deliver major benefits to Shropshire in terms of housing, employment, environmental enhancements and remediation of a major brownfield site which might otherwise become derelict. Officers are satisfied that the further information and amendments now received are sufficient to facilitate a sustainable development which will be informed by the applicant's masterplan and sustainable design brief. The proposals are considered to be compliant with the development plan overall and relevant national guidance and also with the development criteria set out in emerging Policy S20. The proposals are therefore recommended for approval subject to the conditions and legal agreement terms listed in Appendix 1.

REPORT

1.0 THE PROPOSAL

1.1 Outline planning permission is sought by the applicant, Harworth Group Ltd for redevelopment of the former Ironbridge Power Station site including for the following uses:

- (up to) 1,000 dwellings (950 open market and 50 affordable (5%);
- retirement village (of circa 70 units);
- employment land comprising of circa 6ha (approx. 16000sqm of commercial space) comprising classes B1(A), B1(C), B2 and B8;
- A Local centre comprises of 2,200sqm of retail and other uses including farmers market, comprising classes A1, A2, A3, A4, A5, D1 and D2; and a 400sqm convenience foodstore,
- Allotments of circa 0.4 hectares,
- Sports pavilion, formal and informal recreational land including sports pitches, open space and a central village green
- a railway link,
- primary/nursery school,
- Combined NEAP/LEAP;
- A railway link (with rail to trail option should funding not be achieved for a passenger light rail)
- Serviced plot for park and ride/ shuttle facility;
- Serviced plot for on-site healthcare provision (at discretion of CCG);
- walking and cycling routes, and
- associated landscaping, drainage and infrastructure works

1.2 All matters are reserved for later approval, except for access, in respect of two new vehicular accesses into the site from the A4169 Much Wenlock Road. Following completion of the first phase (250 dwellings) the existing vehicular access point off Buildwas Road will be closed to vehicular traffic and retained as a pedestrian and cycle link and as a public transport corridor.

1.3 An Illustrative Masterplan has been submitted as part of the planning application. This identifies the overall development strategy across the whole site, including the key elements such as housing, local centre and community facilities and employment land. A substantial area of green infrastructure has been included within the scheme, including sports pitches and pavilion, parkland, informal open space, woodland and ecological mitigation areas. SuDS techniques are to be incorporated into the scheme and will be set out within the detailed drainage strategy for each reserved matter application.

1.4 A Sustainable Design Brief has been submitted and will be used to inform and guide the delivery of sustainable development through subsequent reserved matters applications. The document sets out a series of sustainability goals for the development and a condition is imposed which requires all subsequent reserved matters applications to provide a Design Code which, inclusive of other elements, seeks to establish how each phase will meet those aims. Harworth have made a commitment to establishing a "Sustainable Working Panel" which would be made up of representatives from Harworth Group and the Council (and the new community when established), to review and

consider the measures proposed. This could form part of the proposed Stakeholder Group, which is required by the Construction & Habitat Environment Management Plan (C&HEMP) condition imposed.

1.5 The Sustainable Design Brief gives a commitment from the applicants to provide a healthy community incorporating the following:

- Increase and improved cycle links
- retain existing trees and tree belts
- additional footpaths and nature trails
- new employment opportunities within walking distances of residences
- use of SuDS throughout the site
- growing local produce in the allotments and offering a local farmers market
- park and green spaces
- electric charging points across the site
- reinstatement of sports pitches
- riverside area include hospitality facilities
- retention of heritage assets

1.6 Additionally, in order to minimise the use of energy, the site will consider the following:

- 18kVa of electricity will be provided ;
- electricity supplier chosen based on its green credentials
- No gas services will be provided on-site
- Domestic solar energy will be encouraged
- On-site energy creation will be explored
- Explore solar energy for on-site lighting, charging points etc
- Battery storage located on-site for excess power
- Air/water sourced heating/cooling would be explored
- A study into the feasibility of a small CHP plant using biomass from onsite/local resources and estate management could be explore

1.7 Buildings will meet 'better than' building regulations on all building typologies by considering the following:

- Modern methods of off-site construction to minimise on-site activities;
- modular building using modern methods of construction to maximise efficiency (possible on-site factory)
- use of sustainable carbon capture materials and minimise use of concrete and steel
- low energy site lighting
- reuse existing roads if possible and reuse demolition materials as part of foundations
- use of smart technology and metering to reduce water/energy usage
- on-site water storage and reuse of grey water
- homes for life
- promote and enable home working in light of recent lifestyle changes, reducing commuting
- Zero carbon use, by delivering buildings which are nett energy neutral or positive during occupation - for example by using high insulation standards plus solar power.

- 1.8 The overall net density for housing achieved is approximately 25-30 dwellings per hectare over the designated housing zones.
- 1.9 Whilst the majority of the former Power Station buildings will be demolished, within the north of the application site a 1930's pumphouse and the Station A bridge will be retained. Both structures are related to the first phase of the power station which operated from the 1930's until the 1960's, when the plant was upgraded. These structures represent the only extant buildings from this phase of the power station's operation. In addition, the existing National Grid building will be retained as part of the redevelopment proposals, together with the Western Power Distribution switching station. These buildings are strategically important electricity infrastructure that will remain in operation and are therefore located outside of the red line planning application boundary.
- 1.10 A Development Viability Review by Tustain Associates Limited (September 2020) was submitted by the applicant. This was independently reviewed by Turleys jointly on behalf of Telford & Wrekin Council and Shropshire Council and found to be acceptable.
- 1.11 The Viability Assessment concludes that given the extensive former industrial uses and the legacy of these operations, the site is subject to significant viability challenges. Specifically, the high infrastructure and abnormal costs amount to £62.84 million. As a result, the development is only viable with the provision of 5% affordable housing and £16.75 million toward Section 106 and CIL contributions.
- 1.12 An Environmental Statement has been submitted in support of the application under Schedule 1 of the EIA Regulations 2017 and includes a suite of reports dealing with the key environmental, social and economic issues raised by the proposals. The applicant has also submitted further information under Regulation 25 of the EIA Regulations.
- 1.13 Since the application was submitted there has been a change to the Use Class Order which affects a number of the use types referred to in the application title, although there is no change to the proposed uses in the application. The use class changes applicable to the application can be summarised as follows:
- B1(a) amended to E(g)
 - B2 and B8, not amended.
 - A1/A2/A3 amended to E(a, b, c)
 - D1 amended to E(e) and E(g)
 - D2 amended to E(d)
 - A1 convenience foodstore amended to E(a)
 - A4 amended to sui generis
 - A5 amended to sui generis
- 1.14 The application is reported to Committee with a related application for mineral extraction which forms a separate item on this Agenda:
- 19/05509/MAW - Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock

Road; restoration of the site. Proposed Quarry To The East Of Much Wenlock Road
Buildwas Telford Shropshire

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The 139.3ha site is located in the parish of Buildwas and comprises the landholding of the former Ironbridge Power Station also including redundant sports pitches, pulverised fuel ash, landfill waste tips, a rail siding and agricultural land to the west. The applicant Harworth purchased from Uniper UK Limited in June 2018, following closure of the power station in November 2015.
- 2.3 The site is bounded by River Severn to the north and the A4169 Much Wenlock Road to the west (see figure 1). Tick Wood and Benthall Edge Site of Special Scientific Interest (SSSI) is located to the south with a small section included within the application site itself. The settlement of Ironbridge is located ½ mile to the east.
- 2.4 The grounds of Buildwas Abbey scheduled monument extend to within 90m to the west of the site. The buildings themselves are located 470m to the north of the nearest area of proposed development within the site. The Shropshire Hills AONB is located to the immediate west of the site on the other side of the A4169. On the eastern edge of the application site lies the Grade II Listed Albert Edward Bridge, which forms the westernmost limit of the Ironbridge Gorge World Heritage Site and Severn Gorge Conservation Area.
- 2.5 Pool View Park, a residential and holiday park for circa 70 homes/lodges is located to the south of the site boundary. This is the only occupied residential land use in the vicinity of the site, to the south of the river. On the northern side of the River Severn are a cluster of residential properties, guest houses and a few static homes. To the south east sits the Ironbridge Rowing Club adjacent to the southern limits of the Albert Edward Bridge.
- 2.6 A small sand and gravel quarry is located to the north west of the site. A separate planning application for the extraction of minerals and the subsequent restoration of the western part of the application site has also been submitted to Shropshire Council (application reference: 19/05509/MAW). This proposal is not an extension of this existing site. It instead forms a new operation to facilitate the currently proposed mixed use development, whilst appropriately removing a natural sand and gravel resource in order to prevent its sterilisation.
- 2.7 At the time of submission of the application, the main buildings and structures on site comprised of four 115m high cooling towers, a 205m high chimney, turbine hall, National Grid building and a railway line. The four cooling towers were subsequently demolished on 6th December 2019, the bunker bay was demolished on 17th July 2020, and the tank bay was demolished on 22nd January 2021. Demolition of the Chimney is anticipated in the coming months.
- 2.8 The majority of the site is located within the administrative boundary of Shropshire Council but part of the existing site access from Buildwas Road lies within the boundaries of Telford and Wrekin Council (T&W). Accordingly, a separate application has been submitted to by Harworth to T&W (reference TWC/2019/1046).

2.9 T&W's planning committee resolved to approve the application on 18th May 2021. This is subject to a legal agreement and appropriate planning conditions which have been discussed by officers of both councils and also to T&W entering into a Memorandum of Understanding with Shropshire Council relating to the planning obligations, if required.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 As schedule 1 EIA development the application is automatically referred to committee under the Council's scheme of delegation.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

THE FOLLOWING COMPRISES A SUMMARY OF COMMENTS RECEIVED IN RELATION TO THE APPLICATION WHICH CAN BE REVIEWED IN DETAIL FROM THE LINK REFERRED TO IN SECTION 10 OF THIS REPORT. ISSUES RAISED BY CONSULTEES ARE REFERRED TO IN SECTION 6 OF THIS REPORT.

4.1.1 Buildwas Parish Council: Object. Highway impacts; safety concerns over Buildwas Bank junction – do not support the urbanisation of the traffic signalisation proposed; increase in vehicular movements and impact on existing residents; concern over proposed public transport links; concerns over impact on ecology and existing deer population; support Sports England comments; concern over light pollution and how lighting strategy will monitor this; concerns over viability appraisal – requirement for full 20% affordable housing provision, concerns over reduced CIL/S106 contributions; objection to scale and impact on open countryside/heritage assets; do not support development of greenfield land; Parish already reached development prescribed by SAMDev; against closure of existing primary school; if closed, site should be retained as a community asset/hall; sustainable travel plan required; concerns over capacity of existing healthcare facilities; on-site treatment plant should be proposed; commercial proposals should not be of a loud nature; if approved the design of the buildings should be sympathetic to the area. Additional concerns regarding ecology, leisure, light and sound pollution.

4.1.2 Much Wenlock Town Council (adjoining parish): Development cannot be seen to be aligned with Shropshire Local Plan in respect to climate change and the protection/enhancement of both the natural and historic environment; flooding; land slips; consequences of mineral extraction in proximity to natural and historic assets; contrary to Policy CS18; would like to see an alternative use such as eco holiday site.

4.1.3 Barrow Parish Council (adjoining parish): Objection. Concerns about use unclassified 'rat run' roads through the parish to avoid congestion at junctions in Ironbridge and Much Wenlock.

4.1.4 Easthope Shipton and Stanton Long Parish Council (adjoining parish): Objects. The Gaskell Corner and Buildwas Bank junction are essential to the residents of the parish for access to work, motorway and hospital care.

4.1.5 Wroxeter & Uffington Parish Council (adjoining parish): Neutral. Concerns about traffic volumes on the B4380 Ironbridge Road.

- 4.1.6 Broseley Town Council (adjoining Parish): Neutral. Concerns about traffic rerouting towards Broseley.
- 4.1.7 Leighton And Eaton Constatine Parish Council (adjoining Parish): Neutral. Concern about traffic, including on the B4380 Ironbridge Road.
- 4.1.8 Cressage Harley & Sheinton Parish Council (adjoining Parish): Objection. Concern about traffic on local roads. Need for Network Rail to make intentions clear. Healthcare. The 2 surgeries serving the catchment already have significant waiting times. What is the extent of any employment benefit? Effect on tourism and local environment.
- 4.1.9 Gorge Parish Council (adjoining parish): Object: Impact on both the probability, scale and frequency of flooding issues; noise, light and air pollution during construction/remediation phases; management of foul drainage; traffic issues are known at junction of A4169 causing long delays; main access (roundabout) should be built earlier; negative impact on WHS; concern over local infrastructure and increased pressures i.e. GPs; request long term commitment for passenger rail; number of suggested conditions are provided.
- 4.1.10 Ironbridge Gorge World Heritage Site Steering Group: Object: WHS, AONB and SSSI adversely affected by the scale of development; not enough consideration given to OUV/WHS within Heritage Impact Assessment; FRA doesn't address the concerns of the community adequately; drainage remains a serious concerns as the development will place a significant strain on the capacity of the facilities at Coalbrookdale and Coalport as well as within the WHS; impact of Noise and light pollution; impact of local highway network within the Gorge; greater consideration to be given to light rail to assist in reducing car use; series of projects within the WHS Management plan that require funding to help mitigate the impacts the development would have on the WHS.
- 4.1.11 Councillor Claire Wild (Severn Valley) – Objection on grounds of traffic impact. Conditions and legal clauses controlling traffic / highways are requested if permission is granted.
- 4.1.14 Councillor Dan Thomas (Much Wenlock) – Concern about traffic in Much Wenlock (verbal communication).
- 4.1.15 Highway Authority: No objection subject to conditions and legal obligations.
- 4.1.16 Ecology: No objection subject to conditions. Broadly agrees with the comments made by Telford & Wrekin Ecology in relation to the planning application. A number of detailed conditions have been proposed to ensure clarity and certainty at Reserved Matters. Consideration of the Habitats Regulations '3 derogation test's will not be required because no works to Albert Edward bridge are proposed as part of this planning application. The submission of a future planning application where works are proposed to the bridge will need to include the results of the hibernation survey and a mitigation strategy for bats.
- 4.1.17 SUDS: No objection subject to conditions covering drainage. The Flood Risk Assessment is acceptable.

- 4.1.18 Learning & Skills: No objection subject to provision of a new primary school at the site and funding for 160 extra places at the William Brookes secondary school in Much Wenlock.
- 4.1.19 Rights of Way: No objection subject to appropriate rights of way provision.
- 4.1.20 Conservation: No objection.
- 4.1.21 Archaeology: No objection.
- 4.1.22 Public Protection: No objection subject to conditions covering noise and dust control and contaminated land.
- 4.1.23 Trees: No objection subject to conditions.
- 4.1.24 Historic England: No objection. Have requested that consideration is given to mitigation for effects on the setting of Buildwas Abbey.
- 4.1.25 Environment Agency: No objection subject to conditions.
- 4.1.26 Highways England: No objection. Requested further information on capacity of Junction 6 of the M54 which has been provided by the applicant.
- 4.1.27 Sport England: No objection subject to conditions and legal agreement securing sporting provision.
- 4.1.28 Severn Trent Water: No objection subject to the inclusion of conditions requiring prior approval of surface water and foul drainage details. Has indicated a preference for on-site sewerage provision whilst acknowledging the applicant's right to request a mains connection.
- 4.1.29 Network Rail: No objection. Has confirmed that the Albert Edward Bridge will be upgraded by Network Rail to facilitate future rail movements.
- 4.1.30 National Grid: No objection. Development in proximity to overhead lines, guidance to be followed.
- 4.1.31 Cadent Gas: No objection.
- 4.1.32 Clinical Commissioning Group: No objection subject to contribution towards healthcare provision.
- 4.1.33 Forestry Commission: No objection.
- 4.1.34 Shropshire Fire Service: No objection. Refers to general guidance.
- 4.1.35 West Mercia Police: No objection. Refers to general guidance.

4.1.36 Telford & Wrekin Council (T&W) – No objection subject to conditions, informative notes and legal agreement clauses delivering necessary infrastructure to support the development within the T&W administrative area. Detailed discussions have taken place at officer level between Shropshire Council and T&W.

Note: As a cross boundary application Harworth submitted an outline application for the masterplan development to T&W which received an approval resolution at a meeting on 18th June 2021 subject to conditions and legal agreement clauses.

4.2 Public Representations:

4.2.1 The application has been publicised through site notice(s), press notice and direct neighbour notification. Three stages of consultation have taken place, following Regulation 25 requests issued to the applicant for further/additional information.

4.2.2 The Local Planning Authority has received 60 objections 6 neutral comments and 3 comments in support. These representations can be summarised as follows:

- Flooding. How will run-off of water will be dealt with once the natural soakaways have been removed? There will be less green space for water absorption. Inadequate sewerage provision. Intensive development such as that proposed should not be considered at all in this area unless adequate flood mitigation measures are undertaken;
- Traffic impact. The local road network is not adequate to support the additional loads/stress. Concerns about Much Wenlock, A4169 and Atcham road. Delays at Gaskell Arms Junction. Concerns about rat-running. Difficulty accessing property at Buildwas Bank. Other committed residential developments will add to traffic. With the Ironbridge road, Cressage Bridge and Atcham Bridge cut off each year with flooding the traffic over Buildwas Bridge is the only route passable locally across the river and the queues of traffic already cause huge local disruption. Danger to pedestrians. Impact of proposed accesses on local residents. Questioning accuracy of highway modelling. Future growth at the key centre Shrewsbury should also be considered when assessing any impacts at Atcham and Emstrey junctions and traffic movements all along the B4380. All HGV traffic during construction and afterwards should not be allowed to use the B4380;
- Impact on open countryside / tranquillity and AONB. Introduction of large residential development into a rural area of high landscape value;
- Sensitive location including World Heritage site, AONB, SSSI, scheduled ancient monument and local nature reserve. How is our unique World Heritage Site going to be protected?
- Visual impact. The site is visible from both Buildwas village, the bypass and a number of properties located on the Much Wenlock road

- Impact of quarrying and transport of gravel on approaches to Landscape of Outstanding Natural Beauty and a landscape of National Importance
- Impact on heritage including Buildwas Abbey. Contributions towards repairs and maintenance of Buildwas Abbey;
- Building 1000 properties on the site is excessive it's 1,000 new homes plus a retirement village, so it's even bigger. The number of houses proposed almost doubles the existing housing in this area. Allowing this application will set a very dangerous precedent for neighbouring agricultural land. The brownfield site obviously needs developing following the decommissioning of the power station. However, most of the residential development is to be placed on what is currently green fields;
- Risk to flora and fauna;
- Noise and light pollution. Noise will carry;
- Current sewage network won't be adequate, and Severn Trent Water have stated an on-site solution will be needed but where is this to be located within this site;
- Best and most versatile land should be protected;
- Need for quality design, ecological sustainability and carbon neutrality;
- Concern at low level of affordable housing provision;
- The new residents will need medical facilities on-site because the current GP practices are already full;
- Schools. The local schools (secondary especially) would not be able to cope with the additional load the proposed housing development would bring;
- Concern about justification for greenfield development within the site. Visibility of greenfield area;
- Support the re-introduction of rail services to the site. The strengthening of the Albert Edward Bridge and Coalbrookdale Viaduct should be prioritised;
- Potential for significant improvements to rights of way network.

4.3 Other Stakeholders:

- 4.3.1 David Turner (Former Ward Member for Much Wenlock) – Object: Concerns over use of A4169 – surfacing, queuing vehicles and geography; concern over highways impact in Much Wenlock and potential ‘rat running’, specifically at the Gaskell Arms; concerns over noise/air quality impact on Much Wenlock residents.

- 4.3.2 Cllr Carolyn Healy (Ward Member for Ironbridge Gorge – T&W) – Object: Scale of development is too large and will double Ironbridge community size; proximity of development is too close to WHS; highway impact on Gorge and through rat running; visual impact on WHS/CA; pressure on local schools; play provision insufficient and will impact on Ironbridge provision; consideration of walking/cycling improvements; welcome potential use of railway link; concerns regarding noise impact due to geography of site as a valley; demolition has caused disturbance to locals – concern going forward; full provision of affordable housing should be provided.
- 4.3.3 Cllr Jayne Greenaway (Ward Member for Lightmoor and Horsehay – T&W) – Object subject to conditions: Primary school is welcomed and a necessity as no provision locally; concerned about provision for secondary school pupils; support inclusion of healthcare facility on-site; support use of railway during construction stages to minimise use of roads; better provision of public transport required to employment areas of Telford particularly during peak times; consideration of renewable energies. Support many elements of the scheme but without financial contributions towards highways, healthcare, schools, public transports, public rights of way, site will become isolated. Object subject to conditions to cover these points.
- 4.3.4 Coalbrookdale Flood Action Group: Object on basis of inadequate local drainage and sewerage provision and flood risk.
- 4.3.5 Much Wenlock Civic Society: Objects on grounds of highway impact to Much Wenlock and associated air quality concerns.
- 4.3.6 The British Horse Society: concerned that the development plans mention only 'walking and cycling routes' and do not mention new equestrian routes. Non-vehicular routes suitable for equestrian use should link up throughout and across the site.
- 4.3.7 Ironbridge Clarion Cycling Club: support both proposed cycleways. However, to establish a good pedestrian and cycle link through to Ironbridge from the west, the surface of the disused railway needs to be improved. also support the proposal to ensure the current Power Station bridge onto Buildwas Road is restricted for use by public transport, cycle and pedestrians only. While there are positive elements in the proposals so far, the benefits to encourage cycling are far too limited for this significant new development.
- 4.3.8 Telford & East Shropshire Ramblers (Ramblers Association): Concern that most of the new routes suggested in the planning application are described as footpaths and cycleways. They are not always described as Public Rights of Way. Would support formal rights of way with improvements / good access. Welcomes the statements in the Residential Travel Plan.
- 4.3.9 Ironbridge and Much Wenlock Medical Practice: Both local Practices are currently at the limit of their resources in terms of buildings. We feel that the development of a medical facility is essential to meet the needs of the estimated increase in patient population for our two practices and this would need to be a priority at the start of the development rather than some five years down the line as would appear to be case.

- 4.3.10 Shropshire Riding & Carriage Driving Forum: Objects. Improved equestrian provision is needed.
- 4.3.11 Telford Bridleways Association: Objection: The planning application does not include any public rights of way. Proposed links with other public bridleways in the area have been ignored. The application fails to consider the surrounding land use which is heavily biased towards equestrian use.
- 4.3.12 Telford and Wrekin Local Access Forum: Neutral. After very useful and productive discussions, the developer has agreed to the provision of new public rights of way through the site. Many of these would create excellent and vital links to the network, especially through the site from west to east. There seems to be some confusion on the attached plans as the status of these new routes - footpath and cycle way? This needs amending to make it clear that these are Public Rights of Way.
- 4.3.13 Shropshire Playing Fields Association: We are pleased that in the proposal the existing playing fields are intended to be retained as part of the green infrastructure provision, although it is not clear what design, access, maintenance and management will be afforded to this green space and whether it is intended to be retained as sport pitches or a mix of informal recreational space. We would expect the council to consider both sporting and recreational needs including play needs arising from the development to deliver new and improved facilities.

5.0 THE MAIN ISSUES

- Principle of development
- Masterplan principles
- Highways impacts
- Foul & Surface Water Drainage
- Ecological Matters
- Arboriculture
- Noise & Air Quality
- Ground Conditions
- Heritage
- Landscape
- Sport/Recreation
- Education
- Healthcare
- Railway
- Public Rights of Way
- Impact on the amenity of adjacent properties / uses
- Mineral Extraction
- S106 contributions/Memo of Understanding
- Cumulative Impact
- Alternatives

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan (DP) unless material considerations indicate otherwise. Consideration also needs to be given to this presumption in favour of sustainable development in determining whether a site is suitable for release.

6.1.2 The site is not allocated in the current SAMDev plan but forms part of Shropshire Council's Pre-Submission draft Local Plan (2021) and is identified as a Strategic Settlement allocation in emerging Policy S20. The policy identifies the following criteria which a planning application will need to comply with under a site masterplan. The full wording of this emerging policy is set out in Section 10 of this report:

- Integral employment provision;
- An appropriate range of commercial uses in the village centre;
- Significant and high-quality green infrastructure provision;
- Appropriate community facilities and buildings including a new primary school and medical centre;
- Suitable pedestrian and cycle links / provision;
- Improvements to the local and strategic road network;
- High-quality design and layout minimising landscape and visual impact;
- Sympathetic retention / reuse of the Grade II listed Albert Edward railway bridge and buildings and structures associated with the Ironbridge A power station;
- Protection of natural assets, designations and protected species;
- Management of any contaminated land;
- Investigating mineral extraction opportunities (to avoid sterilisation);
- Sustainable drainage avoiding flood zones.

6.1.3 The pre-submission draft of the Shropshire Local Plan has passed through a final consultation period (Feb 2021). The Plan is expected to be submitted to the Secretary of State in late July 2021 with adoption envisaged in summer 2022. The new Shropshire plan is emerging and therefore has limited weight although there is general recognition of the need to redevelop the site. Whilst there is local opposition to the Harworth scheme no significant challenges to the principle of allocation have been received from technical consultees. It should also be noted that the NPPF supports redevelopment of brownfield sites and strategic housing provision.

6.1.4 The comprehensive consultations which have taken place on the current outline planning application have allowed relevant sustainability issues to be considered and addressed in detail prior to plan adoption. Issues raised by the application have been considered in detail and for control and mitigation measures to be progressively refined. As such, there is now a general lack of objection from technical consultees, notwithstanding the continuing local opposition to the scheme referred to in Section 4 above.

6.1.5 It is considered that the planning consultations on the application supports the conclusion that the proposals are sustainable and accord with the current development plan when taken as a whole. The proposals are also considered to be fully compliant with the draft policies of the emerging Shropshire Local Plan which cover the same subject areas as

the currently adopted plan. Whilst the Harworth proposals are significant in a sub-regional context the outline application is not considered to be prejudicial to the outcome of their SAMDev review process.

6.1.6 The greater part of the site comprises brownfield land. In accordance with Chapter 11 of the NPPF (specially paragraph 117 and 118(b)), substantial weight should be afforded to the value of using suitable brownfield land for homes and other identified needs. Furthermore, opportunities should be taken to remediate derelict and contaminated land. This is a significant material consideration in assessing compliance with national planning policy. It is considered that the development is acceptable in principle, in relation to the NPPF, the current SAMDev Plan and the emerging Shropshire Local Plan.

6.2 Masterplan principles

6.2.1 In accordance with emerging policy S20 a comprehensive masterplan has been submitted in support of the current application and this addresses the development guideline criteria of the policy as summarised in 6.1.2 above.

6.2.2 During the course of the application, a number of revisions were made to the originally submitted Masterplan, as outlined below:

- Retention of strategic planting around the existing (retained) commercial buildings providing a mature natural screening of the units from both within the wider and in the wider context;
- Agreement to a minimum 15m buffer around the southern ancient woodland;
- Reduction of built form in the 'Woodland Character Zone' to minimise loss of woodland and ecological habitats;
- Rearrangement of the Local Centre to appropriately integrate facilities within the community and in association with the surrounding open space;
- Reduction of built form in the north to create a green corridor to the sports pavilion, open space and pumphouse beyond – creating a central green space for the community at the heart of the development.

6.2.3 Following receipt of revised and additional information during the life of the application, both Local Planning Authorities are now satisfied that the indicative masterplan in conjunction with other supporting documentation satisfactorily meets the guidelines set out by emerging Policy S20.

6.2.4 Whilst a small part of the site is located in Telford & Wrekin officers of that council advise that they are also satisfied that the site meets relevant criteria of the Telford & Wrekin Local Plan. Telford Policy SP3 states that development in rural areas should be directed to the reuse of previously developed land and to settlements where there is good infrastructure. The site is well connected to existing infrastructure and seeks to provide an optimum viable use for a highly constrained brownfield site, as is set out within the NPPF.

6.2.5 Delivery of the masterplan principles has been supported by planning conditions and financial contributions which have been agreed following detailed discussions between officers of Telford & Wrekin and Shropshire Council. These matters are discussed below.

6.3 Highways and Traffic

Local Road Network

- 6.3.1 Local residents and Parish Councils have raised concerns about the traffic impact of the proposals on the local road network. This matter has been discussed in detail by the Local Highways Authorities at Shropshire and Telford & Wrekin Councils in association with Highways England and the applicants' Infrastructure Consultants, ADC.
- 6.3.2 A strategic model has been employed to assess the vehicular impact of the proposed development within a 5km radius of the site (not dependent on delivery of rail facilities). This has allowed vehicles movements around the wider network to be predicted up to 2036, based on a 'worst case' heavy car use scenario. The Highway Authorities are satisfied that the traffic generation figures are robust, and that the necessary information has been provided to make an informed appraisal.
- 6.3.3 The traffic analysis predicts that around 20% of the traffic generated by the development would use the Shropshire network at peaks hours (8am-9am and 17pm-18pm), travelling mainly towards Much Wenlock on the A4169 with lesser movements towards Shrewsbury on the B4380. 80% of the traffic generated by the development would access the Telford network at peaks hours, equating to 700 new two-way vehicular trips at peak times. Without deterrent mitigation around 80 of these new trips are expected to route through Coalbrookdale and Ironbridge with the remainder entering the Telford network via A4169 at Buildwas Bank.
- 6.3.4 There are two main phases in the access strategy for the site. An initial pocket of 250 dwellings would be served off Buildwas Road via the existing road bridge over the river. Subsequently this access would be closed to public vehicles and the site would be served instead by two principal accesses off the Much Wenlock Road (A4169).
- 6.3.5 The first development parcel served via Buildwas Road is predicted to generate up to 150 two-way vehicle trips or just over two new trips a minute at peak hours. It is expected that 30 of these would use Shropshire roads with the remainder using the Telford network. When the two main accesses on the Much Wenlock Road become operational (in construction year 5-6) the model indicates that some traffic through Ironbridge to Much Wenlock may reroute instead via Broseley.
- 6.3.6 A number of off-site highway works have been agreed with Harworth in order to mitigate the effects of traffic from the development. These works are distributed equally in Shropshire and Telford & Wrekin. The Shropshire works include funding for improvements to the Gaskell Arms junction in Much Wenlock, provision of a roundabout at the bottom of Buildwas Bank north of Buildwas Bridge, traffic calming measures on the A4169 Much Wenlock Road and traffic calming and pedestrian safety measures on the B4380 Buildwas Road. The Telford works include improvement to the Castlefields Roundabout and traffic calming in Ironbridge. Additional funding has been set aside for public transport subsidies, travel management plan monitoring and improvement to non-vehicular routes (see legal obligation section below for financial details). These improvements are considered in further detail below:

- i. The A4169/B4380 Buildwas Bank junction is identified as requiring early improvement. The intervention trigger has been agreed to be prior to the occupation of the 180th dwelling. The improvement will take the form of a new roundabout which will include a physical restriction on right turn movements to discourage drivers from turning towards Ironbridge. A pedestrian crossing point will be provided to facilitate linkages to Buildwas village.
- ii. Harworth's highway consultant initially recommended signalisation for the Gaskell Arms junction at Much Wenlock but this was not supported by the Shropshire Highway Authority. The company has agreed instead that equivalent funding should be ring fenced for use in a comprehensive improvement scheme for the junction incorporating additional funding anticipated from other sources. The details of this scheme will be confirmed following stakeholder engagement exercise. It will be some time before traffic from the proposed development begins to have any material impact at the junction, during which time details of the scheme can be finalised.
- iii. The Shropshire Highway Authority has identified the need for some traffic calming and pedestrian safety improvements at Buildwas, Leaton and Atcham on the B4380 and funding has accordingly been identified to facilitate these improvements.
- iv. Telford & Wrekin the need for improvement of the Castlefields Roundabout has been identified. This junction already experiences queues and delays at peak periods and Harworths have agreed to a full scheme to mitigate both the extant issues and the future impact of the power station site and other committed developments in the local area. This is likely to involve part signalisation of the roundabout.
- v. The primary non-vehicular connection between the site and Ironbridge is the Severn Valley Way which runs from the location of the former cooling towers, along the bottom of the river and through to the southern side of Ironbridge. This is already a well-used and maintained Public Right of Way but Harworth have agreed to provide a substantial upgrade to facilitate its increased use and promote sustainable travel choices to and from the site. There is also an option to improving pedestrian safety for the footways along Buildwas Road under the future traffic management proposals for the site.
- vi. The railway will be utilised for transporting material off the site and the requisite structural improvements to the route are being secured with Network Rail. A future long-term strategy for the use of the line will also need to be agreed under the reserved matters procedure. The Council is currently considering an application by Harworth to trial a light railway use within the site (with the potential to link to Telford Central station). If this is subsequently found not to be feasible then plans to use the rail corridor as a sustainable non-vehicular route will need to be agreed with Harworth.
- vii. Harworth are proposing to fund a bus service between the site and Telford and to provide a site from which to operate a park and ride service into Ironbridge. Officers from both Council's will liaise appropriately on these matters.

- 6.3.7 The Local Highways Authority are satisfied that the contributions and off-site works which have been agreed will ensure that traffic from the proposed development can be appropriately managed. Accordingly, they have no objection to the application.

Strategic Road Network

- 6.3.8 Highways England has required additional information regarding the effect of the proposals on the strategic road network and specifically, junctions 4, 5 and 6 of the M54. The applicant provided further information and Highways England acknowledged in September 2020 that the impact on Junction 4 and 5 was relatively low. However, Junction 6 was shown to have a greater impact than envisaged and, as such, a junction capacity assessment was required.
- 6.3.9 Further information was subsequently provided by the applicant and Highways England raised additional concerns over the modelling, whilst acknowledging that this would not have a significant impact on the overall conclusions for the opening year or 15 years later. Overall, the modelled scenarios show that both of the Junction 6 slip roads would operate below full capacity in all modelled scenarios. Hence there would be no significant increases in queueing or delay due to traffic from the proposed development. Highways England subsequently removed their holding objection and recommended a condition requiring submission of a phased construction management plan which is included appendix 1 below.
- 6.3.10 Highways conclusion: The most common concern expressed by the local community with respect to the Harworth scheme is the effect of the proposals on the local road network. Detailed consideration has been given to this by both Local Highway Authorities who are satisfied that appropriate mitigation has been secured to acceptably manage the effects of the development on the local highways network. Paragraph 109 of the NPPF advises that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. It is considered that the proposals will deliver an acceptable scheme in highway terms subject to the recommended conditions and legal agreement.

6.4 Foul & Surface Water Drainage

- 6.4.1 Foul Drainage: The applicants have a right to connect to the existing foul drainage system that exist in the vicinity of the site, and have therefore submitted a right to connect to Severn Trent Water (STW) under a section 106 of the Water Industry Act 1991. The proposals will require significant capacity upgrades to the existing sewerage system at Ironbridge, potentially, also including surface water removal. The design will be complex and is likely to take some time to build within a sensitive World Heritage Site area.
- 6.4.2 STWs initial hydraulic analysis indicates that connection without appropriate mitigation would increase the risk of sewer flooding in the catchment that drains to the treatment works at Coalport. As such, a phased approach to the development is necessary, with appropriate mitigation being secured by condition for each development phase.

- 6.4.3 A 'Foul Drainage Requisition Technical Note' has been produced by the applicants to outline the necessary requirements, which STW have considered. This advises the following key points:
- i. The applicants have a right to connect to the existing sewer network;
 - ii. The closest adopted foul sewer is in Buildwas Road and is a 150mm combined sewer (increasing to 600mm before it reaches the nearest pumping station);
 - iii. The existing Buildwas Road sewer discharges to the Dale end Pumping Station adjacent the co-op;
 - iv. A new pumping station will be erected within the application site and two new foul water rising mains will be laid across the bridge and up Buildwas Road. One main will be 90mm and another 225mm;
 - v. The 90mm main will be utilised for the first 100 dwellings, when foul flows will be minimal;
 - vi. At the point when a sufficient level of development has been constructed and occupied to generate foul flows to achieve self-cleansing velocity of the 225mm diameter rising main, the pumped foul flows will be switched to the larger main and the smaller 90mm main abandoned;
 - vii. The new rising mains will connect to the existing pumping station at Dale End;
 - viii. The discharge of foul flows from the development site will be via a new on-site pumping station, therefore the flow rate to the existing sewers can be controlled to a rate determined by Severn Trent, as well as to meet the constraints present on the existing sewer network;
 - ix. For the initial phase of development, a pumped discharge rate in the order of 1.0 – 1.5 l/ s will be used. It will be possible to vary the pumped discharge rate for later development phases and in-line with any future sewer reinforcement works. Separate below ground storage will be provided at the pumping station to cater for periods when a lower flow rate is required.
 - x. Chemical dosing will be provided at the pumping station for periods when the storage is utilised or low flow rates in the rising main occur. The chemical dosing will mitigate any septicity of the foul effluent; the timings of the discharge from the development site can be set to off-peak periods during the day or night when existing flows are low, if required by Severn Trent. This will minimise the impact on the existing sewer network;
 - xi. The new foul drainage system and pumping station on the site will be offered for adoption by Severn Trent under a Section 104 agreement, so the pumping regime will be controlled by Severn Trent to suit its network, once it becomes operational;
- 6.4.4 The Telford & Wrekin drainage authority has advised that should a connection to the existing network be considered acceptable by Severn Trent Water, they would wish for any improvements to incorporate off-peak pumping and cut-off during storm events to minimise impacts downstream. This would be required by condition with the first reserved matters application. Whilst Severn Trent would prefer there to be an on-site provision it is recognised that there are existing capacity issues with the main system at Ironbridge which will need to be addressed irrespective of the current application, as highlighted by Telford & Wrekin drainage authority.
- 6.4.5 Flood Risk and Surface Water: There is a history of flooding in the local area and objectors have expressed concerns that the proposals should not increase the risk of flooding. The site is located mainly in Flood Zones 1 (low flood risk) but some parts

nearer to the river are located in zones 2 and 3 (medium and high-risk zones respectively). These more flood susceptible areas have broadly been utilised as public open space/recreation. A small area in flood zone 3 is still shown with some development in the masterplan, though any reserved matters application will need to avoid development in this area. This is unless the sequential test for development in flood zones can be met and compensatory flood storage / betterment can be provided.

- 6.4.6 The Environment Agency are satisfied that ensuring development is located within Flood Zone 1 and exploring betterment opportunities will ensure that there will be no increase on the risk of flooding downstream. They advise that Finished Floor Levels for any properties are set no lower than 600mm above the 100 year plus climate change flood event.
- 6.4.7 In terms of flooding related to sewer capacity issues STW have commissioned in-house feasibility studies to ensure that there is sufficient capacity in the sewer network to accommodate sewerage from the proposed development, including measures to allow introduction of site sewerage at a controlled rate during off-peak times when the receiving capacity is greatest.
- 6.4.8 Officers consider that the proposal is acceptable in terms of flood risk subject to mitigation measures controlled through conditions. This includes require any initial improvements works set out by STW to be undertaken prior to occupation, with detailed design and flooding strategies provided for each subsequent phase.

6.5 Ecology

- 6.5.1 Habitats: There are designated and non-designated woodlands within the site boundary along with hedgerows and a veteran tree which is proposed for retention. The Hedgerows are habitats of principal importance for nature conservation under the NERC Act. A 40% loss of hedgerows will occur in the minerals working phase (under the separate application) and a further 65m loss would occur as part of the residential development. The required mitigation to compensate for this loss will come forward as part of the landscaping schemes for subsequent reserved matters applications.
- 6.5.2 Designated Sites: A number of designated sites are located within and/or close to the site. Tick Wood and Benthall Edge SSSI is immediately adjacent to the site boundary and partially inside the boundary. The proposal recognises the importance of this habitat and includes protection and buffering of this area. The buffer of open space would be fenced off to protect the woodland edge and would generally be 50m in width. There are two pinch points where this would reduce to 40m but these areas are where existing buildings/structures and hardstanding scheduled for removal already exist. The geological SSSI at Buildwas Quarry site is outside of the working area of the site and will be retained.
- 6.5.3 The applicant has prepared a Recreation and Urbanisation Strategy which sets out the provision of three circular walking routes within the site which are intended to reduce recreational pressure on the ancient woodland and SSSI at Tick Wood. These largely involve walking in the built environment, or in close proximity to it. Hence it is considered that they would not be equivalent to the walking routes available in Tick Wood SSSI. On this basis, the Severn Gorge Countryside Trust (SGCT) are seeking a monetary

contribution to facilitate infrastructure improvements within the SSSI (which they manage) in order to mitigate for anticipated increased visitor numbers. This would be delivered by a s106 legal agreement. The Lydebrook Dingle SSSI and two Local Nature Reserves on the opposite side of the river have been scoped out.

- 6.5.4 There are also seven local wildlife sites nearby. A Construction Environmental Management Plan (CEMP) will be developed as each phase comes forward to ensure that nearby environmental designated sites are not adversely affected by construction works, including establishing controlled lighting zones.
- 6.5.5 Bats: Bat roosts were found in several of the buildings on the site prior to any demolition and clearance works and accordingly, the applicant has obtained a bat mitigation licence from Natural England. A bat house has been provided as mitigation within a retained habit area and work is ongoing to remove the roosts. The Ironbridge A Pump House building has a known bat roost but is proposed for retention and reuse. The license covering this building will require further consideration when a future use for this building is explored at a subsequent reserved matters stage.
- 6.5.6 There are three bridges to the site which have been assessed for potential to support roosting bats: The old A station bridge is low potential and the main road bridge is moderate potential but neither of these will be impacted.
- 6.5.7 The Albert Edward rail bridge would not be directly affected by the current application. However, strengthening works would be required to accommodate rail movements linked to the quarrying proposals. These works would be undertaken by Network Rail under an application for listed building consent. The bridge has been assessed in 2020 as having bat roosting potential including potential to support hibernation roosting. Three activity surveys in 2020 revealed 3 pipistrelle roosts in the structure. Any works on the listed Albert Edward Rail Bridge under a future application for listed building consent will need to occur under a European Protected Species Mitigation Licence from Natural England supported by a full set of bat surveys and an appropriate mitigation strategy. At present there is no risk of an offence occurring.
- 6.5.8 The applicant's ecologist FPCR confirms that the application site has potential to support any additional mitigation required by Natural England linked to the bridge refurbishment. It is considered that the impacts upon bats can be appropriately controlled and that requiring additional surveys prior planning would not be proportionate. Appropriate conditions are set out below as well as a European Protected Species 3 tests matrix.
- 6.5.9 Trees on the site have been assessed for bat roosting potential: two high potential, 15 moderate potential and 7 low potential trees have been identified. The Environmental Chapter confirms that all these trees are proposed for retention within areas of green infrastructure on the site, the Provisional CEMP sets out requirements for surveys, licencing and ecological supervision for any works on these trees and those measures are sufficient.
- 6.5.10 Bat activity transect surveys have been carried out across the site and have identified moderate levels of activity from a range of bat species. The biodiversity chapter talks of strong green infrastructure links across the site allow continued foraging after development.

- 6.5.11 In response to the Council's regulation 25 further information request the applicant amended the masterplan in order to improve the connectivity of green infrastructure from north to south within the site. Officers are satisfied that the connectivity being provided is sufficient to support the movement of wildlife through the site and to the river.
- 6.5.12 Great Crested Newts (GCN), Amphibians and Reptiles: Reptiles and amphibians have been excluded from the site under a GCN European Protected Species (EPS) Licence from Natural England and a mitigation area has been provided to the south of the former power station within the application boundary (application reference 18/03597/FUL). There are 20 ponds with terrestrial habitat which are currently surrounded by deer fencing and semi-permanent amphibian fencing. The amphibian fencing would be removed at the end of the development phase and the area would be sympathetically managed by a management company appointed by the applicant.
- 6.5.13 Wider areas of reptile and amphibian habitat will be provided on the site following development and additional information on these areas will be provided as part of the reserved matters process. The applicant has provided a Wildlife Connectivity Parameters Plan (Figure 7.26) which identifies areas of the site where ecological connectivity measures such as underpasses, sensitive lighting, wildlife friendly drainage and other measures will be required. A great crested newt mitigation strategy relevant to each phase of the development will be required by condition.
- 6.5.14 Dormouse: It is considered unlikely that this species is present on the site or in the surrounding woodlands. It is therefore considered that the proposed development will not adversely affect the species.
- 6.5.15 Breeding Birds: The breeding and wintering bird surveys on the site identified 60 bird species present with 20 species breeding including 8 notable species. Three pairs of little ringed plover were recorded breeding on the site. An area of habitat managed for the Little ringed plover has been identified on the Wildlife Connectivity Parameters Plan and this approach is supported. The site is of local value for assemblages of woodland and farmland birds and the proposed site layout provides suitable opportunities for these species to continue to be present. Peregrine Falcon are breeding on the site. Mitigation for the loss of this breeding site is has been addressed through provision of a Peregrine tower under a separate planning application 20/04930/FUL).
- 6.5.16 Otters: The submitted reports evidence otters using parts of the site along the River Severn as resting places. Two potential Holts and six couches were identified in 2018. The consultants have recommended an updated survey is provided in advance of works commencing around the Water Pump House. The need for an otter licence will be kept under review as part of the CEMP. The consultants also recommend that a Reasonable Avoidance Measure Method Statement including measures to protect otters. These measures can be secured by condition.
- 6.5.17 Badgers: The site is occupied by badgers so a badger disturbance licence and provision of artificial setts and other measures will be required. Some setts have been closed linked to the mineral extraction and PFA removal proposals. A Badger Mitigation Strategy (2020) sets out the potential impacts upon the remaining setts resulting from the

residential development phase. Badger mitigation can be secured through appropriate conditions.

6.5.18 Biodiversity Net Gain: Whilst not yet a legislative requirement officers have requested a Biodiversity Net Gain Calculation, and this has been provided. The applicant's consultants have calculated that the site has an existing value of 613.55 biodiversity units in habitats and 17.70 units in hedgerows. The proposed development results in 621.28 biodiversity units in habitats and 18.75 units in hedgerows. The outcome of the assessment is a net gain of equivalent to an uplift of 1.26% in habitat units and 5.92% in hedgerow units. Whilst this is a limited uplift given the size and strategic nature of the site it is considered that further opportunities can be secured through condition to increase the quality and value of this uplift.

6.5.19 In conclusion, officers are satisfied that the impact of the proposals on the natural environment have been considered in detail and appropriate mitigation measures are being proposed to manage the impacts on the natural environment. On this basis it is considered that the proposed principles for this outline application are acceptable in ecological terms and further enhancements and protection measures can be secured through condition and under subsequent reserved matters applications. It is therefore considered that the proposed development complies with Core Strategy Policy CS17, SAMDev Policy MD13 and the NPPF in relation to ecological matters.

6.6 Arboriculture

6.6.1 The application is supported by an Arboricultural Impact Assessment, which looks at the site in the context of the indicative masterplan and the ongoing demolition works. Previous tree management and maintenance at the site has been limited, resulting in a tree stock that is of high value but requires management. There are a number of Poplar trees within the site that have been strategically planted in a linear fashion and are now achieving their purpose of shielding the commercial buildings from views along Buildwas Road. Whilst these were originally shown for removal a subsequent August 2020 revision shows their partial retention. A condition is recommended to secure retention of the linear poplar groups in their entirety, so landscaping continues to be provided around the retained commercial structures. Groups of poplars within the flood plain area should also be retained given the screening of retained structures which they provide as one of a few trees able to withstand waterlogged soils.

6.6.2 The August 2020 masterplan revision also shows a greater retention of tree belts to the west of the village centre, creating a woodland character area forming an enhanced connection between the north and south green infrastructure.

6.6.3 Riverbank planting between the Pump House and the Ironbridge A bridge contains ash showing signs of dieback. Recommendations for retention and/or mitigation planting should be provided in any future reserved matters application.

6.6.4 The proposals are likely to lead to increased footfall in Dale End Park (T&W) to the north-east of the site. In recognition of this a financial contribution towards the increased management and enhancement of this facility has agreed between Shropshire and Telford & Wrekin officers (to be secured by s106 agreement).

6.6.5 Officers are satisfied that in its outline form, the development is acceptable from an arboricultural perspective subject to conditions and financial contributions towards offsite improvements in the public realm and is therefore compliant with development plan policies CS17 and MD12 and the NPPF.

6.7 Noise & Air Quality

6.7.1 The NPPF (paragraph 180) recommends that “planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

6.7.2 Chapter 12 (Noise & Vibration) of the Environmental Statement (December 2019) and its addendum (August 2020) provide details of the baseline noise monitoring results. The location of the noise sensitive receptors is acceptable to the Local Authority. The Noise Impact Assessment concludes that “No significant residual effects from noise and vibration are anticipated as a result of the construction or operation of the Proposed Development.” Officers concur with this view and support the application subject to appropriate conditions, outlining further noise assessment/mitigation on a phased basis.

6.7.2 Construction Vibration: Construction vibration has the potential to impact upon occupants of buildings within the vicinity of the works. It is anticipated that piled foundations will only be necessary in some localised areas and this will be determined at the detailed design stage. In addition to human annoyance, building structures may be damaged by high levels of vibration which are far in excess of those that may cause annoyance. Consequently, if vibration levels are limited to avoid annoyance then it is highly unlikely that buildings will be damaged by construction vibration.

6.7.3 Noise: It is considered that the rating level of fixed plant noise sources should not exceed the prevailing background sound level when measured at the nearest noise sensitive receptors (NSRs). The cumulative effect of all external plant should be specified so that the rating level is less than or equal to the lowest prevailing background noise level. It is considered that the effect of construction noise will be moderate adverse at worst for existing and proposed NSRs, with the potential for a major adverse effect over a short-term period as a result of works taking place close to the receptors around the access points on Much Wenlock Road and Buildwas Road.

6.7.4 With respect to vibration, there is the potential for effects at existing and proposed NSRs without mitigation. However, given likely separation distances and proposed mitigation techniques any effects would be temporary and minor adverse. Mitigation against these impacts will be controlled through a CEMP for each phase of the development, including amongst other matters specifying types of plant and working hours.

6.7.5 In terms of road traffic noise The Basic Noise Level (BNL) has been calculated for the roads nearest to the NSRs in order to predict the change in noise level between 2023 opening year and 2038 with and without the development. For a small area of the western edge of the proposed residential parcel facing out onto Much Wenlock Road, unmitigated noise levels in gardens facing out onto the road are likely to marginally exceed the upper desirable limit in BS8233. In order to reduce this it is recommended that the first line of

dwellings facing Much Wenlock Road are orientated so that garden areas are screened by the dwellings themselves. Adopting this approach should provide at least 10 dB reduction in resultant noise levels in gardens and would ensure that suitable noise levels would be achieved in garden areas across the Proposed Development.

- 6.7.6 For proposed dwellings closest to either Much Wenlock Road or Buildwas Road, with partially opened windows the BS noise criteria are predicted to be exceeded by up to 7dB without mitigation. Installation of typical double-glazed windows with trickle vents will ensure comfortable residential amenity within these properties. With the above exceptions no additional mitigation is considered necessary to control the effect of development generated road traffic noise. Therefore, any effects would be minor adverse at worst in the long-term.
- 6.7.7 Noise effects on future residents/uses: Noise from existing sources has the potential to affect proposed residential and educational uses on site. The upper limit for a newbuild primary school is 35 dB LAeq, 30mins. Given the distance between the proposed school and the new accesses onto the Wenlock Road no traffic noise related problems are anticipated. A rated noise level of 26dB LAr,15m during the night-time is acceptable in bedrooms under BS4142 and is unlikely to cause an adverse impact Provided that future buildings are designed to acceptable noise standards there should be no significant adverse noise effects for future occupants / users and further mitigation is not considered warranted. It should be noted that an intervening employment area which will provide additional acoustic screening within the site.
- 6.7.8 Noise and vibration from the railway line: The railway line is not currently in use so it is not possible to quantify in detail the potential noise and vibration effects on the nearest sensitive uses though the potential effect has been considered at a high level. Additional noise assessments will be required as and when any application comes forward for the use of the line as a passenger railway. In respect of its use commercially to remove materials off-site, this is not anticipated to be significantly greater than the former use. No more than 2/3 movements a day are expected.
- 6.7.9 Shropshire Council Public Protection have agreed with the applicant that the reserved matters planning stage would be the appropriate point at which to assess the potential effect of the railway line on nearby existing and proposed sensitive receptors. Given the lack of current detail it is considered that a condition should be attached to any permission, requiring a further noise and vibration assessment once more detailed information is available. Such a condition would provide an opportunity to mitigated / design out any potential issues associated with rail noise (for instance through specifying hours of use and type of rail plant).
- 6.7.10 Noise in Ironbridge Gorge: Some residents have expressed concern that noise from the site will travel and become intensified due to the shape of the Ironbridge Gorge. The applicant's noise report accepts there will be some change in the local noise climate. However, given the existing baseline noise levels, it is not considered that the operational form of the development will have any greater noise impact than what is currently experienced by residents within the gorge area. Whilst some periods of noisier activity may cause some noise disturbance, this will be closely monitored and managed through the CEMP.

- 6.7.11 Future noise baseline: It is considered that the future baseline will continue to be dominated by road traffic noise with some contribution from the retained transformers and generator plant on site for areas close to those sources. Therefore, the modelled scenarios for the opening year and future year without the development are generally considered to be representative of the future baseline noise conditions. The site will be subject to construction hours, as will be set out and agreed in the CEMP, as well as specific hours stipulated for any “noisy activities”. This is generally accepted as 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and no noise activity on Sundays or Bank Holidays.
- 6.7.12 It is concluded that noise and vibration from the site are likely to give rise to minor adverse effects at worst during and after the construction period with opportunities to design out issues under future discharge of conditions and reserved matters submissions linked to the current application.
- 6.7.13 Air Quality: - Without mitigation the construction phase of the proposed development is predicted to pose a ‘risk of medium impact’ on dust soiling of nearby sensitive receptors and a low risk to human health from dust emissions. The Environmental Statement air quality report recommends implementation of a dust management plan which would form part of the CEMP to be detailed at reserved matters stage.
- 6.7.14 The impact of vehicle emissions during the construction and operational stages is predicted to be negligible from the three main pollutants (PM2.5, PM10 and NO2). The effect at sensitive human receptors is not considered to be significant or to exceed UK Air Quality Objectives upon first occupation and completion of the development. Telford & Wrekin’s environmental health team have an air quality monitor at a site in a similar setting approximately 1.5km from the site boundary which broadly supports this conclusion.
- 6.7.15 It is considered that matters associated with air quality and dust management would not have an adverse impact on the environment or adjacent amenities and can be adequately controlled through conditions. The proposals therefore comply with of the local plan and the NPPF. Officers consider that the proposal is acceptable subject to mitigation measures controlled through conditions and is therefore compliant with the NPPF and local plan policies BE1 and ER1.
- 6.8 Ground Conditions
- 6.8.1 Paragraph 179 of the NPPF advises that “where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner”. The site falls within the Coal Authority Development Low Risk Area. The Council’s scoping response (ref 19/01779/SCO) emphasises the need to manage low level contamination in the brownfield part of the site and advocates the use of clean soil from the western greenfield site area to remediate low level contamination.
- 6.8.2 Contamination: The applicant’s ground investigations have identified sources of chemical contamination in the brownfield part of the Site including elevated concentrations of inorganic and organic contaminants and the presence of asbestos within made ground soils. Adjacent and future site users may be exposed to contamination without appropriate mitigation measures. The risk assessments have also

identified low risks to groundwater from contamination at the site, although a low to moderate and moderate risk to groundwater within the Glaciofluvial Deposits from PFOS and inorganic contaminants respectively has been identified. Piling activities may also create a preferential pathway for the downward migration of contamination within shallow perched groundwater and this will need to be monitored.

- 6.8.3 A consultants' risk assessment has have identified low risks to groundwater from contamination at the site. Elevated concentrations of contaminants have however been identified in groundwater within the Glaciofluvial Deposits, at locations close to the River Severn. A Detailed Quantitative Risk Assessment has however concluded that there is no risk to water quality in the River Severn
- 6.8.4 A number of measures will be implemented during the construction phase to minimise potential contamination impacts associated with the development. These in the contractor's Construction Environmental Management Plan (CEMP). A remediation strategy will be developed to mitigate risks to future site users, construction workers and adjacent site users. This will include a methodology for the implementation of appropriate remedial measures such as capping, based on additional detailed ground investigation and monitoring works. If foundation piling is proposed a risk assessment will be undertaken to determine the most suitable piling technique to minimise the potential for mobilising contamination.
- 6.8.5 Public Protection have recommended a condition to monitor and deal with any ground contamination issues experienced in each phase of the development and this has ben included in Appendix 1. Subject to this it is concluded that the proposals can be accepted in relation to local policies and national guidance covering ground contamination.
- 6.8.6 Land Stability: Without mitigation, there is risk of land instability at the Site. Appraisals will be undertaken to demonstrate that the proposed landform is stable in the permanent state. A consultant's site walkover in August 2019 indicated no global indications of significant instability. Along the southern boundary of the former power station site, local evidence of possible slope movement was observed, through titling trees and curved tree trunks.
- 6.8.7 Based on previous desk based RPS reports a moderate to high risk has been identified for landslides on site, particularly along the south-western and southern boundaries of the Site. No on-site records are held for landslides on-site however they are shown to have affected both sides of the Severn Valley/Ironbridge Gorge. The hazard potential map for natural landslides indicates that there are areas classified as Level C and D within the Site, which indicate a 'possibility of instability problems after major changes in ground conditions' and 'significant potential for slope instability with relatively small changes in ground conditions' respectively. Areas of potential instability are located primarily along the bank of the River Severn north of the Site and along the southwestern boundary of the Site.
- 6.8.8 Construction will involve re-profiling of the Site to generate a series of development platforms. Typically, these works will be minor on the steeply sloping southern boundary of the Site. The exception to this is within the south west of the Site where major reprofiling works will be undertaken creating a 1 in 3 slope of circa 25 m height. This slope will be designed to be stable in accordance with the relevant quarry regulations

and guidance. A condition requiring ground stability monitoring has been recommended linked to the proposed quarry development. Stability will also be addressed as part of the CEMP for the current application.

6.9 Hydrogeology and Hydrology

- 6.9.1 Hydrogeology: A hydrogeology report confirms that the site is underlain by Silurian mudstones which the Environment Agency (EA) designate as a Secondary B aquifer unit. As such the bedrock is not expected to be a significant water bearing unit but is expected to support perched groundwater when overlain by permeable geological units such as the glaciofluvial deposits (GFD) which overlies the western part of the site. The GFD is expected to constitute a locally important unconfined aquifer unit that may contain significant groundwater. As such it is designated as a Secondary A aquifer by the EA with permeable layers capable of supporting local water supplies.
- 6.9.2 Investigations have confirmed perched water within the former power station area in coarser made Ground and sandy alluvium with a deeper groundwater body in the Glaciofluvial Deposits and also within weathered upper layers of the Coalbrookdale Formation (shallow bedrock). The ground investigation undertaken on the proposed mineral extraction area comprised twenty-four boreholes to a maximum depth of 24.80 mbgl and fourteen machine excavated trial pits to up to 4.50 mbgl. Groundwater strikes were not recorded during formation of these exploratory holes which penetrated both GFD and the Coalbrookdale Formation. A 6-month programme of groundwater monitoring found groundwater to be generally absent to depths of up to 22 m below ground level, and a minimum topographic elevation of 40.35 metres above Ordnance Datum (mAOD).
- 6.9.3 Groundwater contained in the Glaciofluvial Deposits will likely flow north towards, and be in hydraulic continuity with, the River Severn which represents the principal groundwater receptor present in the vicinity of the Site. Previous ground investigations at the Site have indicated perched groundwater to be limited in extent and discontinuous. This information suggests overall that significant amounts of permeable strata exist and will remain above the groundwater table within the site. This includes within the proposed mineral extraction area. As such, it is to be expected that the site and the proposed development would have the potential to continue to absorb surface water effectively provided appropriate SUDS techniques are employed.
- 6.9.4 Hydrology: The nearest surface water features to the Site are the River Severn and a brook running close to the western Site boundary. In addition, a brook is culverted underneath the former coal stockyard area in the central part of the Site.
- 6.9.5 The Site is not located within a groundwater Source Protection Zone (SPZ) and there are no licensed groundwater abstractions within 500 m of the Site. There is one surface water abstraction licence from the River Severn and is associated with non-evaporative cooling, lake and pond throughflow and boiler feed for the former power station. There are a total of 16 discharge consents into surface water within 500 m of the Site, the majority of which are for sewage / effluent related discharges. The Environment Agency not objected subject to monitoring conditions and will exercise control on water discharges through the environmental permitting regime. The Council's drainage team has not objected subject to a surface water management condition. Officers conclude

that the site is acceptable with reference to hydrological considerations subject to the recommended conditions. (Core Strategy Policy CS18).

6.10 Heritage

6.10.1 The site lies immediately adjacent to the Ironbridge Gorge World Heritage Site (WHS) and the Severn Gorge Conservation Area (CA) and is within 60m of the grounds of Buildwas Abbey scheduled ancient monument. Also located within the application site are the grade II listed 'Albert Edward' railway bridge, and other non-designated heritage assets related to the earlier 1930s Ironbridge A power station including a former pump house building and a steel road bridge. The adjoining WHS/CA contains a number of grade II, II* and local interest buildings.

6.10.2 At a national level the NPPF recognises that these assets are an “irreplaceable resource and should be considered in a manner appropriate for their significance.” Para 192 states: “In determining applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. the desirability of new development making a positive contribution to local character and distinctiveness.”

6.10.3 The NPPF advises that in considering the impact of a development on the significance of the heritage asset, appropriate weight should be given to the conservation of the asset. The more important the asset the more weight is attached. Para 196 advises that any harm to the significance of the asset should require clear justification, and any substantial harm to an asset of a Grade II listed structure should be ‘exceptional’ and “wholly exceptional” in the case of a scheduled monument or World Heritage Site.

6.10.4 Heritage – Buildwas Abbey: The buildings of Buildwas Abbey nestle in a secluded and wooded setting set back from the Wenlock Road. Historic England has suggested that the proposals could result in increased disturbance in the vicinity of the Abbey (noise / traffic), thereby affecting the setting of this scheduled ancient monument.

6.10.5 The nearest built part of the proposed development is the existing T-junction leading to Pool View Caravan Park and Buildwas Quarry which is some 150m from the Abbey buildings and some 50m north of the access to the Abbey site. The T junction would be upgraded to provide access to the proposed temporary quarry and subject to a further upgrade subsequently when it becomes one of the two principal accesses to the site from the Wenlock Road. As an existing access this T-junction already generates some disturbance in the local area. The proposed junction improvements would include speed limits and signalisation.

6.10.6 The second site access would be a roundabout located on the Wenlock Road some 500m south of the Abbey buildings. This was moved a further 80m away from the Abbey buildings under the December 2020 masterplan revision and is now behind a group of farm buildings relative to the Abbey. It should have the effect of slowing vehicles down on the Wenlock Road including past the Abbey access. Additionally, it is proposed to

convert the existing junction at the bottom of Buildwas Bank into a traffic island. This would allow a smoother flow of traffic from the Ironbridge Bypass onto the Wenlock Road and on the Buildwas Road.

- 6.10.7 Whilst the proposed development would result in increased traffic in the vicinity of Buildwas Abbey it is considered that the proposed highway works would slow down, even out and provide improved safety for local traffic movements relative to the current situation. The officer would expect this to have a neutral or positive effect overall on local highway noise in the vicinity of the Scheduled Ancient Monument. It is however considered that a noise monitoring condition should be imposed on any subsequent reserved matters approval to allow this situation to be assessed at the appropriate time against the baseline noise monitoring linked to the current application.
- 6.10.8 The amended Built Heritage Assessment describes the significance of the Buildwas Abbey Scheduled Monument and the three associated listed buildings (the main structural remains of Buildwas Abbey itself). The amended Built Heritage Assessment then considers, at paragraphs 6.40 – 6.44, what contribution the setting of these assets, in terms of their surroundings and including the application site, make to their significance. It accepts (para 6.40) that the application site may have formed part of the wider land holding of the Abbey but considers that this was likely severed at the Dissolution, and any continuation of agricultural management when Abbey House was altered to form a minor country house in the 19th century. Thus, it considers (at para 6.44) that whilst the association with the River Severn to the north and west, and with the historic settlement of Buildwas to the north, make a contribution to their significance, the contribution made by agricultural land to the west, south and east (including the application site) makes "...at most, a very minor contribution.", which was further eroded by the construction of the former railway line.
- 6.10.9 In terms of the impacts of the proposed development, the amended Chapter 8 of the Environmental Statement notes (at para 8.4.33) that the proposed masterplan development site would be located beyond the corridor of the Much Wenlock Road and the existing sand and gravel site, and would also be located with the footprint of the mineral extraction area proposed within the separate mineral application (ref. 19/05509/MAW). It also anticipates (at para 8.4.33) that any impacts from noise, vibration and drainage changes upon the designated heritage assets at Buildwas Abbey would be negligible.
- 6.10.10 Paragraph 8.4.34 acknowledges that the masterplan development would result in increased traffic on the Much Wenlock Road, although it considers that this would be partially offset by the proposed public transport measures and cycling and pedestrian linkages. It therefore considers that there would be very minor changes as a result of increased traffic to the setting of Buildwas Abbey, such that any harm to its significance would be minimal. With regard to the post construction and operational phase of the masterplan development, it considers that there would be only very minor changes to views from a limited part of the Scheduled Area (para 8.4.36). It considers that the "...historic, archaeological, and architectural/aesthetic interest of the asset would be retained along with a general appreciation of the wider, predominantly rural setting which would only be very slightly eroded.". Consequently, the amended heritage statement considers that there would be minimal harm to the Scheduled Monument.

- 6.10.11 The amended Chapter 8 of the Environmental Statement therefore considers (at para 8.4.37) of the proposed development will have a neutral effect upon the designated heritage assets at Buildwas Abbey. The amended Built Heritage Assessment places this in NPPF terminology, stating that the proposed development will cause only a very minor level of harm to their significance, which it considers would "...would represent less than substantial harm, at the lowermost end of the spectrum." (para 6.49).
- 6.11.12 In their consultation response of 17 September 2020 Historic England state that they do not agree that the land on the proposed development site was not important to the significance of Buildwas Abbey. Instead they consider that, because Cistercian monasteries were often deliberately sited in remote locations and noted for holding large rural estates, "...the abbey still retains an essentially rural setting now, and this does contribute to its significance as well as overall visitor experience.". Historic England therefore agree with the conclusion contained in the amended Built Heritage Assessment that the proposed would cause in less than substantial harm to the significance of the Scheduled Monument. They therefore advise the Decision Taker to ensure that they apply tests contained within the NPPF (i.e. those contained in 193, 194 and 196 of the Framework).
- 6.11.13 The Council's historic environment team leader concurs with the amended Built Heritage Assessment's and Historic England's conclusions that the proposed development will cause less than substantial harm to the significance of the designated assets of Buildwas Abbey as a consequence of changes to their setting. Therefore, if the decision taker is minded to approve the application, then the tests contained within and Paragraphs 193, 194 and 196 of the NPPF and Local Plan policy MD13 should be applied. This states where there is less than substantial harm the LPA should consider the application as a whole, making a balanced judgement which weighs any harm on the heritage asset against public benefits including securing the optimum and viable use for a development site.
- 6.11.14 The officer acknowledges that the less than substantial harm that would arise to the significance of the Scheduled Monument at the lower end of the scale. This is as a consequence of traffic and general change to the character of the land on the western side of the proposed development site. A condition securing the implementation of the Framework Travel Plan is recommended in order to mitigate any effects on the setting of Buildwas Abbey arising from increased traffic. This would also support the following measures which have been put forward by the applicant in consultation with the Local Highway Authorities:
- improved pedestrian and cycle connections to existing off-site networks;
 - a public transport strategy;
 - a proposed park and ride facility;
 - re-instatement of the existing railway line.
- 6.11.15 A condition securing implementation of the following is also recommended in order to address concerns about residual visual and landscape impacts of the development on the landscape and setting of Buildwas Abbey:
- implementation of the Proposed Masterplan,

- the Sustainable Design Brief and
- the Green Infrastructure and Landscape Strategy.

6.11.16 It is clear that there that the masterplan development would deliver significant public benefits including new housing, employment and remediation of brownfield land which are strongly supported by the NPPF. This will allow the power station site to secure an optimum viable use. Conversely, if the site were to become derelict then significant adverse effects on the setting of the scheduled monument and other local heritage features might be anticipated.

6.11.17 The Council's historic environment team leader has suggested that consideration might also be given to use of CIL funding to provide some enhancements within the grounds of the Abbey such as improved car parking and visitor facilities. The officer would support this in principle but does not consider this essential in order to deliver a sustainable development. This is having regard also to the significant financial constraints of the development (referred to below) which will require that all CIL money from the scheme is ring fenced for spending on essential infrastructure to support the scheme. A review mechanism will however apply whereby any additional unpredicted profit from the development can be clawed back for spending on other identified infrastructure priorities. Whilst the priority would be to reinstate policy compliance on affordable housing provision the officer recommends that Buildwas Abbey is included any clawback spending list should additional funding become available in the future.

6.11.18 Overall it is concluded that the test set by Paragraph 196 of the NPPF is met with respect to Buildwas Abbey. Accordingly, the equivalent test set out in SAMDev policy MD13 is also met.

6.11.19 Heritage - The Albert Edward Railway Bridge: The significance of the Grade II listed Albert Edward Railway Bridge, and the contribution that is made to that significance by its setting detailed in paragraphs 5.14 – 5.20 of the amended Built Heritage Assessment. Built in 1863-4, the bridge is noteworthy as an example of the work of the renowned railway engineer John Fowler, together with Messrs Brassby and Field, and was cast and erected by the Coalbrookdale Company of Ironbridge. The bridge was subsequently altered in 1933, when the original timber and wrought iron deck was replaced by one in structural steel in order to accommodate freight traffic for the Ironbridge A Power Station. However, other than the railway line, the area of the proposed development site is not considered to make any contribution to its setting. The effect of the re-instatement of the railway line and re-use of the bridge are considered by the amended Chapter 8 of the Environmental Statement to be minor beneficial.

6.11.20 Paragraphs 5.17 – 5.19 of the amended Built Heritage Assessment consider the setting of the bridge and the effects the proposed masterplan development would have upon it. Those elements of its setting that are considered to contribute to its significance are the River Severn and the railway line on either side, together with the settlement of Ironbridge and Coalbrookdale due to their historic association. However, other than the railway line, the wider proposed masterplan development site is not identified as contributing to its significance. In terms of effects it is noted, because that the intervening woodland on the southern side of the bridge will be retained, views will remain largely unchanged (para 5.18). Likewise, the introduction of residential development into the

eastern parts of the masterplan development site will not harm the significance of the bridge as a consequence of changes to its setting (5.19).

- 6.11.21 The proposed re-use of the bridge by a reinstated railway are welcomed because this will ensure that it has a viable use in accordance with its original purpose that will provide for its long-term maintenance. It is noted that in order to achieve this, repairs will be required to the bridge to enable it to be re-used. In relation to this, Telford and Wrekin Council expressed concerns regarding the need for further details of the necessary repairs. However, following further clarifications from the applicant, it is accepted that the bridge remains within the control of Network Rail, who are engaged in ongoing discussions with both Local Planning Authorities regarding the scheme of repairs, and have committed to provide them with full details of the proposed works once available. Works to listed buildings are in any case restricted under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and it will therefore be a matter for the Local Planning Authorities to confirm and agree whether Listed Building Consent is separately required by Network Rail.
- 6.11.22 The amended Built Heritage Assessment concludes that the proposed development will not cause harm to the significance of the listed railway bridge. This conclusion is accepted.
- 6.11.23 Heritage – World Heritage Site (and associated Conservation Area); The WHS which borders the site is designated for its ‘Outstanding Universal Value’ (OUV), having “cultural or national significance which is so exceptional as to transcend national boundaries. As such the protection of this heritage is of the highest importance to the international community as a whole”. The WHS Management Plan (adopted in 2017) recognises that after the closure of the Power Station any large scale development on the site may cause a potential threat to the setting of the WHS, and specifically requests that new development does not harm the OUV.
- 6.11.24 The updated Built Heritage chapter of the Environmental Statement includes additional views showing the wider setting of the proposed site and the resultant change in character/landscape. This information indicates that there are some open views of the site from within the WHS/CA. The Landscape & Visual Impact Assessment (LVIA) and Heritage Statements both conclude that there would be a ‘neutral’ effect on the WHS/CA given that ‘any such views will be distant, partially screened and seen alongside the existing large 1970s switch house’.
- 6.11.25 The Heritage Statement and LVIA acknowledge that the setting contributes to the significance of the WHS and that the ‘pioneering intense industrial past within its green landscape’ (ICOMOS) is a key part of the Outstanding Universal Value of the WHS. The statement concludes however that there would be very limited inter-visibility between the WHS and development, and subsequently a low impact upon significance. Historic England (in their September 2020 comments) advised that they agree ‘that the local topography will prevent significant views between the development and WHS.’
- 6.11.26 The T&W heritage officer questions the conclusion of a ‘neutral’ impact on setting given that a major housing development would have a quite different character. They advise that limited inter-visibility does not necessarily equate to a very low impact on setting, whilst also acknowledging that this is an outline application and change does not

necessarily equate to harm. The officer has studied the applicants heritage and visual submissions and concludes that any impact to the setting of the WHS would be likely to result in less than substantial harm at the lower end of the scale, given the likely scale, nature and positioning of the proposed masterplan development within the landscape.

6.11.27 Funding has been set aside for a number of positive environmental interventions in the local area including additional planting, woodland management, right of way improvements and a heritage contribution for Ironbridge. The detailed design of the development will also be important, both in terms of overall layout, and the design of individual buildings and will need to be addressed appropriately at the reserved matters stage.

6.11.28 In conclusion, the change in character from industrial to residential is not considered to result in any material harm to the setting of the WHS, none of which would be physically affected by the proposed development. The environmental enhancements referred to above are sufficient at this stage to fully mitigate any less than substantial harm when the ability to control the detailed design of the scheme at reserved matters stage is also taken into account. As with Buildwas Abbey it is clear that the public benefits of the site's redevelopment are significant and provide a viable end use, without which the site would become derelict and dangerous. As such the tests of the NPPF paragraph 196 are met.

6.11.29 In conclusion officers consider that the proposal is acceptable in heritage terms subject to mitigation measures controlled through conditions and is therefore compliant with the NPPF and local plan policy MD13.

6.11 Archaeology

6.11.1 An archaeological assessment including physical evaluations concludes that the site has low potential for preservation of in-situ archaeological remains and concludes that no further archaeological mitigation would be required. This conclusion has been accepted by the Council's archaeology service. A condition has however been recommended which affords access for recording of any archaeological remains which may be recovered. This is given in particular the large size of the site and the presence of some Neolithic pottery remains within it.

6.12 Landscape

6.12.1 Landscape Setting: The site is over 350 acres (141ha) in size, of which about 110 (44.5) is greenfield. Only around half of the greenfield area will be developed, the remainder will be used for ecological and open space purposes. Over 70 acres (28ha) within the brownfield area would be open space in the form of sports pitches, parkland and woodland.

6.12.2 A landscape survey considers a number of viewpoints within a 3km radius of the site and identifies key sensitive receptors (both landscape and visual), considering any significant effects arising from the proposed development. The site sits within a transitional part of the landscape where the broader rolling slopes and agricultural parts of the River Severn valley, passes into the steeper sided wooded slopes of Ironbridge Gorge. The scale of the site is such that it sits across a relatively broad area of the landscape and is

influenced by different parts of the transition, as well as the different context of the river valley base, sides and hills.

- 6.12.3 The site itself is not subject to any specific landscape designations but is in proximity to the World Heritage site and Conservation Area with associated listed buildings, the AONB, Buildwas Abbey Scheduled Ancient Monument, SSSI's, local wildlife sites and nature reserves and ancient woodlands (one extending locally into the site).
- 6.12.4 In terms of Landscape Character most of the site is within the National Character Area (NCA) 65: Shropshire Hills with part of the eastern area being located within NCA 66: Mid Severn Sandstone Plateau. At a County level the majority of the site falls within the Wooded Estatelands Landscape Description Unit (LDU), with sections of the northern area located within the Riverside Meadows LDU and a small part of the southern area in the Principal Wooded Hills LDU. Emerging Shropshire Council Policy S20 sets out guidelines for the masterplan development to meet and the applicant advises that this has informed the Landscape Chapter of the Environmental Statement.
- 6.12.5 The Shropshire Hills AONB Management Plan 2019-24 sets out that it seeks to define the approach to conserving and enhancing the natural beauty of the AONB through the application of 'local solutions to local challenges'. In respect of the setting of the AONB (Policy P1), the Management Plan suggests measures to consider and mitigate such impacts. These include:
- care over orientation, site layout, height and scale of structures and buildings
 - consideration of the landscape, land uses and heritage assets around and beyond the development site; and
 - careful use of colours, materials
- 6.12.6 The LVIA concludes that overall the proposed development will result in some limited impacts at a localised level. Effects on landscape character are not considered to be significant. For visual effects a small number of individual receptors (including ones 'on site') have been identified as significant, however in the balance of the wider views/visual amenity these are not considered significant overall. The Council's landscape consultant WSP has reviewed the LVIA and has accepted these conclusions. Officers are satisfied that that the development is acceptable at this stage in wider landscape and visual terms.
- 6.12.8 On-site Landscape Strategy: The application is supported by an indicative masterplan and a landscape strategy. Whilst this is an outline application and details of proposed landscaping are not yet known, these plans provide a framework to which subsequent reserved matters applications will follow and form a series of documents that would be conditioned to any consent. The Landscape Strategy plan sets out 7 key areas relating to the on-site Green Infrastructure:
- Enhancement of the existing blue corridor (i.e. River Severn frontage);
 - Central green corridor to link the north (River Frontage/Sports facilities) to the south (woodland) of the site;
 - Central green corridor along the rail infrastructure to provide a link from the north (River Frontage/Sports facilities) to the east (woodland and Severn Valley Way)
 - Green corridor to link the centre of the site to the Shropshire AONB (south-west);

- Green corridor to link areas of existing woodland along the southern boundary where pinch points currently arise;
- Public open space (throughout the site) retaining existing vegetation where possible;
- Ecological enhancement area to the south (existing bat house and GCN ponds).

6.12.9 The proposed landscaping strategy has been designed taking account of site constraints and the proposed character areas, as well as incorporating mitigation measures for biodiversity. Use is made of planting, stand-offs and topography / landform to provide screening. Further detail on landscaping and design measures and the ability to provide effective screening from landscape designations including the AONB will be provided at the reserved matters stage. The Landscape Strategy is considered to provide a sound framework for any subsequent reserved matters application. Overall, officers consider that the proposal is acceptable subject to future landscaping details being controlled through conditions. The proposal is therefore compliant with the NPPF and development policies CS17, MD12 and MD13.

6.13 Sport and Recreation

6.13.1 New developments should make full provision for the infrastructure/amenities and services which they create. The development will bring new residents to the area, leading to an increased demand on existing recreational resource. As such it triggers the need for onsite sporting and recreational facilities.

6.13.2 The need for increased sporting and recreational provision was highlighted by Sport England and Telford & Wrekin Council in response to the original planning application including:

- Need for a Neighbourhood Equipped Area of Play (NEAP) incorporating a Multi-use games areas (MUGA);
- Need to demonstrate how the development will meet children's play needs;
- Reinstatement of existing sports field within site;
- Provision of a central village green;
- Provision of Leisure Strategy indicating how highlighted local needs are met.
- Conditions to deliver sporting and recreational facilities.

6.13.3 A Playing Pitch Strategy (PPS) being prepared by Shropshire Council is at an advanced stage. It sets out that the site contains a disused sports field that previously accommodated two adult football pitches and a 5-wicket grass cricket square in addition to a poor-quality clubhouse. The PPS is likely to include recommendations to protect the supply of existing pitches and bring lapsed sites (such as the playing fields within the application site) to address the identified provision shortfalls.

6.13.4 The applicants subsequently provided a Leisure strategy to supplement the revised masterplan, taking account of the above points and factored them into the development. A new combined NEAP/LEAP, and a multi-use sports pitch and pavilion (including parking area) will be provided. A more central village green now adjoins the sports pitches and provides an improved connection to both the Local Centre and surrounding green infrastructure. The applicants have also accepted the proposed conditions and S106 trigger points for the matters raised above.

- 6.13.5 It is considered that the provision for both football and cricket pitches within the site would make a positive contribution to meeting local needs for these sports. The commitment to providing suitable changing provision is also noted and should include as a minimum 4 team changing rooms and a social space with a kitchen. The management of the pitches is to be confirmed with the preference to be managed by a local club. These details can be secured via a suitably worded s106 agreement and associated planning conditions.
- 6.13.6 Officers consider that the proposal is acceptable subject to conditions and appropriate S106 triggers, that the site is compliant with the NPPF and development plan policies CS6, CS8, CS16 and MD2.

6.14 Education

- 6.14.1 The proposals would involve the provision of a new primary school within the site plus funding for additional secondary provision. The development site sits in the catchment area for Shropshire Local Education Authority (LEA) and therefore the associated primary school catchment of Buildwas Academy, and secondary catchment of William Brookes (Much Wenlock). Buildwas Academy currently has 19 surplus places, which will be filled on completion of the first 100 dwellings, by pupils from the development. It should be noted that currently 53% of pupils attending Buildwas Academy are Telford and Wrekin Pupils. William Brookes School currently has 12 surplus places and so will fill on completion of the first 100 dwellings. Currently 30% of pupils attending William Brookes are Telford & Wrekin pupils approximately 49 per academic year group.
- 6.14.2 Upon initial consideration of the application, Shropshire LEA estimated that school places will be required to meet the needs of an additional 103 nursery pupils, 177 primary pupils and 141 secondary pupils. Existing nursery and primary provision is unsuitable and consequently new provision will be required. It was also highlighted that additional secondary school classroom capacity may also be required at the William Brookes School.
- 6.14.3 Telford & Wrekin LEA raised concerns that this approach would result in a significant pushback with Telford & Wrekin pupils having to be accommodated elsewhere in the Borough. They therefore sought additional provision from the Shropshire LEA to avoid this pushback effect. The initial differences in the two LEA positions is shown below.

	Shropshire LEA estimated pupils based on 1000 units	T&W LEA estimated pupils based on 1000 units	Variation
Early Years	103	120	17
Primary	177	280	103
Secondary	141	160	19
Post 16	0	70	70

- 6.14.4 Shropshire LEA subsequently undertook discussions with Buildwas Academy in relation to the short-term impact of Primary School pupils to identify if this could be catered for by the existing school at Buildwas. It became apparent that the capacity at Buildwas School was greater than anticipated with the ability to increase this capacity by providing

a demountable and also relocating pre-school children to the village hall. As such, it has been agreed between the LEA's that there will be no impact on the primary school provision and no pushback on Telford & Wrekin pupils in the short-term, ahead of the new primary school being constructed.

6.14.5 The secondary school calculations for the LEA's however remained at odds. Therefore T&W commissioned an independent survey to define secondary educational provision needs linked to the application. This was to ascertain the correct demographics to be utilised, the impact the development would have on education, and whether as non-lead authority, Telford & Wrekin Council had the right to contributions to mitigate against this impact. Their ideal scenario was that the William Brookes School (Much Wenlock) should be expanded to accommodate 160 pupils, rather than 141 set out by Shropshire Council.

6.14.6 The Shropshire LEA subsequently agreed to seek an extension to William Brookes to accommodate the anticipated 160 secondary school pupils arising from this development and an appropriate uplift of £400K in the education contribution has been included within the S106 agreement. Both LEA's are now satisfied that the application can be supported, subject to the appropriate s106 contributions and an appropriate trigger point for construction of the new primary school.

6.15 Healthcare

6.15.1 The Clinical Commissioning Groups (CCG) submitted a late formal comment before the application was reported to the T&W planning committee on 18th May 21. This advised that it was undertaking a review of healthcare facilities in the area. The CCG advise that:

1. A review was being undertaken of healthcare facilities in the area;
2. Existing local healthcare facilities are stretched;
3. The proposed development should fund healthcare improvements to support the increased population;
4. The CCG are investigating the option of establishing a healthcare hub located within the site, subject to a stakeholder engagement process.
5. They are suggesting a capital sum of £1.27m may be required in order to facilitate necessary healthcare improvements plus, if required, a serviced plot within the site.

6.15.2 Officers note the CCG comments and support the principle of healthcare provision. However, the CCG have not yet fully defined or evidenced the nature of the increased healthcare requirements linked to the proposed development or how this relates to the sum being requested or the existing healthcare capacity issues they refer to. Instead a generic calculation has been adopted based on estimated floor area / consulting room requirements.

6.15.3 Telford & Wrekin officers advise that whilst the CCG controls medical provision they have received concerns that any merging and relocation of existing medical practices should not involve closure of the existing Ironbridge practice. They would view this as detrimental to the existing population.

6.15.4 In terms of the mitigation funding which the CCG are requesting this is not yet considered to be fully evidence based. Additionally, there is no wider precedent for this level of health

care contribution taking account of other major development within Shropshire and Telford & Wrekin. Without a detailed evidence base the ability of the LPA's to accommodate the CCG's request is limited, taking account also of the significant viability issues raised by the proposals (referred to below). It is concluded therefore that this figure cannot be achieved, but that the proposal should provide a serviced plot alongside a contribution of £0.5m. The officer would note that depending upon its size (which would be evidenced by the CCG) any serviced plot would potentially have a significant value in its own right.

6.15.5 The CCG have responded to this as follows:

... 'This is a concern to us because a recent review of the three closest Surgeries to the development site (Broseley, Ironbridge and Much Wenlock) has concluded all three are already at over- capacity and investment needs to be made to meet current demand. Therefore, there is no surplus capacity to allocate to the new development and the funds earmarked via the Section 106 are clearly not going to be sufficient to meet the healthcare need that the scheme will generate. We would be grateful if this situation can be brought to the attention of the Planning Committee members please and would therefore ask if they would consider helping us to meet future need by giving us confirmation they will make CIL funds available to us to meet the need'.

6.15.6 The officer has responded to the CCG advising that all future predicted CIL monies linked to the proposed development would be ring fenced to committed infrastructure required to deliver the scheme. However, a clawback mechanism would apply as part of a periodic viability review process whereby any increase in profit above that assumed in the applicant's viability assessment would become available to fund other infrastructure needs in connection with the site. The first call on any clawback funding would go to reinstating a policy compliant level of affordable housing within the development. However, the officer would recommend that additional healthcare funding is made a spending priority should clawback funding become available.

6.15.7 Additionally, the officer has urged the CCG to engage with the Council in order to include healthcare as an agreed spending priority in the annually reviewed Much Wenlock Area Place Plan. This would potentially allow other CIL funds not linked to the current site to be accessed should a properly evidenced need for additional healthcare funding subsequently be demonstrated.

6.15.8 It is concluded that the proposal is acceptable with respect to healthcare subject to the contributions set out in the S106 agreement and is therefore compliant with the NPPF and relevant development plan policies.

6.16 Railway

6.16.1 The existing rail access to the power station site is to the east of the site, over the River Severn by the means of the Grade II listed Albert Edward Bridge. The Railway bridge is made of cast iron and built in 1863 by Engineer John Fowler. The bridge was designed to carry a load of 20 tons per carriage and has a main span across the river of 160ft. The identified span was provided in order to give free and unobstructed flow through the bridge when the river is in flood. Another reason was to make rail the only access point to the site for heavy plant and fuel deliveries, as the roads surrounding the site are very

hilly. After the bridge connection, the railway track extends within the site through an internal rail system leading to and between the discrete elements of the site.

6.16.2 The applicant proposes that the existing railway will provide a means to export material out of the site, both during mineral extraction and the construction phases. This would also support the status of the bridge as a maintained and operational heritage asset. Network Rail are currently reviewing the works necessary to repair the Albert Edward Bridge and this will be subject to a separate listed building application which is expected to be submitted in summer 2021.

6.16.3 The potential for a passenger light rail service connecting to Telford Central station is currently being explored by the applicants who are working with both Councils to seek funding for a feasibility assessment. In addition, an application has recently been submitted by Harworth which seeks to trial a light rail system within the site (Reference 21/02012/FUL). It should however be made clear that at this stage the passenger rail is only aspirational and does not form part of the current application. However, the potential for a sustainable connection between the site, the WHS and Telford Town Centre is recognised.

6.16.4 Should passenger light rail not prove to be feasible then it is expected that the applicants would work with both Councils to create some form of 'rail to trail' green infrastructure along the rail line which compliments existing green routes in the area.

6.17 Public Rights of Way

6.17.1 There are a number of public rights of way which both dissect the site and surround its boundaries:

- A restricted byway enters the site and goes beyond the entrance to the Park View caravan park (0409/16/4) and upto the existing access gates into the Power Station. This will form a new adopted highway and will be incorporated into the designs for this highway;
- A bridleway (0409/UN1/1, 0409/156/5, 0409/16/6) follows along the lines of the access track to the caravan park and will be unaffected by the development but with possible enhancement/resurfacing if necessary;
- Two footpaths cross the western field (0409/13/1 and 0409/14/1) and will be impacted by the development and require rerouting;
- A network of footpaths surrounds the site, with key routes being the Severn Way and the Severn Valley Way and it has been closely considered how the development will both impact these and provide enhancement.

6.17.2 On-site it is proposed that a new pedestrian/cycle corridor will pass through the open-space to the south of the site, providing a direct sustainable connection from the east of the site (the Severn Valley Way) to footpaths located on the west of Much Wenlock Way (0409/4/1) and further afield. This corridor will pass alongside the ancient woodlands, passed the proposed allotments and alongside the habitat mitigation areas. A further on-site pedestrian/cycle corridor will pass through the open space to the north of the site, along the river frontage. This will provide access to possible river/leisure activities and also to the enhanced sports pitches/pavilion.

- 6.17.3 Furthermore, the 'A' station bridge is intended to be reopened for pedestrian movement, providing a direct connection to the Severn Way on the opposite side of the river. Both these proposed routes will connect to the Severn Valley Way on the far east of the site and it is recommended that they are added to the Definitive Map of Public Rights of Way by way of a creation agreement made under section 25 of the Highways Act 1980.
- 6.17.4 The Severn Valley Way is the primary sustainable route leading occupiers/users of the development into Ironbridge. It is already a widely utilised route but with increased footfall mitigation will be required to support the increased demands and enhance the opportunities to make the route more multi-functional, providing a sustainable connection that can reduce car journeys into Ironbridge. A financial contribution for enhancement of this route has been discussed by Shropshire and T&W officers and is included as a recommended legal agreement clause.
- 6.17.5 In further recognition of the increased footfall associated with this development, and the likely impacts on public rights of way contributions are also being sought for the upgrade of the Severn Way (leading from the site towards Buildwas only) and also towards management/maintenance of the Benthall Edge and Tick Wood SSSI managed by Severn Gorge Countryside Trust (SGCT) as discussed above.
- 6.17.6 Subject to the above matters it is considered that the proposals are compliant with the NPPF and will succeed in promoting alternatives to the car and addressing the impact of the development.
- 6.18 Residential and general amenity
- 6.18.1 Noise and dust are referred to above. The site is a major development and the change in character of the site and the increased usage will inevitably have some impact on adjoining properties/uses. However, the potential for direct impact on the amenity of adjoining residential properties is considered to be limited.
- 6.18.2 The nearest residential properties to the development are the Pool View Park residential and holiday park which are located on the southern boundary of the site. The nearest of these properties is located over 50m from the site boundary and a greater distance from the nearest proposed dwelling shown on the indicative masterplan (separated by open space). It is therefore considered that the impact to the residential amenity of these properties is limited.
- 6.18.2 On the northern side of the River Severn are a number of residential properties and guest houses, all of which are located some distance from the site boundary (in excess of 60m) and separated by existing mature planting and proposed areas of open space. It is therefore considered by Officers that the impact to the residential amenity of these properties is limited.
- 6.18.3 There are a number of properties on the western edge of the site adjoining the A4169 Much Wenlock Road. Two properties are located at the entrance to Buildwas Abbey and whilst they will experience some impact from the development, it is not considered that this will be significant or direct. The properties face towards the existing/proposed sports pitches. Additionally, there is a small cluster of properties located on the south-western edge of the development (Mill Farm, Hill View Farm) which are in close proximity to the

proposed roundabout into the application site. During the course of the application officers held site meetings with the landowners to assess the impact on these properties. As part of these considerations an amendment to the application was sought which saw the proposed roundabout moved 80m further south west. This results in an improved amenity situation for Mill Farm and Hill View Farm. Coinciding the roundabout with the minor access to these properties also results in a highway improvement.

6.18.4 It is considered that the proposal at this outline stage complies with the development plan policies CS6 and MD2 and relevant amenity guidance in the NPPF.

6.19 Mineral Extraction

6.19.1 The current proposals are linked to an application for minerals extraction (Ref: 19/05509/MAW). This encompasses a 49ha area within the western part of the current application site, including agricultural fields and derelict brownfield land. The application forms a separate item on this Agenda.

6.19.2 The proposed extraction will release 1.9 million tonnes of saleable sand and gravel over a period of 5 years. The site will be extracted and restored in a phased manner. The proposal involves transporting the 75% of the mineral via rail utilising the existing infrastructure of the Power Station and 25% via HGV.

6.19.3 There are two key reasons why the sand and gravel resource underlying the application site requires extraction.

- Firstly, prior extraction will prevent sterilisation of the safeguarded mineral resource.
- Secondly, the Economic Growth Strategy for Shropshire and Shropshire Councils current Local Plan (Core Strategy) recognise the opportunity to redevelop the Former Ironbridge Power Station site and identify it as a preferred strategic site. The proposed masterplan redevelopment scheme involves the construction of residential dwellings, employment land, infrastructure, internal roads, etc within the application area and will require an engineered development platform to be created.

6.19.4 The applicant advises with regard to the principle of development, if no mineral extraction takes place prior to the proposals for non-mineral development, it will result in the unnecessary sterilisation of the mineral resource. Furthermore, the 'do nothing option' prevents the creation of the development platforms required to deliver the Masterplan development. Objections have been received from the AONB Partnership and the local community including some Parish Councils However, no statutory technical consultees have outstanding objections and no unacceptable impacts have been identified after mitigation is applied.

6.20 Financial Contributions / Legal agreement requirements

6.20.1 A Development Viability Review by Tustain Associates was submitted by the applicant in September 2020. This was independently reviewed by Turleys jointly on behalf of Telford & Wrekin Council and Shropshire Council and found to be acceptable.

6.20.2 The Viability Assessment concludes that the site is subject to significant viability challenges given the extensive legacy of former industrial uses. Specifically, there are

high infrastructure and abnormal costs amounting to £62.84 million. As a result, the development is only viable with the provision of 5% affordable housing and a maximum £16.75 million for infrastructure funding including both Section 106 and CIL contributions.

- 6.20.3 Following the receipt of final consultee responses, a list of financial contributions was constructed by officers in consultation with the applicant. This needed to be considered in the context of the site viability, accepting that the level of contributions requested was much greater than the amount actually available.
- 6.20.4 To maintain a viable scheme it is necessary to accept a reduction in affordable housing to 5% as opposed to the fully compliant level of 20%. It is hoped that this shortfall can be addressed subsequently through grant funding from Homes England.
- 6.20.5 In addition to affordable housing, the viability assessment makes provision for £16.75million to be achieved through a combination of S106 payment and anticipated future CIL revenues from the scheme. CIL is applicable within Shropshire Council and is calculated on the creation of new floor area. Unlike S106 funding a CIL requirement cannot be reduced and must be provided without exception. For the scheme to remain viable all CIL revenue from the development would need to be ring-fenced for use specifically in funding infrastructure linked to the proposals.
- 6.20.6 Given the tight financial constraints of the scheme detailed discussions have been ongoing between Officers at Shropshire and Telford and Wrekin Council to determine how the available sum will be distributed. Additionally, it has been agreed that some of the major infrastructure works would be provided through use of ‘Grampian Conditions’. These would require the developer to directly carry out certain highway works rather than to provide a financial sum for the local authorities to carry out the works. As such the cost of this infrastructure has been deducted from the infrastructure finding list agreed by officers.
- 6.20.7 The funding required to mitigate the scheme is set out in the table below.

Item	Agreed Amount	Notes
Education - Primary	£5,100,000	To provide a new primary school on site, and for the S106 to require the provision of land for a school
Education – Secondary	£4,400,000	Towards an extension of William Brookes School
Gaskell Arms Improvements (Wenlock)	£250,000	Directed to SC
Atcham/Leighton/Buildwas highway improvements	£65,000	Grampian condition supported by legal agreement
Castlefields Way Roundabout (T&W)	£871,200	Grampian condition supported by legal agreement
Ironbridge traffic calming improvements (T&W)	£150,000	Grampian condition supported by legal agreement

Buildwas Bank Roundabout	£1,000,000	Grampian condition supported by legal agreement
Travel Plan Monitoring	£100,000	Legal agreement
Sustainable Transport/Bus Strategy	£1,000,000	To include Education transportation requirements
Sports Pavilion & Pitches	£640,000	Directed to SC to provide the facilities/pitch upgrades on site.
Severn Valley Way improvements	£550,000	Directed to TWC
Severn Way improvements	£200,000	Directed to SC
Healthcare	£500,000	Directed to the CCG, and a S106 to require the provision of an on-site serviced plot; in the event this is not required by the CCG can be released
Public Realm – Play/ Recreation	£96,000	Directed to TWC to be spent within the WHS
Public Realm - Heritage	£350,000	Directed to TWC to be spent within the WHS
Trees	£262,509	Directed to TWC to facilitate mitigation and enhancements in proximity of the site
Trees - SGCT	£128,226	Directed to SGCT to facilitate mitigation and enhancements in proximity of the site/adjacent woodland.
Neighbourhood Fund	£1,000,000	As required by CIL
CIL/ S106 monitoring	£87,064.88	Approx. 0.5% - directed to SC
Provision of Affordable Housing	5%	To be delivered on site, through the S106.
	£16,750,000	

6.20.8 Officers from Shropshire and Telford & Wrekin consider that that the contributions set out above are justified based on the relevant tests set out in National Planning Practice Guidance and are appropriately directed towards mitigating the effects of the proposed development as outlined in this report. The primary focus is the impact on highways and education. Appropriate consideration has also been given to other impacts including healthcare, play/recreation, built heritage, trees and public rights of way.

6.20.9 The contributions will come forward through both CIL and S106. As a cross boundary application TWC has requested a Memorandum of understanding between the two authorities to ring-fence these requirements. A robust viability review mechanism linked to phasing / period reviews will also be required as part of any S106 agreement. This will provide a mechanism to clawback any future uplift in viability, thereby allowing areas

where funding has had to be reduced to be re-visited / redressed, particularly with regard to onsite affordable housing delivery. It is considered that in the circumstances of the proposed development the viability review mechanism should occur at a frequency of no less than 4 years.

- 6.21 Cumulative and in-combination effects - The Environmental Statement (ES) has not identified any additional projects in the local area which would have the potential to give rise to cumulative effects. The mineral extraction proposals would proceed within the first 5 years of the development when other operations would be taking place at the site if the current proposals are approved. However, the earlier phases of the current development are physically separated from the mineral site (and its ancillary operations) and appropriate safeguards would apply in both these operational areas. Both operations would be subject to Construction Environmental Management Plans. As such it is considered that the masterplan and mineral developments are capable of being controlled individually so as to avoid any unacceptable cumulative impacts.
- 6.22 In-combination effects could arise for instance from a combination of noise, dust and visual impacts occurring at the same time. The ES puts forward measures to control and mitigate individual impacts arising from the proposed development and concludes that each identified issue is capable of being controlled to avoid unacceptable impacts. These conclusions have generally been accepted by relevant technical consultees. There will be times when a particular operation within the site may have the potential to generate both noise and dust or other combination of impacts at the same time. However, given the applicant's mitigation proposals, the phased nature of the development and the large size of the site it is considered that the potential for any in-combination effects is correspondingly limited.
- 6.23 Consideration of alternatives: It is not considered that there are any practicable alternatives to developing the application site. Without this the redundant infrastructure within the site would become dangerous and potentially prone to vandalism and the site would become an eyesore. The applicant has already invested significant money in demolishing redundant structures and remediating the site in advance of development. Had the structures not been demolished within the timescales adopted by the applicant then the structures would have become increasingly dangerous, leading to greater complications for any future demolition and redevelopment process.
- 6.24 The applicant's viability appraisal demonstrates that it is necessary to include the western greenfield part of the site within the development in order to secure a viable redevelopment scheme for the whole site. The masterplan proposals put forward by the applicant are the subject of extensive consultations and stakeholder engagement. It is not considered that a materially different masterplan scheme would be deliverable within the development parameters of the site.

7.0 CONCLUSION

- 7.1 It is considered that the proposals represent sustainable development of previously developed land securing an optimum viable use. Provided an appropriate Design Code is followed at the reserved matters stage the proposals will respect and respond positively to the site and the wider area.

7.2 The proposals are considered to be compliant overall with the NPPF, Shropshire Core Strategy, the SAMDev Plan, with the emerging Shropshire Local Plan (in particular policy S20).

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

8.1.1 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.

8.1.2 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

8.2.1 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

8.3.1 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. The officer has reviewed available evidence to determine whether these outline proposals would raise any issues with respect to the Equalities Act 2010. No specific issues have been identified. However, subsequent reserved matters applications will need to make appropriate provision for people with disabilities including for wheelchair access where appropriate.

9.0 FINANCIAL IMPLICATIONS

9.1 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.

10.0 BACKGROUND

Relevant Planning Policies

Central Government Guidance:

- National Planning policy Framework

Shropshire Core Strategy:

- CS4: Community Hubs and Clusters
- CS5: Countryside and Greenbelt
- CS6: Sustainable Design
- CS7: Communications and Transport
- CS8: Facilities, services and infrastructure provision
- CS9: infrastructure contributions
- CS11: Type and affordability of Housing
- CS13: Economic Development, Enterprise and Employment
- CS16: Tourism, Culture and Leisure
- CS17: Environmental Networks
- CS18: Sustainable Water Management

SAMDev Plan:

- MD1: Scale and Distribution of Development
- MD2: Sustainable Design
- MD3: Delivery of Housing Development;
- MD4: Managing Employment Development
- MD7a: Managing Housing Development in the Countryside
- MD7b: General Management of Development in the Countryside
- MD8: Infrastructure Provision
- MD12: The Natural Environment
- MD13: The Historic Environment
- S13: Much Wenlock Area

Emerging Policy:

Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
2016 to 2038

S20. Strategic Settlement: Former Ironbridge Power Station

1. The Former Ironbridge Power Station site will be remediated and redeveloped to form a new strategic settlement which will contribute towards strategic growth aspirations in the east of the County. The part brownfield site is around 140ha and

consists of the former Power Stations, associated uses and agricultural land. The location and extent of the site are identified on the Policies Map.

2. The new settlement will be formed through a comprehensive mixed-use redevelopment of the site to provide a range of local services and facilities, around 1,000 dwellings, around 6ha of employment land and extensive green infrastructure.
3. To inform this redevelopment, a comprehensive masterplan will be prepared for the site and then adopted by Shropshire Council. The masterplan and resultant redevelopment will comply with the following site guidelines:
 - a. The quantity, quality, design, mix and layout of housing provided on the site will be informed by site constraints and opportunities, identified local needs and relevant policies of this Local Plan.
 - b. Employment provision will represent an intrinsic element of the site's redevelopment, occurring alongside the provision of housing. Employment provision will be of an appropriate quantity and quality to contribute towards the objectives of the Shropshire Economic Growth Strategy.
 - c. The village centre will comprise of an appropriate range of commercial uses to serve the new settlements community. As the local centre will ensure future occupiers of the site benefit from access to local facilities, its timely provision is an important consideration and will be directly linked to provision of housing on the site.
 - d. Green infrastructure provision will be of an appropriate quantity and quality. Its location will protect and enhance key green infrastructure corridors and networks on and around the site and existing areas of public open space.
 - e. Appropriate community facilities and buildings will be provided on the site, such as a community hall, art gallery and heritage centre. 2ha of land will be provided for a primary school to serve the needs of the new community on the site. If required by the relevant CCGs, a medical centre will also be provided on the site. These facilities and buildings will tap-into the heritage of the site.
 - f. A suitable number of appropriately designed and constructed pedestrian, cycle and vehicular access/egress points will be provided. If current access/egress points to the site are retained, they may need to be upgraded to ghost island right turn and/or roundabout junctions, as determined through appropriate modelling and engagement.
 - g. Any necessary improvements to the local and strategic road network will be undertaken, informed by consultation with Highways England and an appropriate Transport Assessment (including consideration of cumulative impact).
 - h. Appropriate pedestrian and cycle links will be provided to and through the site, particularly to the proposed nursery, primary school and village centre.
 - i. Site design and layout will be high-quality, reflecting and respecting the sites proximity to the Shropshire Hills Area of Outstanding Natural Beauty and minimising landscape and visual impact. This is particularly important to the development of the greenfield elements of the site.
 - j. The high-quality design and layout of the site will also reflect and respect the sites heritage, heritage assets on the site and its relationship with heritage assets within the wider area, including the Ironbridge Gorge World Heritage site, Buildwas Abbey Scheduled Monument, the Severn Gorge Conservation Area and Listed Buildings.

- k. The Grade II listed Albert Edward railway bridge on the sites boundary and buildings and structures associated with the Ironbridge A interwar power station will be sympathetically retained, enhanced/maintained and adaptively reused.
- l. Natural environment assets on and in proximity of the site, including Buildwas Sand Quarry Site of Special Scientific Interest (SSSI), Local Wildlife Site and Local Geological Site, Buildwas River Section SSSI, Tick Wood and Benthall Edge SSSI, three areas of ancient woodland, other Local Wildlife Sites and any priority habitats will be retained and appropriately buffered. A sustainable juxtaposition will be created between built form and trees.
- m. Acoustic design, layout and appropriate building materials (including where necessary appropriate glazing, ventilation and acoustic barriers) will be used to appropriately manage noise associated with retained National Grid and Western Power Distribution substations and equipment and nearby roads.
- n. A sustainable juxtaposition will be created between built form and trees. Where possible trees and woodland should be incorporated into areas of open space and planting should occur to connect to / expand adjoining wooded areas.
- o. The site supports a large population of Great Crested Newts; bat roosts and is likely home to other protected species. Appropriate assessment and provision on the site will be required for these species.
- p. Any contaminated land on the site will be appropriately managed.
- q. Mineral extraction opportunities associated with the site will be investigated and where appropriate extraction works undertaken.
- r. The site will incorporate appropriate sustainable drainage, informed by a sustainable drainage strategy. Any residual surface water flood risk will be managed by excluding development from the affected areas of the site, which will form part of the Green Infrastructure network. Development will also be excluded from the small portions of the site located in Flood Zones 2 and/or 3. Flood and water management measures must not displace water elsewhere.

Other relevant considerations:

- Much Wenlock Neighbourhood Plan 2013-2016 (adjoining parish);
- Shropshire Hills AONB Management Plan 2019-2024
- Ironbridge World Heritage Site Management Plan (Feb 2017)

10. RELEVANT PLANNING HISTORY:

- SA/88/1489 Import and grading of fly ash from the power station adjoining the quarry. WDN 30th November 1988
- SC/MS2006/1376/SY Variation of conditions 4 and 5 attached to planning permission MS1996/0056/SY to extend for a further 10 years the life of the existing recycling facility for inert construction and civil engineering waste materials PERMIT 29th June 2007
- SC/MS1996/0056/SY Development of a permanent recycling facility for inert construction and civil engineering waste materials PERMIT 3rd September 1996
- SA/77/0095 Construction of a car park for 12 cars. PERCON 10th March 1977
- SA/74/0618 Permanent retention of existing site office to be used as administrative offices. PERCON 26th November 1974

- SA/84/0784 Scheme of landscaping involving deposit of pulverised fuel ash produced. PERCON 8th November 1984
- SA/77/0472 Erect an 132KV Overhead Line via two steel towers over the railway to connect existing transformer (adjacent to 400KV switch house) to existing 132KV switch house. PERCON 12th July 1977
- SA/75/0524 Erection of pump house and oil overburn installation (amendment to previous planning permission 74/642). PERCON 29th July 1975
- SA/77/0981 Erection of a primary electricity sub-station for electricity distribution. PERCON 20th December 1977
- SA/00/0040 Installation of new precipitators and ductwork in connection with dust abatement project. PERCON 23rd February 2000
- SA/77/0009 Extension of existing vehicle servicing building (30' x 12'). NOOBJC 25th March 1977
- PREAPP/11/01444 Proposed Covered Fuel Store PREAIP 18th October 2011
- 12/00032/MAW Construction and operation of a fuel store for the storage of wood pellets GRANT 5th April 2012
- 12/02134/DIS Discharge of Condition 8a (Dust Management Scheme) 10 (Complaints Procedure) 12a (Construction Management Plan) 12c (Construction Workers Compound) 13 (Fuel Store Design) 15 (Water Drainage) 16B (Site Contours) attached to planning reference 12/00032/MAW - Construction and operation of a fuel store for the storage of wood pellets GRANT 10th July 2012
- 12/02648/AMP Application for Non Material Amendment following grant of planning permission ref. 12/00032/MAW to alter the dimensions of the building. Construction and operation of a fuel store for the storage of wood pellets GRANT 10th July 2012
- 12/04934/DIS Discharge of Conditions 6b, 7b and 17a (Lighting) attached to planning ref. 12/00032/MAW. Construction and operation of a fuel store for the storage of wood pellets DISAPP 3rd December 2012
- 14/00905/DIS Discharge of condition 22a. Construction and operation of a fuel store for the storage of wood pellets. DISAPP 23rd July 2014
- 15/00922/DIS Discharge of Condition 22a (Biofuel Procurement Report) on Planning Application 12/00032/MAW for the submission of report discharging annual reporting requirement under Condition 22a DISAPP 17th February 2016
- 15/05594/VAR Variation of Condition No. 23b attached to Planning Permission 12/00032/MAW dated 5th April 2012 - The building should be removed from site by 31st December 2017 unless a scheme has been submitted to and approved in writing by the Local Planning Authority. GRANT 17th February 2016
- 16/01583/VAR Variation of conditions 4 & 5 (time period) attached to planning permission SC/MS1996/0056/SY (varied on SC/MS2006/1376/SY) to allow for continuation of use as a recycling centre GRANT 9th November 2016
- 16/02486/CPE Importation and storage of a range of aggregates in 20 tonne loads. Sale to local builders in small loads for use in the construction industry. Storage areas have been located around the outside of the central inert waste recycling area, as shown on the Site Plan. Annual inputs of 8,000 to 10,000 tonnes. LA 21st March 2017
- 16/00926/DIS Discharge of Condition 22a (Biofuel Procurement Report) on Planning Permission 12/00032/MAW for the construction and operation of a fuel store for the storage of wood pellets DISAPP 2nd March 2016

- 16/02868/SCR Request for a Screening Opinion under Regulation 5 (2) of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (As Amended) EAN 26th July 2017
- 17/02079/VAR Variation of Condition 23b of permission reference 12/00032/MAW (as varied by 15/05594/VAR) to allow a further 2 year extension for retention of former fuel store building (to 31/12/19) GRANT 22nd June 2017
- 17/02314/DEM Application for prior notification under Schedule 2 Part 11 of the Town & Country Planning (General Permitted Development) Order 2015 for the demolition of Ironbridge power station conveyors 6 and 7 and associated structures PNR 14th June 2017
- 17/04439/DEM Application for Prior Notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow REP3J 6th November 2017
- 18/03597/FUL Construction of 20no wildlife ponds GRANT 2nd November 2018
- 19/00627/DIS Discharge of Conditions 9 (Landscaping Plan) and 10 (Habitat Management Plan) on Planning Permission 18/03597/FUL for the construction of 20no wildlife ponds DISAPP 26th March 2019
- 19/05509/MAW Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site PDE
- 19/01346/DIS Discharge of Condition 4 (Stakeholder Engagement) 5 (Noise Monitoring Scheme) 6 (Dust Management Plan) 7 (Asbestos Management Plan) 8 (Water) 9 (Drainage Scheme) 11 (HGV Routing) 14 (Protected Species/Habitats) 15 (Great Crested Newt) 16 (Reptile Mitigation Strategy) 17 (Badgers) 18a & 18b (Bat Survey) 19 (Otters & Peregrines) 21 (Site Waste Management Plan) attached to planning permission 17/04439/DEM Application for Prior Notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow DISAPP 12th June 2019
- 19/01779/SCO EIA Scoping Opinion for construction of around 1,000 residential dwellings, 20ha of commercial floorspace and associated infrastructure, to include a village centre (to potentially include a primary school, health provision and local

commercial development) Park and Ride Scheme and leisure facilities SCO 17th July 2019

- 19/02723/FUL Erection of a bat house GRANT 19th July 2019
- 19/03477/SCO Environmental Impact Assessment Scoping Opinion request relating to proposed extension of Buildwas Quarry as part of redevelopment proposals on land at Ironbridge Power Station GRANT 4th October 2019
- 19/04048/DIS Discharge of condition 20 (Construction Ecological Management Plan) on planning application 17/04439/DEM DISAPP 18th October 2019
- 19/04208/DIS Discharge of Condition 13 (Land Stability) on Planning Permission 17/04439/DEM for the application for prior notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow DISAPP 18th October 2019
- 19/05509/MAW Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site PDE
- 19/05560/OUT Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works PCO
- 19/05509/MAW Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site PDE
- 19/05560/OUT Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works PCO
- 20/01792/DIS Discharge of Condition 4 (Landscaping) and 5 (Habitat Management Plan) associated with planning application number 19/02723/FUL DISAPP 20th August 2020
- 20/04930/FUL Erection of a peregrine falcon tower GRANT 18th February 2021
- 20/05301/FUL Phase 1 Earthworks - enabling works to commence upon grant of outline planning permission for the wider redevelopment proposals GRANT 8th March 2021

- 21/02012/FUL Change of use of existing railway track to a demonstrator track for very light rail (temporary permission for 3 years), construction of platform and associated hardstanding area to accommodate temporary buildings for use as office; welfare facilities; and maintenance building INV
- 21/02607/FUL Erection of Electricity Substation. REC

11. ADDITIONAL INFORMATION

[View details online:](#)

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2YLFWTD06Z00>

List of Background Papers: Planning application form for application reference 19/05560/OUT and accompanying environmental statement documents and plans

Cabinet Member (Portfolio Holder) Cllr Gwilym Butler

Local Member: Cllr. Claire Wild (Severn Valley)

Appendices: APPENDIX 1 – Conditions and legal clauses

APPENDIX 1

Legal Agreement Clauses

- i. On-site provision of primary/nursery school;
- ii. Financial contribution of £4,400,000 towards expansion at William Brookes School for 160 pupils;
- iii. On-site provision of affordable housing (5%);
- iv. Financial contribution of £250,000 towards improvements at the A4169 Smithfield Road/Victoria Road/Bridgnorth junction (i.e. the Gaskell Arms at Much Wenlock);
- v. Travel Plan Monitoring at a cost of £100,000
- vi. Financial contribution of £1,000,000 towards Transport/Bus Strategy (in liaison with Arriva) and to include education transportation requirements;
- vii. Financial contribution of £640,000 towards provision of Sports Pavilion and Sports pitch upgrades including implementation timetables of £640,000
- viii. Financial contribution of £550,000 towards Severn Valley Way improvements to provide improvements/upgrades to facilitate a multi-use route;
- ix. Financial contribution of £200,000 towards Severn Way improvements to provide connection to Buildwas (towards Buildwas only);
- x. Financial contribution of £500,000 towards healthcare requirements highlighted by the CCG;
- xi. On-site serviced plot for healthcare facility;
- xiii. Financial contribution of £96,000 towards Public Realm improvements for Play/Recreation;
- xiii. Financial contribution of £350,000 towards Public Realm improvements for Heritage;

- xiv. Financial contribution of £128,226 towards tree management/safety inspections/planting relating to increased pressure/footfall within land under the management of SGCT;
- xv. Financial contribution of £262,509 towards tree management/safety inspections/planting relating to increased pressure/footfall in the Gorge, in addition to climate change offsetting and biodiversity net gain;
- xvi. Financial contribution of £1,000,000 towards Buildwas Parish Neighbourhood Fund;
- xvii. Financial contribution of £87,065 towards S106 Monitoring;
- xviii. On-site serviced plot for potential Park & Ride Facility;
- xix. Implementation timetable for NEAP/LEAP;
- xx. Implementation of viability review mechanism.

Memorandum of Understanding

- i. Memo of Understanding between Telford & Wrekin Council and Shropshire Council to formally agree the distribution of the above contributions and thereafter, how any monies received from the viability review mechanism will be distributed.

Conditions

STANDARD CONDITIONS

- 1a. Application for approval of the appearance, layout, scale and landscaping (hereinafter called "the reserved matters") for Phase 1 of the development as shown on the approved phasing plan shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission. The reserved matters shall be approved in writing by the Authority before any development commences.
- b. Each reserved matter application shall be prepared following the principles set out in the Design and Access Statement, Sustainable Design Brief and the other documents that supported the application and shall include the following information for the prior approval of the Local Planning Authority.
 - i. The number of units
 - ii. The means of enclosure of the site
 - iii. The levels of the site
 - iv. The means of access for disabled people
 - v. The drainage of the site
 - vi. The finished floor levels
 - vii. Sustainability Design Statement
- c. Subsequent reserved matters submissions shall be substantially in accordance with the approved masterplan (Plan Ref 0799-LDA-P1-00-DR-A-08 100).

Reason: No particulars have been submitted with respect to the matters reserved in this outline permission

- 2a. The development shall be commenced not later than 3 years from the date of this permission and or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- b. Following approval of the first reserved matters applications for each subsequent development phase hereby approved shall be submitted not later than 2 years from the date of approval of the last reserved matters for the preceding phase.
- c. Development shall be commenced on each successive development phase not later than three years from the date of approval of the last reserved matters for the preceding phase unless an amended phasing plan and development timescale has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 (2a) and to ensure an orderly and progressive development in accordance with the approved phasing plan (2b).

3. The development shall be implemented in strict accordance with the approved documents and plans accompanying the application which are listed in Appendix 1 attached to this decision notice.

Reason: To define the permission.

4. Concurrent with the first reserved matters application, an updated phasing plan shall be submitted to and agreed in writing by the Local Planning Authority, which shall indicate vehicular access roads and footways to be provided sufficient to serve each agreed phase. The sequencing of the development shall be in general accordance with the Phasing Plan 2021-2031 submitted in August 2020.

CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

Design Code

5. Notwithstanding the Indicative masterplan and Design & Access Statement, no development, hereby approved, shall commence until a Design Code has been submitted to and approved in writing by the Local Planning Authority. The Design Code shall address all pertinent matters associated with the following subject areas:
 - 1) Strategic Design Principles:
 - i. The approach to design quality and its consistent implementation;
 - ii. The overall vision and character of the development and its setting;
 - iii. The form and character of the site and the vision for Ironbridge Power Station Development and the surrounding area of Buildwas and Ironbridge.
 - iv. Design objectives for key areas of the development including local centre, park and ride, retail and heritage assets.
 - v. Sequential design principles for the 'approach, entrance and arrival' to key gateways from the existing transport network, internal junctions and primary destinations such as the local centre, primary school, retail and park and ride facilities.

- vi. The approach and design principles to urban form, space and architectural styles to respect the contextual analysis of Ironbridge and Buildwas characteristics.
- vii. The rationale of character districts identifying primary characteristics and differences.
- viii. The approach to designed traffic speeds.
- ix. The approach and design of blocks, the principles of their structure, building typologies, back-to-back distances, car parking, cycle parking and storage, refuse storage and collection, and servicing for commercial properties.
- x. The approach, hierarchy, design principles, species and pallet of materials of hard and soft landscaping in the townscape.

2) Detailed Design Elements

- i. The creation of character areas and neighbourhoods addressing the principles of the mix of uses;
- ii. The location, mass, density, heights, form and design parameters for the buildings in each character area/phase;
- iii. A design framework, including material palettes, landscaping, site constraints, and historical influence for each architectural character area;
- iv. The conceptual design and approach to the public realm, including enclosure, natural surveillance, public art, materials, street furniture and signage, the incorporation of utilities and landscaping;
- v. The principles of, the street and public spaces hierarchy to address, movement and permeability, mobility and visually impaired users and traffic calming measures and making reference to the phasing of land parcels;
- vi. Direction on the creation of an integrated street-scenes along the busway and primary streets, through the consistent use of scale, enclosure and massing, by providing direction on building scale and massing, the proportion of built frontage, house and plot width, associated house types, building heights, and eaves heights;
- vii. The design of the transport network hierarchy, streets, cycle routes, footpaths and public spaces, providing typical street cross-sections, which should include details of tree planting and tree species, underground utility/service trench routes, type and specification, and on street parking, including design details;
- viii. The principles and structure of the blocks addressing key groupings or individual buildings, building form, massing, heights, scale and legibility, building typologies, density and use. This shall include the design principles addressing primary frontages, fronts and backs, pedestrian and vehicular access points, on plot car and cycle parking, threshold definition and surveillance of public realm areas, building materials and performance standards and design features;
- ix. Details of the materials to be used to create design consistency that are sensitive to the local area and provide legibility of the street hierarchy throughout all phases of delivery.
- x. Details of any noise attenuation/mitigation measures where necessary which may impact on the design;
- xi. Approach to incorporation of ancillary infrastructure/buildings such as substations, pumping stations, waste and recycling provision for all building types and recycling points. Approach to the provision of electric vehicle charging points/infrastructure, pipes, flues, vents, meter boxes, external letterboxes, fibres, wires and cables required by statutory undertakers as part of building design;

- xii. Details of the approach to vehicular parking across the entire site including the amount of parking, location and layout of parking for all purposes, including but not restricted to parking for people with disabilities and visitors' parking.
 - xiii. Details of the approach to cycle parking for all uses, including the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles.
 - xiv. The approach to the character and treatment of the structural planting to the development areas within the primary open land, secondary open land, hedge or footpath corridors and retained trees (including the approach to SUDS design integration into the green ways);
 - xv. An outline of the conservation of flora and fauna interests, landscape and open space needs, nature conservation mitigation measures and the timing of such provisions;
 - xvi. The approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter;
 - xvii. Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscaping, orientation, massing, and external building features,
 - xviii. Details of measures to minimise opportunities for crime,
 - xix. An understanding of the context of the development in respect of the impact on the setting of the surrounding designated heritage assets including views from or towards the Ironbridge Gorge World Heritage Site and Buildwas Abbey. This should include sections and modelling of views from key locations within or towards the World Heritage Site/Conservation Area/Scheduled Monument];
 - xx. Details of the Design Code review procedure and of circumstances where a review shall be implemented.
- b. The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code, and how to use the Design Code. All subsequent reserved matter applications shall accord with the details of the approved design code and be accompanied by a statement which demonstrates compliance with the code.

Reason: To ensure design consistency through the site, to ensure users' needs are met and the design is sensitive to the adjacent World Heritage Site. The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code, and how to use the Design Code.

Flexible uses

6. In accordance with The General Permitted Development Order, Schedule 2, Part 3, the development hereby approved is granted a flexible use for the following buildings for a period of 10 years, allowing a change of use between any of the following classes as defined under the Use Class Order as amended:
- a. Employment land comprising the following uses:
 - Offices - Use Classes E(g)(i) and E(g)(ii);

- Light industry - Use Classes E(g)(iii);
- General industry - Use Class B2;
- Storage and distribution - Use Class B8.

b. A local centre comprising the following uses:

- Non-food retail and other facilities - Use Classes E(a), E(b), E(c), E(d), E(e), E(f);
- Convenience foodstore - Use Classes E(a);
- Public house and hot food takeaways – Use Class sui generis;
- Leisure uses – Use Classes E(d);

For the avoidance of doubt the Units excluded from this change of use include:

- residential dwellings - Use Classes C3;
- primary school - Use Class F1(a);
- sports pavilion - Use Class F2(c);
- retirement village.

Reason: For the avoidance of doubt and to ensure the appropriate amenity and sustainability of the site.

Historic Environment

7. The following approved document and plans shall be implemented strictly in accordance with the approved details:

- i. Proposed Masterplan,
- ii. The Sustainable Design Brief,
- iii. The Green Infrastructure and Landscape Strategy,
- iv. The Framework Travel Plan,
- v. The proposed public transport improvements.

Reason: To enable the impacts upon the significance of the Ironbridge Gorge World Heritage Site and Conservation Area, Buildwas Abbey Scheduled Monument and local listed buildings to be minimised.

8a. Prior to the commencement of development on this site, a method statement to secure the safety and stability of the pump house shall be submitted to the LPA for approval. The method statement shall be supported by a structural survey and include measures to protect the building against weather damage and unauthorised access, and any necessary support for walls, floors or roofs. The works shall be carried out in accordance with the approved schedule of works within 12 months of the date of this permission.

b. Prior to 180th occupation a scheme for the repair and re-use of the pump house for community and leisure use shall be submitted to the LPA for approval, to include proposed new use, elevations, plans, method of repairs, joinery details, details of external services and any other external fixtures, hard and soft landscaping, and any boundary treatments.

Reason: To enable the impacts of subsequent reserved matters schemes on local heritage assets to be reviewed (8a) and to sustain and enhance the significance of the heritage assets and putting them to viable uses consistent with their conservation, as required by the NPPF (8b).

9. Prior to the commencement of development on this site, a method statement for to secure the safety, stability and use of the bridge 170m east of the pump house as a pedestrian route, shall be submitted to the LPA for approval. This shall include repairs to masonry, ironwork and lighting units, replacement hard surfacing, and any landscaping. The works shall be carried out in accordance with the approved scheme before the occupation of the 180th dwelling.

Reason: To sustain and enhance the significance of the heritage assets and putting them to viable uses consistent with their conservation, as required by the NPPF.

10. The Senior Archaeologist at Shropshire Council shall be notified not less than one week prior to the commencement of soil stripping operations in each new phase of the development hereby approved. Sufficient access and time shall be afforded to allow the recording of any archaeological remains which may be uncovered

Reason: To allow sufficient access and time to record any archaeological remains which may be uncovered at the Site.

Drainage and sewerage

11. No construction of residential properties including groundworks shall commence within the first residential phase of the Site until a written report providing a full hydraulic and operational assessment of the performance of the public sewerage system has been submitted to and approved in writing by the Local Planning Authority in consultation with Severn Trent Water Ltd and the LLFA. Information to demonstrate that the new development will not contribute towards an increased risk of sewer flooding must be submitted including:
 - i. Identification of the current capacity of the proposed point of foul discharge from the point of connection up to and including the sewerage treatment works
 - ii. Consideration of the most suitable point of connection to the public sewer, not just in terms of capacity, but in terms of the impact of sewer flooding, with particular reference to the Dale End area, which is topographically vulnerable.
 - iii. Suitable onsite mitigation measures to offset the impacts of any new connection to the public sewerage network
 - iv. A foul drainage phasing plan which identifies key thresholds for onsite and offsite works to be completed in order to mitigate flood risk impacts before additional areas of foul drainage for each phase are brought online.
 - v. The report shall demonstrate that adequate sewerage facilities will be provided to cater for the requirements of the development without ecological damage or an increase in flood risk will be in place prior to the occupation of each phase of development.

Reason: To avoid exacerbating or creating flooding and pollution from foul/ combined sewers and associated ancillaries including the sewage treatment works and to protect residents and the environment.

- 12a. No construction of residential properties including groundworks shall commence within the first residential phase of the Site until a written report providing a full hydraulic and operational assessment of the performance of the public sewerage system has been submitted to and approved in writing by the Local Planning Authority in consultation with Severn Trent Water Ltd.
- b. Within each phase of the development no construction of residential properties including groundworks shall commence until a scheme detailing the proposed foul drainage / sewerage provisions to apply for that specific phase has been submitted to and approved in writing by the Local Planning Authority in consultation with Severn Trent Water Ltd. The submitted schemes shall have appropriate regard to the report required under Condition 11a and shall be designed to cater appropriately for the additional sewerage and foul drainage capacity requirements which each successive phase of the permitted scheme will generate. This shall include details of all offsite works that will be completed prior to occupation in order to prevent an increase in downstream flood risk, as set out under Condition 12a. The submitted schemes shall be implemented in accordance with the approved details.
- c. Within each of the main residential phases of the site no properties shall be occupied until the corresponding onsite and offsite foul drainage and sewerage scheme required under Condition 12b above has been implemented to the written satisfaction of the local planning authority in consultation with Severn Trent Water Ltd.

Reason: To avoid exacerbating or creating flooding and pollution from foul/ combined sewers and associated ancillaries including the sewage treatment works and to protect residents and the environment.

Informative Notes:

- i) *The developer has indicated an intention to connect the development to the mains sewerage system in accordance with section 106 of the Water Industry Act 1991. Given the capacity limitations of the existing system this is likely to require appropriate upgrades on land which falls both within and outside the current application site. Accordingly, this planning condition is supported by an associated legal agreement clause.*
- ii) *The development will be built in a phased manner and over an indicative construction period of 14 years. During this time the number of houses and the corresponding demand on the existing sewerage and drainage system is expected to increase progressively. For the avoidance of doubt this planning condition is designed to ensure that the capacity of the existing sewerage and drainage system is increased appropriately prior to the anticipated increase in demand caused by the occupation of each successive housing phase. It is expected that initial upgrades where the level of on-site housing is relatively low may concentrate more on infrastructure provision within the site whilst off-site improvements to the existing sewerage / drainage system will occur progressively as housing numbers increase*

13. Each Reserved Matters application shall include detailed Flood Risk Assessments for each Phase. This shall include details identifying each flood risk and identifying how fluvial (main river and ordinary watercourse), pluvial and groundwater flood risks shall be safely managed within the development site, as well as detailed plans for how each culverted watercourse/ordinary watercourse shall be safely accommodated within the development. Plans showing the extent of Flood Zone 2 within the new development shall also be submitted, identifying which new properties would be affected and setting out the required flood risk mitigation for the proposed new properties and infrastructure, as well as identifying and mitigating any flood risk impact on downstream communities. The Flood Risk Assessments shall be agreed in writing by the Local Planning Authority.

Reason: to ensure that flood risk to the new development site can be safely managed and that flood risk offsite is not adversely affected.

- 14a. Development shall not take place on that phase until a scheme for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall reduce the surface water discharge rate to as near to greenfield rates as possible or by a minimum of 50% of that existing. Any attenuation feature should be designed to attenuate all flows up to and including the 1 in 100 year event +30% for climate change. The approved details shall be implemented in full prior to the first occupation of the development.
- b. No development shall take place on that phase until confirmation of the additional modelling allowance set to address future urban creep as set out in Table 14 in TWC Local Flood Risk Management Strategy has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To reduce the impact of this development on the surrounding surface water infrastructure and avoid flooding.

15. Development shall not take place on that phase until a SUDS management plan which will include details on future management responsibilities, along with maintenance schedules for all SUDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. Any SUDS feature shall be located in appropriate POS and the approved SUDS management plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

Highways

Highways - External Lighting Impact Assessment

16. Not later than at the submission of the first of the reserved matters applications for the development the submitted external lighting impact assessment shall be updated and submitted to Local Planning Authority for approval. The updated lighting assessment shall relate to the entirety of the residential development and shall reflect phasing and the comments of relevant consultees as appropriate.

Reason: to ensure a consistent design approach throughout the development and in the interests of ecology and amenity.

Note- see also ecological condition 46 below.

Highways - Infrastructure phasing and completion plan

17. With the exception of enabling works, earthworks and strategic engineering works no development shall commence until a highway infrastructure phasing and completion plan applying within the permitted site has been submitted to and approved in writing by the Local Planning Authority. The plan shall ensure that the vehicular access roads, footways and other highway infrastructure necessary to service the permitted development is provided at appropriate times throughout the permitted development. Highway infrastructure shall be delivered in accordance with the approved phasing plan unless variations to this are first agreed in writing by the Local Planning Authority.

Reason: To clarify how delivery of highway infrastructure within the site is to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising from the development.

Highways – Management plan for on-site Construction

18. No development shall take place on that phase until a construction management plan incorporating a method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be based on the approved outline construction management plan submitted in support of the application and shall provide for:
- i. A construction programme including phasing of works;
 - ii. A 24-hour emergency contact number;
 - iii. Expected number and type of vehicles accessing the site:
 - Deliveries, waste, cranes, equipment, plant, works, visitors;
 - Size of construction vehicles;
 - The use of a consolidation operation or scheme for the delivery of materials and goods;
 - Phasing of works;
 - iv. Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
 - Programming;
 - Waste management;
 - Construction methodology;
 - Shared deliveries;
 - Car sharing;

- Travel planning;
 - Local workforce;
 - Parking facilities for staff and visitors;
 - On-site facilities;
 - A scheme to encourage the use of public transport and cycling.
- vi. Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
 - vii. Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
 - viii. Locations for storage of plant/waste/construction materials;
 - ix. Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
 - x. Arrangements to receive abnormal loads or unusually large vehicles;
 - xi. Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
 - xii. Any necessary temporary traffic management measures;
 - xiii. Measures to protect vulnerable road users (cyclists and pedestrians);
 - xiv. Arrangements for temporary facilities for any bus stops or routes;
 - xv. Method of preventing mud being carried onto the highway;
 - xvi. Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The plan shall be adhered to throughout the construction period

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development

Highways - Construction Access

- 19a. Prior to the first occupation of the permitted development full engineering details of the proposed construction access on to A4169 Much Wenlock Road as shown on drawing ADC1776-DR-101 P2 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details before the occupation of the 250th dwelling.
- b. CCTV shall be installed at the proposed construction access on to the A4169 Much Wenlock Road so that all construction vehicles are traceable.

Reason: To ensure a satisfactory means of access to the highway.

Highways - Traffic Calming works at Buildwas, Leighton and Atcham

20. Prior to the occupation of the 150th dwelling full engineering details of the proposed traffic calming works on B4380 at Buildwas, Leighton and Atcham shall be submitted to and approved in writing by the Local Planning Authority. This is in accordance with the legal agreement accompanying this permission. The works shall be fully implemented in accordance with the approved details prior to the occupation of the 250th dwelling within the permitted site.

Reason: To ensure a satisfactory means of access to the highway.

Highways - Buildwas Bank Roundabout

21. Prior to occupation of the 180th residential property a scheme for the implementation of a roundabout, and other associated works at the A4169 Buildwas Bank/Much Wenlock Road junction shall be submitted to and approved in writing by the Local Planning Authority. This is in accordance with the legal agreement accompanying this permission. The scheme shall be implemented with the approved details and shall be in general conformity with the approved indicative roundabout plan ref ADC1776-DR-007 P3.

Reason: In the interest of highway safety and to avoid congestion in the surrounding area

Highways - Bridge Access onto Buildwas Road

22. At not later than the submission of the first reserved matters application a full plan and timetable for the proposed use of the extant road bridge serving the development from Buildwas Road shall be submitted for the approval in writing of the Local Planning Authority. The submitted details shall include:

- i. A timetable for the implementation of use and the subsequent cessation or part cessation in use of the bridge, once primary vehicular site access is fully operational from the Much Wenlock Road.
- ii. Details of the specific users of the bridge at each phase of the development programme prior to any cessation or part cessation and the measures proposed to control such uses.
- iii. The specific engineering measures to be implemented, following the requisite bridge condition surveys, to ensure the bridge is to the necessary structural standards for the uses proposed in part (ii)
- iv. A plan for the private management and/or highway adoption of the bridge including any financial arrangements and/or commuted payment sums for its ongoing maintenance.
- v. Details of the specific secondary vehicular access solution onto the Much Wenlock Road, prior to the installation of the primary site accesses, in the event that Buildwas Road is closed and the bridge access is unusable.
- vi. Details of the strategy and timetable review procedure and of circumstances where a review shall be implemented.

The plan shall be implemented in accordance with the approved details and timetable.

Reason: To ensure a satisfactory access strategy for the site

Highways - Travel Plan

- 23a. Notwithstanding the submitted Employment Framework Travel Plan, before the 250th residential dwelling is occupied details of a new Travel Plan for the development including an implementation timetable shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Authority Travel Plan Co-ordinator. This is in accordance with the legal agreement accompanying this permission. The Travel Plan

shall set out proposals, including a timetable and bus strategy, to promote travel by sustainable modes which are acceptable to the Local Planning Authority.

- b. The Travel Plan shall be implemented in accordance with the approved details and timetable unless the Local Planning Authority has previously provided written approval for proposed changes to the plan. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually to Local Planning Authority for approval for a period of ten years from the 250th occupation of the development.

Reason: To promote sustainable modes of transport in line with both local and national objectives

Highways - Railway Link

- 24. Prior to first occupation a long term strategy for the sustainable use of the extant railway line shall be submitted for the approval in writing of the Local Planning Authority in accordance with the legal agreement linked to this permission. The submitted details shall include:
 - i. Details of connection to the main line at Stafford Park 12 following the export of mineral and PFA from the site.
 - ii. A timetable for the implementation of uses, other than those for the industrial removal of material from the site.
 - iii. The full scheme and extent of works to facilitate the uses proposed in part (i)
 - iv. Details of the strategy and timetable review procedure and of circumstances where a review shall be implemented.

The scheme shall be implemented in accordance with the approved details and timetable.

Reason: To promote sustainable modes of transport in line with local and national objectives and to ensure the long-term sustainable use of the railway asset.

Highways - A4169 Much Wenlock Northern Access

- 25. Prior to the occupation of the 250th dwelling full engineering details of the proposed signalised junction on to A4169 Much Wenlock Road and traffic calming measures on the approach to the junction as shown on drawing ADC1776-DR-006 P2 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details before the occupation of the 400th dwelling.

Reason: To ensure a satisfactory means of access to the highway.

Highways - A4169 Much Wenlock Southern Access

- 26. Within 5 years of commencement or prior to the occupation of the 400th dwelling, whichever is the sooner, full engineering details of the proposed roundabout junction on

to A4169 Much Wenlock Road as shown on drawing ADC1776-DR-002 (Phase 6) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details.

Reason: To ensure a satisfactory means of access to the highway.

Highways – Castlefields Way

27. The 250th residential occupation of the development, authorised by this permission, shall not begin until a full scheme of highway improvement works for the implementation of partial traffic signal control, lane widening, incorporated pedestrian crossing facilities and all other necessary and associated works, at the A4169/B4373 Castlefields Way Roundabout, as broadly propounded in submitted drawing ADC1776-DR-012, have been delivered in full and certified in writing by the Local Planning Authority as complete. The Local Planning Authority is to approve in writing the detailed design for the full scheme of these aforementioned works, which shall be in accordance with a modelled design year of 2036, prior to the commencement of its delivery.

Highways - Road construction

28. A scheme detailing the design and construction of all new internal roads, footways and accesses together with measures for the disposal of highway surface water shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place in any phase until these details have been approved for the corresponding phase. The scheme shall be fully implemented in accordance with approved details.

Reason: In the interests of highway safety.

Highways - Electric Vehicle Charging Points

29. No building hereby permitted shall be occupied until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points for that phase has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

Rights of Way

- 30a. Development of the site and its connection to existing sustainable green routes, shall be in general accordance with the “Existing Public Rights of Way network with proposed links and diversions” plan (ref: ADC1776-DR-008-P1) dated 10/12/2019 submitted within the “response to comments on Public Right of Way” dated 17th August 2020.

- b. A scheme confirming arrangements for dedication of the public rights of way and timescales for bringing them into use shall be submitted to and approved in writing by the Local Planning Authority within 12 months of the date of this permission.

Reason: To deliver sustainable green routes in line with both local and national objectives

Construction Environmental Management Plan

- 31a. Development, ground clearance and remediation on any individual phase shall not take place until a Construction Environmental Management Plan (in respect of that phase) has been submitted to and approved in writing by the Local Planning Authority. The plan shall take account of the principles set out in the Environmental Statement and should comply with the Considerate Constructors Scheme, as well as the principles set out in the Provisional Construction Environmental Management Plan by FRCR and ADC Infrastructure dated December 2020. The CEMP should also take into account the results of the update ecology surveys undertaken for that phase, and any adjacent phases. The proposed scheme shall include the following details:

- i. Location of site compound
- ii. Parking of vehicles of site personnel, operatives and visitors
- iii. Defined routes for construction vehicles
- iv. Protection to pedestrians and cyclists
- v. Proposed temporary traffic management
- vi. Arrangements for the turning of construction traffic within the site
- vii. Loading and unloading of plant and materials
- viii. Storage of plant and materials in constructing the development
- ix. Storage of oil, fuel and chemicals
- x. Protection of archaeology
- xi. Prevention of mud being deposited on highway
- xii. Measure for the control and reduction of noise from construction works
- xiii. Measures for control of construction traffic within the site and on the surrounding highway network
- xiv. Hours of operation of construction works and others works on the site
- xv. Measures for the monitoring and enforcement of the plans
- xvi. The erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate
- xvii. The establishment of a stakeholder group that shall meet at regular intervals throughout the construction period
- xviii. Procedures for maintaining good public relations including complaint management, public consultation.
- xix. Dust management plan
- xx. Construction lighting
- xxi. Protection of ecology – including:
 - Pollution prevention measures;
 - Risk Assessment of potentially damaging construction activities;
 - Identification of 'biodiversity protection zones';
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);

- The location and timing of sensitive works to avoid damage to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The roles and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person; and
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

- b. Subject to Condition 31c construction work shall not take place other than between the hours of 7.30am – 6.00pm, Monday to Friday and 8am until 12 noon on Saturdays and there will be no Sunday or Bank Holiday working. This is unless details of extended working proposals have first been submitted to and approved in writing by the Local Planning Authority.
- c. Notwithstanding Condition 31b noisier operations capable of generating noise levels exceeding 10dBA above background levels at nearest noise sensitive properties shall not be undertaken outside the hours of 08:00-18:00 Monday to Friday and 08:00-13:00 on Saturdays.
- d. A bower shall be employed on site during the construction phase in order to control dust and adequate water shall be made available for this purpose.

Reason: In the interests of amenity protection, highway safety and wildlife protection.

Tree protection

32. No phase or part of the development hereby approved shall commence until a tree survey, an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan specific to that part or phase of the development, prepared in accordance with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction – Recommendations, or its current version, have been submitted to and approved in writing by the LPA. Thereafter the development shall be carried out strictly in accordance with the recommendations of these approved plans and reports.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

Note: In this condition 'retained tree' means an existing tree, woody shrub or hedge which is to be retained in accordance with the approved plans and particulars; and any tree, woody shrub or hedge planted as a replacement for any 'retained tree'.

33. Notwithstanding the conclusions set out in the Arboricultural Impact Assessment by FPCR and associated Tree Retention Plans (revised August 2020), the strategic trees which

were planted for the purpose of softening the appearance of existing building(s) shall be retained. These include the following trees/groups as annotated in the AIA:

G42(B), G46(C), G58(C) and G60(C) in their entirety;

These tree groups shall be protected from damage for the duration of works on the site, by the erection of protective fencing in accordance with British Standards 5837 : 2012. Any trees removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following completion of the approved development, shall be replaced as soon as is reasonably practicable and, in any case, by no later than the end of the first available planting season, with plants of such size and species and in such positions as approved in writing with the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing trees.

34. No retained tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the LPA. Any approved tree works shall be carried out in accordance with British Standard 3998: 2010 Tree Work - Recommendations, or its current version.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

- 35a. No ground clearance or construction work shall commence within each phase of the development until a scheme has been approved in writing by the Local Planning Authority to safeguard trees to be retained on site as part of the development. The submitted scheme shall include the provision of a tree protection plan that reflects the guidance given in BS5837:2012. The approved scheme shall be implemented for the duration of the construction works.
- b. No works shall commence until the Local Planning Authority has approved in writing that the Tree Protection Measures have been established in compliance with the final approved tree protection plan (Photographs of it in place might suffice).

Reason: To safeguard existing trees and/or hedgerows on site and prevent damage during building works in the interests of the visual amenity of the area.

36. No ground clearance or construction work shall commence within each phase of the development until a detailed tree, woodland and hedgerow management plan for the phase has been submitted to and approved in writing by the Local Planning Authority in accordance with the legal agreement accompanying this permission. The plan shall cover the sustainable management of these features in the long term, beyond any post-planting aftercare period stipulated in the approved landscape plans and/or governed by planning conditions.
37. The destruction by burning of any materials during the construction period shall not take place within 6 metres of the furthest extent of the canopy of any tree groups or hedgerow to be retained on site.

Reason: To prevent trees and hedgerows on site from being damaged during building works.

38. The soil levels within the root protection zone of the retained trees shall not to be altered, raised or lowered, without the prior written approval of the Local Planning Authority.

Reason: To prevent trees or hedgerows on site from being damaged during building works.

Ecology

Ecology - Updated Surveys

- 39a. Each submission of Reserved Matters shall include a complete set of updated ecological surveys for the site area covered by that Reserved Matters permission (and beyond for appropriate species e.g badger). The update surveys shall be used to update and amend, as necessary, the approach to ecological mitigation where appropriate.
- b. If the approved development, or any phase thereof, does not commence within 3 years of the date of the outline planning consent the approved ecological measures secured through the planning conditions shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to (i) to establish if there have been any changes in the presence and/or abundance of any protected species or priority habitat and (ii) to identify any new ecological impacts that might arise from any changes.
- c. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development or the relevant phase of development.

Works shall then be carried out in accordance with the approved new ecological measures and timetable.

Reason: To ensure the protection of biodiversity in accordance with NPPF.

Ecological Method Statements

40. Each submission for Reserved Matters shall include the submission of an Ecological Mitigation Strategy and Reasonable Avoidance Measures Method Statement to be approved in writing by the Local Planning Authority. The information required by this condition shall cover:
- i. Great crested newts;
 - ii. Amphibians'
 - iii. Reptiles;
 - iv. Badgers;

- v. Breeding birds;
- vi. Protected notable plants;
- vii. Otter;
- viii. Bats;
- ix. Invasive species;
- x. Protection of retained habitats;
- xi. Protection of the riparian zone; and
- xii. Protection of designated sites.

All works shall then be carried out in accordance with the approved details.

Reason: To ensure the protection of biodiversity in accordance with NPPF

Ecology - European Protected Species

- 41. Prior to works to any tree with low, moderate or high bat roosting potential as identified on ecology figure 7.11 by FPCR a reasonable avoidance measures method statement for the protection of bats shall be submitted to, and approved in writing by, the Local Planning Authority. Works shall then be carried out in accordance with the approved details.

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

- 42a. All works on the site shall be carried out in accordance with the European Protected Species (EPS) Mitigation Licences already in place with respect to bats (in buildings) and Great Crested Newts. Copies of the required European Protected Species Mitigation Licences shall be provided to, and acknowledged in writing by, the Local Planning Authority prior to the works covered by the licence(s) commencing.
- b. Works within 50m of the former pump house which will impact upon individual otters shall not commence until a copy of the European Protected Species Mitigation Licence with respect to otter has been obtained from Natural England and submitted to the Local Planning Authority.
- c. Works shall be carried out strictly in accordance with the granted EPS Mitigation Licence and the associated method statement and shall be supervised, where appropriate, by an experienced, licensed ecologist.

Reason: To ensure the protection of bats, great crested newts and otter, which are European Protected Species

Ecology - Badger update surveys

- 43a. Each submission of reserved matters shall include an updated badger survey and an accompanying update to the Badger Mitigation Strategy by FPCR (2020) which shall be approved in writing by the Local Planning Authority. Works shall occur in accordance with any Badger Disturbance Licences already in place on the site following on from the demolition phase, the minerals extraction phase or any phase of residential development already permitted.

- b. Works shall be carried out strictly in accordance with agreed mitigation strategy, the granted Licence(s) and the associated method statement and shall be supervised, where appropriate, by an experienced, licensed ecologist.

Reason: To ensure the protection of badgers

Ecology - Erection of artificial nesting/roosting boxes

44. Each submission for reserved matters shall include details of the provision of artificial nesting and/or roosting boxes to be erected within that phase. The type and location of the features shall be submitted to and agreed in writing with the Local Planning Authority and the scheme shall then be undertaken in accordance with the agreed details. Across the whole outline permission the following artificial nesting/roosting boxes shall be provided:
- i. A total of 200 integral bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species
 - ii. A total of 200 bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species
 - iii. A total of 50 bat boxes suitable for winter/hibernation roosting for small crevice dwelling bat species
 - iv. A total of 250 artificial nesting boxes suitable for a range of bird species, including robin, blackbird, tit species, starling, woodpecker, grey wagtail and stock dove
 - v. A total of 70 artificial nesting boxes suitable for house sparrow
 - vi. A total of 100 artificial nesting boxes suitable for bird species such as swallows, house martins and swifts
 - vii. A total of 3 artificial nest boxes for tawny owl
 - viii. A total of 20 kingfisher nest tunnels incorporated into bridges or vertical banks beside the river
 - ix. A total of 10 hedgehog boxes and 5 hedgehog hibernation boxes
 - x. A total of 10 hedgehog boxes and 5 hedgehog hibernation boxes
 - xi. A total of 50 invertebrate bricks.

Reason: To ensure the provision of roosting/nesting opportunities for wildlife in accordance with the National Planning Policy Framework

Ecology - Reptile and Amphibian Mitigation

45. The first submission of reserved matters shall include a site wide Reptile and Amphibian Mitigation Strategy to be submitted to, and agreed in writing by, the Local Planning Authority setting out:
- i. The principles of proposed aquatic and terrestrial habitat provision across the whole site;
 - ii. The provision of hibernacula and refugia including number and approximate locations of features;
 - iii. The provision of amphibian and reptile friendly road crossing features;
 - iv. The provision of amphibian friendly highway drainage features in appropriate locations on the site;

- v. The proposals relating to the long term management of the offsite great crested newt and reptile mitigation area (including roles and responsibilities and ongoing funding mechanisms);
- vi. The proposals (including working measures and timing) relating to the eventual integration of the offsite mitigation area into the completed scheme through the sensitive removal of semi-permanent amphibian fencing

Each subsequent reserved matters application shall include a detailed Reptile and Amphibian Mitigation Strategy for that phase to be submitted to, and approved in writing by, the Local Planning Authority. All works carried out in line with the relevant detailed strategy which will link to the landscaping proposals, habitat creation proposals and landscape and habitat management plans as appropriate.

Reason: To ensure the provision of appropriate aquatic and terrestrial habitat for reptiles and amphibians and to ensure appropriate connectivity of those habitats across the whole site.

Ecology – Wildlife Connectivity Strategy

46. Each submission of reserved matters shall include a Wildlife Connectivity Strategy for that phase setting out measures including, but not limited to, wildlife underpasses, wildlife crossing points, amphibian friendly gully pots, sensitive lighting, protective fencing and other wildlife friendly design measures to be submitted to, and approved in writing by, the Local Planning Authority. The Wildlife Connectivity Strategy for each phase will have regard to the principles set out on the Wildlife Connectivity Parameters Plan by FPCR Figure 7.26 and the scheme will then be undertaken in accordance with the agreed details.

Reason: To ensure the provision of appropriate wildlife mitigation design measures and to ensure appropriate connectivity for species across the whole site.

Ecology – Little Ringed Plover

47. Prior to commencement of development full details of the creation, maintenance and ongoing management of the little ringed plover habitat provision indicated on the Wildlife Connectivity Parameters Plan by FPCR Figure 7.26 shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall then be undertaken in accordance with the agreed details.

Reason: To ensure the provision and appropriate management of suitable habitat for little ringed plover.

Ecology - Lighting Plan

48. 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. Lighting shall be designed to have particular regard to the Light and Light Spill Avoidance Mitigation Zone shown on the FPCR Figure 7.18a. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme(s) shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK.

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

Note – See also highway lighting condition 14 above.

Ecology - Habitat Creation and Management Plan

49a. A habitat creation and management plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of each phase of development on the site. The plan shall be prepared by an experienced ecologist and shall include:

- i. Description and evaluation of the habitat features to be retained and managed;
- ii. Description and location of habitat features to be created;
- iii. Aims and objectives of habitat creation;
- iv. Mechanisms and timescales for habitat creation including soil levels and types, seed mixes, tree and shrub specifications and planting specifications;
- v. Procedures to deal with failures;
- vi. Personnel responsible for implementation of the plan;
- vii. Monitoring and remedial/contingency measures.
- viii. Appropriate management options for achieving aims and objectives;
- ix. Mechanisms for ensuring funding in perpetuity;
- x. Identification of the parties responsible for all elements of management;
- xi. Prescriptions for management actions for establishment, ongoing maintenance and repairs to both hard and soft landscaping, habitat and woodland features;
- xii. Preparation of an ongoing works schedule, detailed for the first 5 years with review and agreement of ongoing work planning with the LPA at least every 5 years in perpetuity;

b. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the timetable agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of a similar species, size and number by the end of the first available planting season.

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

Note: Landscaping details will be determined at reserved matters stage. Submitted details should include:

- i. Existing and proposed finished levels or contours;
- ii. Means of enclosure;
- iii. Car parking layouts;
- iv. Other vehicle and pedestrian access and circulation areas;
- v. Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
- vi. Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.);

- vii. *Retained historic landscape features and proposals for restoration, where relevant;*
- viii. *Highways features designed to make the site permeable to reptiles and amphibians (particularly great crested newts) including offset or sumpless gully pots, dropped kerbs and newt underpasses;*
- ix. *Planting plans;*
- x. *Woodland planting plans;*
- xi. *Planting plans for aquatic features;*
- xii. *Written specifications including cultivation and other operations associated with plant and grass establishment;*
- xiii. *Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate. The planting scheme shall include a mix of native species of local provenance, berry-producing shrubs and/or nectar-rich flowers;*
- xiv. *Implementation timetables;*
- xv. *Procedures to deal with failures.*

Ecology – Protection of SSSI and Ancient Woodland

50. Development shall occur in accordance with the SSSI and Ancient Woodland Buffers Plans by FPCR Figures 7.23a through to 7.23e. The 15m buffer zone will be fenced prior to the commencement of development and fencing will remain in place with no access to the buffer during the construction phase. Works will generally remain over 50m from the woodland edge with the exception of the 3 'focus areas' identified on figure 7.23a where demolition, reinstatement and infrastructure construction activities are required.

Reason: To ensure the protection of designated sites and irreplaceable habitats

Ecology – Biodiversity Net Gain

51. Each submission of reserved matters shall include a detailed assessment of Biodiversity Net Gain for that phase based on the detailed habitat creation and landscaping proposals for that phase to be submitted to, and approved in writing by, the Local Planning Authority. Each phase will be required to demonstrate delivery of a net gain in biodiversity units in line with local and national policy and shall then implement the net gain as agreed. Assessments of Biodiversity Net Gain will be linked to detailed habitat creation and landscaping proposals for each phase as well as to long term management mechanisms and financial arrangements to ensure that the unit gains can be delivered. A schedule of monitoring and arrangements for interventions will also need to be submitted and agreed.

Reason: To ensure the delivery of appropriate net gains for biodiversity

52. No development shall take place, including ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to ensure the delivery of species and habitat mitigation measures and the implementation of the required Biodiversity Net Gain set out in the planning conditions. The strategy shall include the following:
- i. Aims and objectives of monitoring to match the stated purpose;
 - ii. Identification of adequate baseline conditions prior to the start of development;

- iii. Appropriate success criteria, thresholds, triggers for intervention and targets against which the effectiveness of the various conservation measures being monitored can be judged;
- iv. Method for data gathering and analysis;
- v. Location of monitoring;
- vi. Timing and duration of monitoring;
- vii. Responsible persons and lines of communication; and
- viii. Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results of the monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The monitoring strategy will be implemented in accordance with the approved details.

Reason: To ensure that the proposed development delivers the fully functioning biodiversity outcomes set out, firstly, in the planning application and then approved in the planning consent. Monitoring is also required to: a) determine whether any conservation actions have been ineffective, leading to failure (in full or part) to achieve stated conservation objectives, and b) identify contingencies and/or remedial measures required to ensure that biodiversity outcomes comply with the originally approved scheme.

Pollution control

53. Development shall not take place on any individual phase other than that required to be carried out as part of an approved scheme of remediation until parts a. to d. have been complied with, unless otherwise agreed by the Local Planning Authority. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part d has been complied with in relation to that contamination.

Site Characterisation

- a. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include (where applicable):
 - i. a survey of the extent, scale and nature of contamination
 - ii. an assessment of the potential risks (where applicable) to:
 - human health

- property (existing or proposed) including buildings, crops (including the location of the proposed allotments), livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments;
- iii. an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Submission of Remediation Scheme

- b. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Implementation of Approved Remediation Scheme

- c. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reporting of Unexpected Contamination

- d. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part b, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part c.

Long Term Monitoring and Maintenance

- e. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation, and the provision of reports on the same must be prepared,

both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Noise Mitigation

54. The use of any commercial or industrial development, or fixed plant or machinery, within the site shall not commence until a written scheme for noise assessment (and where necessary) mitigation has been approved by the Local Planning Authority in respect of the potential noise impact from that development to existing or proposed noise sensitive receptors. The proposed mitigation methods shall take account of the principles identified within the Environmental Statement submitted with the application, and any associated documents. The approved scheme shall be carried out in full and maintained/ retained for the life of the development.

Reason: In order to protect amenity of the area in respect of noise pollution created by the proposed development.

55. Development (excluding any ground clearance and remediation) on any individual phase shall not commence until a detailed scheme for appropriate noise mitigation relevant to that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared taking account of the principles as set out in the Environmental Statement and include any or all of the following:
- i. Location and orientation of noise sensitive receptors
 - ii. Location, orientation, specification and details of any noise barriers
 - iii. Noise insulation and noise protection schemes to noise sensitive receptors (specifications and other details as appropriate)
 - iv. Identification and mitigation of noise sources introduced into the development (specification and mitigation as appropriate).

The approved scheme shall be carried out in full prior to first occupation of any individual unit within that phase and thereafter maintained / retained in perpetuity.

Reason: In order to protect amenity of the development in respect of noise pollution from the surrounding sources.

56. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant

unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991).

Ground Stability

57. Development shall not take place in any individual phase until details of any earthworks relating to that phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed grading and mounding within the site including the existing and proposed levels and contours to be formed, and the relationship of proposed mounding to existing vegetation and surrounding landform and for their future maintenance. Such details shall have particular regard to the proximity of the railway line, ensuring the safety of the wider area. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interest of maintaining the amenity value of the area, and to protect the adjacent railway line.

PFA Removal

58. A scheme detailing how PFA will be excavated and removed from the permitted site including any processing operations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any PFA excavation operations at the permitted. The scheme shall set out the measures which will be put in place to ensure that the PFA removal operation does not impact adversely on the local environment and nearby land uses (including existing residential uses and new homes which may be constructed at the site during the PFA operation) through control of noise, dust and visual impact. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of environmental protection and to protect local amenities.

Sports and Recreation Provision

59. No development shall take place until a scheme which sets out proposals for the provision of a sports pavilion on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following matters:
- i. Programme for the implementation of the sports pavilion (which shall ensure that the pavilion is fully constructed on site prior to the 251st dwelling)
 - ii. Detailed specification of the building and associated facilities
 - iii. Finished levels and contours
 - iv. Means of enclosure
 - v. Vehicle and pedestrian access and circulation
 - vi. Hard surfacing
 - vii. Landscaped areas

The approved scheme shall be implemented in full in accordance with the approved implementation programme.

Reason: To ensure provision of new pavilion on the site and to ensure that the pavilion is provided in a timely manner in the interests of the amenity of future residents.

60. Before the commencement of each phase of the development the following details relating to on-site open space and recreation shall be submitted to and approved in writing by the Local Planning Authority:
- i. A long-term landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens.
 - ii. A schedule of long-term landscape maintenance including details of the arrangements for its implementation and management.

The landscape management plan shall identify the principle of public access and who is to manage the landscaped areas (e.g. resident management company), how it is to be managed and how it is to be funded (e.g service charge). The landscape management plan shall be carried out in full as approved. The landscape implementation and maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure that due regard is paid to the continuing enhancement and long-term maintenance of amenity afforded by landscape features of communal public, nature conservation or historical significance.

61. No development shall take place until a scheme which sets out proposals for the provision of a combined Locally Equipped Area of Play (LEAP) and Neighbourhood Equipped Area of Play (NEAP) within that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the following matters:
- i. Programme for the implementation of the combined LEAP/ NEAP (which shall ensure that the LEAP/NEAP is fully constructed on site prior to the first occupation of any approved dwelling overlooking (and within 30 metres of the LEAP/NEAP)
 - ii. Detailed specification of the equipment to be provided
 - iii. Finished levels and contours
 - iv. Means of enclosure
 - v. Vehicle and pedestrian access and circulation
 - vi. Hard surfacing
 - vii. Landscaped areas

The approved scheme shall be implemented in full in accordance with the approved implementation programme.

Reason: To ensure provision of new play facilities on the site and to ensure that the play area is provided in a timely manner in the interests of the amenity of future residents.

62. Reserved matters consent for the relevant phase, inclusive of the local centre, shall include full details of the allotments, and associated parking areas (to include the timing of the implementation of those details).

Reason: In order for the full consideration of the layout and interaction of these facilities with the proposed dwellings, and that the development is of an appropriate standard.

63. Prior to the occupation of the 150th dwelling the following details will be submitted to and approved in writing by the local planning authority following consultation with Sport England:
- i. A detailed assessment of ground conditions (including drainage and topography) for playing pitches which identifies any constraints which could adversely affect playing field quality;
 - ii. A detailed Scheme for the establishment of the playing pitches which also addresses any constraints identified by the assessment carried out under (i) above. The scheme shall include a Written Specification of the proposed soil structure, proposed drainage, cultivation and other operations consistent with the standards and methodologies set out in the Technical Guidance Note “Natural Turf for Sport” (Sport England 2011) and the design guidance of the relevant National Governing Bodies for Sport;
 - iii. a phased programme of implementation for the playing field and pavilion which shall be fully constructed on site prior to the 251st dwelling or before the first occupation of the education establishment (whichever is earlier);
 - iv. A Schedule of playing field maintenance allied to the programme of implementation and for a minimum period of five years in relation to each phase.
 - v. Details of the pavilion / changing rooms including car parking, and which shall be fully constructed on site prior to the 251st dwelling.

The approved Scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the approved Schedule and made available for playing field use in accordance with the approved Scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy.

64. No development shall commence on Phase 3, or the 251st dwelling, until a Management and Maintenance Scheme for the playing fields and associated ancillary facilities, including management responsibilities, a maintenance schedule including a long term programme for implementation for a minimum period of [five] years starting from the commencement of use of the development [or other specified time period], and a mechanism for review has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following the commencement of use of the development the approved schedule shall be complied with in full.

Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Development Plan Policy.

65. No development shall commence until details for the phasing of the development, including the provision of the playing fields and ancillary facilities have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The details shall ensure that the works comprised in (specified part) of the development hereby permitted shall not be commenced before the works comprised in

(specified part) are completed. The development hereby permitted shall not be carried out other than in accordance with the approved details.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy.

66. No development shall commence on Phase 3, or the 251st dwelling, until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the playing fields and ancillary facilities and include details of pricing policy, hours of use, access by community users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

Notes:

- i. *Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.*
- ii. *It is recommended that the maintenance schedule and programme for implementation is developed by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.*

Linkage with mineral application reference 19/05509/MAW

(Condition to be included if application reference 19/05509/MAW is permitted)

67. No development, apart from the preliminary works involving the construction of the new access road onto the Much Wenlock Road shall take place within the limit of mineral extraction shown on drawing No. HE014_D.1003B until all approved mineral extraction works have been completed in accordance with application reference 19/05509/MAW. This is unless a scheme setting out the details of the proposed additional preliminary works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that mineral extraction and associated restoration has been completed in accordance with approved details prior to commencement of other development under this permission within the area of permission reference 19/05509/MAW.

Informative Notes

Ecology

- i. *Badgers, their setts and the access to the setts are expressly protected under the Protection of Badgers Act 1992. It is a criminal offence to kill, injure, take, possess or control a badger; to damage, destroy or obstruct access to a sett; and to disturb a badger whilst it is occupying a sett. No development works or ground disturbance should occur within 30m of a badger sett without having sought advice from an appropriately qualified and experienced ecologist and, where necessary, without a Badger Disturbance Licence from Natural England. All known badger setts must be subject to an inspection by an ecologist immediately prior to the commencement of works on the site. There is an unlimited fine and/or up to six months imprisonment for such offences. Items used to commit the offence can also be seized and destroyed.*
- ii. *All bat species found in the U.K. are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences. If any evidence of bats is discovered at any stage then development works must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) contacted for advice on how to proceed. The Local Planning Authority should also be informed.*
- iii. *Bat roosts are present in the structure of Albert Edward Bridge. No works to the bridge are proposed as part of this planning application. Works to the bridge will require a European Protected Species Licence from Natural England and Shropshire Council will have to consider the Habitats Regulations '3 derogation tests' as part of a planning application where works to the bridge are proposed. The submission of a future planning application where works are proposed will need to include the results of the hibernation survey and a mitigation strategy.*
- iv. *Great crested newts are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to kill, injure, capture or disturb a great crested newt; and to damage, destroy or obstruct access to its breeding and resting places (both ponds and terrestrial habitats). There is an unlimited fine and/or up to six months imprisonment for such offences. If a great crested newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.*
- v. *Japanese knotweed and Himalayan balsam are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to allow this species to be released into, or cause it to grow, in the wild and landowners should not allow it to spread onto neighbouring land, although they may not be obliged to remove or treat it on their own land. Treatment of Japanese knotweed and Himalayan balsam should be carried out*

by an experienced contractor and development cannot commence until the plant has been completely removed from the site. Use of herbicides alongside water courses should only be undertaken by experienced, licensed contractors following advice from the Environment Agency. Japanese knotweed and Himalayan balsam are classed as a controlled waste and should be disposed of by an experienced contractor to an approved waste site in accordance with the Environmental Protection Act (Duty of Care) Regulations 1991).

- iv. *The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent. It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences. All vegetation clearance, tree removal and scrub removal and/or conversion, renovation and demolition work in buildings or other suitable nesting habitat should be carried out outside of the bird nesting season which runs from March to August inclusive. If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Netting of trees or hedges to prevent birds from nesting should be avoided by appropriate planning of work. See guidance at <https://cieem.net/cieem-and-rspb-advise-against-netting-on-hedges-and-trees>. If during construction birds gain access to any of the buildings and begin nesting, work must cease until the young birds have fledged.*
- vii. *Otters are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). It is a criminal offence to kill, injure, capture or disturb an otter; and to damage, destroy or obstruct access to its breeding and resting places. There is an unlimited fine and/or up to six months imprisonment for such offences. On sites close to river banks, alongside streams and around pools, otters may occasionally be encountered and contractors should be vigilant when working on site. No night-time lighting should be used in such locations and trenches and open pipework should be closed overnight. If any evidence of otters (holts, scats, footprints or direct sightings) are discovered then the development work must immediately halt and an appropriately qualified and experienced ecologist and Natural England must be contacted (0300 060 3900) for advice. The Local Planning Authority should also be informed.*

Drainage:

- viii. *As part of the SuDS, the applicant should consider employing measures such as the following to ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner:*
- *Water Butts*
 - *Rainwater harvesting system*
 - *Permeable surfacing on any new access, driveway, parking area/ paved area*
 - *Attenuation*
 - *Greywater recycling system*

- Green roofs

ix. *Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas. The appropriate allowance for urban creep must be included in the design of the drainage system over the lifetime of the proposed development. The allowances set out below must be applied to the impermeable area within the property curtilage:*

<i>Residential Dwellings per hectare</i>	<i>Change allowance % of impermeable area</i>
<i>Less than 25</i>	<i>10</i>
<i>30</i>	<i>8</i>
<i>35</i>	<i>6</i>
<i>45</i>	<i>4</i>
<i>More than 50</i>	<i>2</i>
<i>Flats & apartments</i>	<i>0</i>

Where the inclusion of the appropriate allowance would increase the total impermeable area to greater than 100%, 100% should be used as the maximum. Curtilage' means area of land around a building or group of buildings which is for the private use of the occupants of the buildings.

- x. *Highway gully spacing: Close spacing of gullies on a development will increase maintenance liability for both emptying and of the road surface around the ironwork. Amending the vertical profile or installing kerb drains should be considered where spacing's are less than 20m. Alternatively, to reflect the increased liabilities, a commuted sum would be applied to any gully within the minimum 20m spacing. Vulnerable areas of the development, where exceedance is likely to result in the flooding of property, or contribute to flooding outside of the development site, highway gully spacing should be doubled over the entire length of highway contributing to the vulnerable area to ensure a 100mm/hr storm event is managed or attenuated on site.*
- xi. *Exceedance flows: Shropshire Council's 'Surface Water Management: Interim Guidance for Developers, paragraphs 7.10 to 7.12' requires that exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site, or contribute to surface water flooding of any area outside of the development site. Therefore the proposed management of exceedance flows generated by this return period must also be considered and catered for.*
- xii. *Urban creep: Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas. The appropriate allowance for urban creep must be included in the design of the drainage system over the lifetime of the proposed development. This is to ensure that the proposed surface water drainage systems for the site are designed for any future extensions of impermeable surfaces. The allowances set out below must be applied to the impermeable area within the property curtilage:*

<u><i>Residential Dwellings per hectare</i></u>	<u><i>Change allowance % of impermeable area</i></u>
<i>Less than 25</i>	<i>10</i>

30	8
35	6
45	4
More than 50	2
Flats & apartments	0

Right of Way Diversion:

- xiii. *Footpath 7 is affected by the development at its northern end. If it is not possible to keep, the footpath open and available at all times then the applicant will have to apply for a temporary closure of this route and the applicant will need to apply to the Mapping and Enforcement Team for such a closure.*

Highways:

- xiv. *Protection of visibility splays on private land: The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.*
- xv. *Disabled needs: The attention of the applicant is drawn to Section 175A(3) of the Highways Act 1980 within which the Highway Authority shall have regard to the needs of disabled persons when considering the desirability of providing ramps at appropriate places between carriageways and footways. Public rights of way affected A public right of way crosses the site of this permission. The permission does not authorise the stopping up or diversion of the right of way. The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990 provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed.*
- xvi. *Waste Collection: The applicant's attention is drawn to the need to ensure that appropriate facilities are provided, for the storage and collection of household waste, (i.e. wheelie bins & recycling boxes). Specific consideration must be given to kerbside collection points, in order to ensure that all visibility splays, accesses, junctions, pedestrian crossings and all trafficked areas of highway (i.e. footways, cycleways & carriageways) are kept clear of any obstruction or impediment, at all times, in the interests of public and highway safety. <https://new.shropshire.gov.uk/planning/faqs/>*
- xvii. *Landscaping: Should any proposed trees or shrubs be located in close proximity of any proposed or existing public highway infrastructure (>3 m), appropriate root protection systems will need to be submitted and approved prior to construction. In order to mitigate against any future root damage to roads, footways and the utility services beneath. Also any other landscaping/planting adjacent to the future highway will require appropriate maintenance and service arrangements, in perpetuity. In order to maintain any required visibility splays and to keep leaf litter clear of footways and drains, etc., in the interests of highway safety.*
- xviii. *Works on, within or abutting the public highway: This planning permission does not authorise the applicant to:*
- *construct any means of access over the publicly maintained highway (footway/verge) or*
 - *carry out any works within the publicly maintained highway, or*

- *authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or*
- *undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway*

The applicant should in the first instance contact Shropshire Councils Street works team. Please note: Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

- xix. *Section 278 Agreement (off site highway works): No work on the site should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. Please contact: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND to progress the agreement. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 278 of the Highways Act 1980 entered into: <http://www.shropshire.gov.uk/hwmaint.nsf/open/7BED571FFB856AC6802574E4002996AB>*
- xx. *Section 38 Agreement details (internal roads) If it is the developer's intention to request Shropshire Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout, alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into: <http://www.shropshire.gov.uk/hwmaint.nsf/open/7BD73DBD0D733532802574C6002E65E6>*

Sporting Provision

- xxi. *It is recommended that the maintenance schedule and programme for implementation is developed by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.*
- xxii. *Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.*

West Mercia Police

xxiii. *As part of the planning process, West Mercia Police encourage the applicant to aim to achieve Secured by Design (SBD) status for the development. Appropriate guidance can be found here: <https://www.securedbydesign.com/guidance/design-guides>*

Fire Authority

xxvi. *As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications' which can be found at <<https://www.shropshirefire.gov.uk/safety-at-work/planning-applications>>.*

Coal Authority

xxv. *The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: <http://www.gov.uk/government/organisations/the-coal-authority>*

Scope of Consent - Section 106 Agreement

xxvi. *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.*

National Design Space Standards (Ndss)

xxvii. *Applicants are advised of their obligations under the Governments Technical Guidance on National Design Space Standards (NDSS) and the need to meet minimum requirements set out in the current publication of this guidance. A compliance statement should be submitted with all reserved matter applications; templates can be made available upon request from the Local Planning Authority.*

APPENDIX 2:

SUPPORTING DOCUMENTS SCHEDULE:

December 2019 submission (original planning application):

- i. Planning Application Forms
- ii. Community Infrastructure Levy Forms
- iii. Site Location Plan (drawing no: 0799-LDA-P1-00-DR-A-20001)
- iv. Illustrative Masterplan (drawing no: 0799-LDA-P1-00-DR-A-08100)
- v. Illustrative Masterplan – with uses key (drawing no: 0799-LDA-P1-00-DR-A-08101)
- vi. Proposed Site Sections (drawing no: 0799-LDA-P1-SZ-DR-A-08102)
- vii. Proposed Phasing Strategy (drawing no: 0799-LDA-P1-00-DR-A-08103)
- viii. Proposed Visualisation (drawing no: 0799-LDA-P1-LL-DR-A-08104)
- ix. Landscape Strategy Plan (drawing no: P17-1052_15)
- x. Initial Sustainable Drainage Appraisal by RPS
- xi. Much Wenlock Road (Northern Access) (drawing no: ADC1776-DR-006-P1)
- xii. Much Wenlock Road (Southern Access) (drawing no: ADC1776-DR-006-P4)
- xiii. Design and Access Statement by Leonard Design
- xiv. Planning Statement by Pegasus Group
- xv. Consultation Statement by Pegasus Group
- xvi. Arboricultural Assessment by FPCR
- xvii. Lighting Assessment by RPS
- xviii. Environmental Statement, (including a Non-Technical Summary) incorporating:
 - Chapter 1 Introduction
 - Chapter 2 Assessment Methodology
 - Chapter 3 Application Site
 - Chapter 4 Proposed Development and Alternatives
 - Built Form Parameters Plan
 - Chapter 5 Socio Economic
 - Chapter 6 Landscape
 - Figure 6.1 Preliminary Zone of Theoretical Visibility
 - Figure 6.2 Site Location and Planning Designations
 - Figure 6.3 Topography
 - Figure 6.4 Landscape Character
 - Figure 6.5 Viewpoint Locations and PROW
 - Figure 6.6 Viewpoint Photographs
 - Figure 6.7A Landscape and Visual Analysis
 - Figure 6.7B Landscape and Visual Analysis
 - Figure 6.7C Landscape and Visual Analysis Site Specific
 - Figure 6.8 Green Infrastructure and Landscape Strategy
 - Chapter 7 Biodiversity
 - Figure 7.1 Consultation Results Plan - Designated Sites
 - Figure 7.2a Consultation Results Plan - Species Records - Mammals
 - Figure 7.2b Consultation Results Plan - Species Records - Notable Invertebrates
 - Figure 7.2c Consultation Results Plan - Species Records - Notable Plants
 - Figure 7.2d Consultation Results Plan - Species Records - Herptiles
 - Figure 7.2e Consultation Results Plan - Species Records - Birds

- Figure 7.2f Consultation Results Plan - Species Records - Invasive Non-Native Plants
- Figure 7.3a Shropshire Ecological Network - Core Areas
- Figure 7.3b Shropshire Ecological Network - Corridors
- Figure 7.3c Shropshire Ecological Network - Buffers
- Figure 7.3d Shropshire Ecological Network - Sustainable Land Use
- Figure 7.4 GCN European Protected Species Licence Area
- Figure 7.5 Otter Survey Plan
- Figure 7.6 Badger Survey Plan
- Figure 7.7 Breeding Bird Survey Plan - Distribution of Notable Species
- Figure 7.8 Winter Bird Survey Plan - Distribution of Notable Species
- Figure 7.9a Habitat Survey Plan (East)
- Figure 7.9b Habitat Survey Plan (West)
- Figure 7.10 Invasive, Non-native Plant Plan
- Figure 7.11 Bat Roost Plan
- Figure 7.12a Bat Transect Survey Plan - August 2018
- Figure 7.12b Bat Transect Survey Plan - September 2018
- Figure 7.12c Bat Transect Survey Plan - October 2018
- Figure 7.12d Bat Transect Survey Plan - April 2019
- Figure 7.12e Bat Transect Survey Plan - May 2019
- Figure 7.12f Bat Transect Survey Plan - June 2019
- Figure 7.12g Bat Transect Survey Plan - July 2019
- Figure 7.13 Bat Static Detector Survey Plan
- Figure 7.14 Effect on the Shropshire Ecological Network
- Appendix 7.1 Phase 1 Habitat Report
- Appendix 7.2 Hedgerow Assessment Report
- Appendix 7.3 Bat Report
- Appendix 7.4 Breeding Bird Report
- Appendix 7.5 Wintering Bird Report
- Appendix 7.6 Barn Owl, Hobby and Red Kite Report
- Appendix 7.7 Great Crested Newt Report
- Appendix 7.8 Brown Hare Report
- Chapter 8 Cultural Heritage
 - Appendix 8.1 Built Heritage Assessment
 - Appendix 8.2 Historic England Consultation Response
- Chapter 9 Archaeology
 - Appendix 9.1 Archaeological Desk Based Assessment
- Chapter 10 Transport
 - Appendix 10.1 Transport Assessment
 - Appendix 10.2 Travel Plans
- Chapter 11 Air Quality
 - Figure 11.1 Construction Phase Dust Study Area and Distance Buffers
 - Figure 11.2 Operational Phase Traffic Emissions Study Area
 - Figure 11.3 Operational Phase Traffic Emissions Existing Receptor Locations - Much Wenlock
 - Figure 11.4 Operational Phase Traffic Emissions Existing Receptor Locations - Ironbridge
 - Figure 11.5 Operational Phase Traffic Emissions Existing Receptor Locations - North of Site

- Figure 11.6 Operational Phase Traffic Emissions Proposed Receptor Locations
- Appendix 11.1 Glossary
- Appendix 11.2 Traffic Data Utilised in the Air Quality Assessment
- Appendix 11.3 Wind Rose
- Appendix 11.4 ADMS-Roads Model Verification
- Appendix 11.5 Operational Phase Road Traffic Emissions Assessment Sensitivity Analysis
- Appendix 11.6 Construction Phase Dust Assessment
- Chapter 12 Noise and Vibration
 - Figure 12.1 Noise Sensitive Receptors
 - Figure 12.2 Noise Monitoring Locations
 - Figure 12.3 Daytime LAeq,16h road traffic noise contour
 - Appendix 12.1 Glossary
 - Appendix 12.2 Policy
 - Appendix 12.3 Baseline Noise Monitoring Results
 - Appendix 12.4 Third Octave Noise Data from Plant Source Measurements
 - Appendix 12.5 Low frequency noise at nearest existing NSR
- Chapter 13 Hydrology
 - Appendix 13.1 Flood Risk Assessment
- Chapter 14 Ground Conditions
 - Appendix 14.1 Prelim Risk Assessment and Ground Investigation Report
 - Appendix 14.2 Landslide Report
 - Appendix 14.3 Geological Report and Mineral Resource Assessment

August 2020 submission (Regulation 25 response):

- i. Illustrative Masterplan (drawing number: 0799-LDA-P1-00-DR-A-08100_Rev01), supersedes drawing number: 0799-LDA-P1-00-DR-A-08100;
- ii. Illustrative Masterplan – annotated (drawing number: 0799-LDA-P1-00-DR-A-08101_Rev01), supersedes drawing number: 0799-LDA-P1-00-DR-A-08101;
- iii. Much Wenlock Road (Northern Access) (drawing number: ADC1776-DR-006-P2), supersedes drawing number: ADC1776-DR-006-P1;
- iv. Much Wenlock Road (Southern Access) (drawing number: ADC1776-DR-002-P5), supersedes drawing number: ADC1776-DR-002-P5;
- v. Proposed Phasing Plans (dated 05/08/2020);
- vi. Green Infrastructure and Landscape Strategy Plan (drawing number: P17-1052_15A), supersedes drawing number: P17-1052_15);
- vii. Landscape Sections (drawing number: P17-1052_20) – new drawing;
- viii. Public Rights of Way Network (with proposed links and diversions) (drawing number: ADC1776-DR-008_P1);
- vix. Construction Environmental Management Plan (Provisional) by FPCR (Confidential);
- x. Deculverting Technical Note by RPS;
- xi. Planning Statement (updated) by Pegasus Group, supersedes previously submitted version;
- xii. Leisure Strategy by Pegasus Group – new document;
- xiii. Sustainable Design Brief by Leonard Design – new document;

- xiv. Arboricultural Assessment (updated) by FPCR, supersedes previously submitted version;
- xv. Combined Tree Survey Plans by FPCR – new document;
- xvi. Combined Tree Retention Plans by FPCR – new document;
- xvii. Environmental Statement Addendum, (including a Non-Technical Summary) incorporating:
 - Chapter 1 Introduction (to be read in conjunction with the original ES chapter)
 - Chapter 2 Assessment Methodology (no change)
 - Chapter 3 Application Site (no change)
 - Chapter 4 Proposed Development and Alternatives (no change)
 - Chapter 5 Socio Economic (no change)
 - Chapter 6 Landscape (supersedes the previously submitted version)
 - Figure 6.5A Viewpoint Locations and Public Rights of Way
 - Figure 6.5B Viewpoint Photographs
 - Figure 6.6A Location of Reg 25 Requested Viewpoints
 - Figure 6.6B Reg 25 Viewpoint Photographs
 - Figure 6.8 Green Infrastructure and Landscape Strategy
 - Figure 6.9 Landscape Sections
 - Figure 6.10 Landscape Vignettes
 - Chapter 7 Biodiversity (supersedes the previously submitted version)
 - Figure 7.9a Habitat Survey Plan (East)
 - Figure 7.9b Habitat Survey Plan (West)
 - Figure 7.14a Effect on the Shropshire Ecological Network
 - Figure 7.15a Recreation and Urbanisation Mitigation Strategy – Zone of Potential Recreation Impacts
 - Figure 7.15b Recreation and Urbanisation Mitigation Strategy – ‘within development’ Circular Walks
 - Figure 7.17a Phase 2 Botanical Survey (East)
 - Figure 7.17b Phase 2 Botanical Survey (West)
 - Figure 7.18a Light and Light Spill Avoidance Mitigation Zone
 - Figure 7.18b Light and Light Spill Key Zones for Sensitive Lighting Design
 - Figure 7.19 Badger Survey Results (Confidential)
 - Figure 7.19a Badger Sett Closures (Confidential)
 - Figure 7.19b Retained Created Proposed Badger Sett Closures (Confidential)
 - Figure 7.20 Provisional Construction Environmental Management Plan (Confidential)
 - Figure 7.21 Air Quality (Ecology) Assessment Scoping Plan
 - Figure 7.22 Peregrine Nest Location (Confidential)
 - Appendix 7.9 Regulation 25 Response (and Appendices A – E):
 - Appendix 7.9A Recreation and Urbanisation Mitigation Strategy
 - Appendix 7.9B Phase 2 Botanical Survey
 - Appendix 7.9C Peregrine Strategy (Confidential)
 - Appendix 7.9D Badger Mitigation Strategy (Confidential)
 - Appendix 7.9E Provision CEMP (Confidential)
 - Chapter 8 Cultural Heritage (supersedes the previously submitted version)
 - Appendix 8.1 Built Heritage Assessment
 - Chapter 9 Archaeology (no change)
 - Chapter 10 Transport (supersedes the previously submitted version)

- Appendix 10.3 Transport Assessment Addendum
- Chapter 11 Air Quality (supersedes the previously submitted version)
 - Appendix 11.1 Glossary
 - Appendix 11.2 Traffic Data Utilised in the Air Quality Assessment
 - Appendix 11.3 Wind Rose
 - Appendix 11.4 ADMS-Roads Model Verification
 - Appendix 11.5 Operational Phase Road Traffic Emissions Assessment Sensitivity Analysis
 - Appendix 11.6 Construction Phase Dust Assessment
- Chapter 12 Noise and Vibration (supersedes the previously submitted version)
- Chapter 13 Hydrology (supersedes the previously submitted version)
 - Appendix 13.1a Flood Risk Assessment Addendum
 - Appendix 13.2 Ground Water Monitoring
 - Appendix 13.3 EA Response
 - Appendix 13.4 Drainage Strategy
- Chapter 14 Ground Conditions (supersedes the previously submitted version)
 - Appendix 14.1a Prelim Risk Assessment and Ground Investigation Report
 - Appendix 14.2a Landslide Report
 - Appendix 14.3a Geological Report and Mineral Resource Assessment
 - Appendix 14.4 EA Response Letter
 - Appendix 14.5 Ground Water Monitoring

December 2020 submission (Further clarifications following Regulation 25 submission):

- i. Illustrative Masterplan (drawing number: 0799-LDA-P1-00-DR-A-08100_Rev02), supersedes drawing number: 0799-LDA-P1-00-DR-A-08100_Rev01;
- ii. Illustrative Masterplan – annotated (drawing number: 0799-LDA-P1-00-DR-A-08101_Rev02), supersedes drawing number: 0799-LDA-P1-00-DR-A-08101_Rev01;
- iii. Green Infrastructure and Landscape Strategy Plan (drawing number: P17-1052_15A)
- iv. Residential Sections (dated December 2020) by Leonard Design;
- v. Leisure Strategy (dated December 2020) by Pegasus Group – updated document;
- vi. Heritage Clarification Note (December 2020) by Pegasus Group – new document;
- vii. Combined Tree Retention Plans by FPCR (December 2020) – updated document, supersedes previously submitted plans;
- viii. Landscape and Visual Issues – Response to Further Clarification Request (December 2020) by Pegasus Group – new document;
- vix. Albert Edward Bridge Bat Report (December 2020);
- x. Technical Note – Outline Biodiversity Impact Assessment (December 2020) by FPCR;
- xi. Technical Note – Great Crested Newt Mitigation Strategy (December 2020) by FPCR;
- xii. Technical Note – General Response (December 2020) by FPCR;
- xiii. Preliminary Biodiversity Metric Calculation 2.0 by FPCR;
- xiv. Appendix 7.9 Provisional Construction and Environmental Management Plan (CEMP) (Revision B – December 2020) – please note that this document contains sensitive information and should not be placed in the public domain;

- xv. Appendix A Recreation and Urbanisation Mitigation Strategy (Revision B – December 2020);
- xvi. Figure 7.20 Construction and Environmental Management Plan (CEMP) (drawing number: 8258-E-MD-35_RevA)– please note that this document contains sensitive information and should not be placed in the public domain;
- xvii. Figure 7.23(a-e) SSSI and Ancient Woodland Buffers (drawing numbers: 8258-E-MD-38a-e);
- xviii. Figure 7.24(a-b) BIA Calculation Baseline (East and West);
- xix. Figure 7.24a BIA Calculation Baseline (East) (drawing number: 8258-E-MD-39a);
- xx. Figure 7.24b BIA Calculation Baseline (West) (drawing number 8258-E-MD-39b);
- xxi. Figure 7.25 Albert Edward Bridge Bat Roost Location Plan (drawing number: 8258-E-MD-40);
- Figure 7.26 Wildlife Connectivity Parameters Plan (drawing reference: 8258-E-MD-41).

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<u>Committee and date</u>
Southern Planning Committee
15 June 2021

Development Management Report

Responsible Officer: Tim Rogers
 email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

<u>Application Number:</u> 19/05509/MAW	<u>Parish:</u>	Buildwas
<u>Proposal:</u> Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site		
<u>Site Address:</u> Proposed Quarry to the east of Much Wenlock Road, Buildwas, Telford Shropshire		
<u>Applicant:</u> Harworth Group Plc		
<u>Case Officer:</u> Graham French	<u>email :</u> planning.southern@shropshire.gov.uk	

Recommendation:- Grant Permission subject to the conditions and legal obligations set out in Appendix 1.

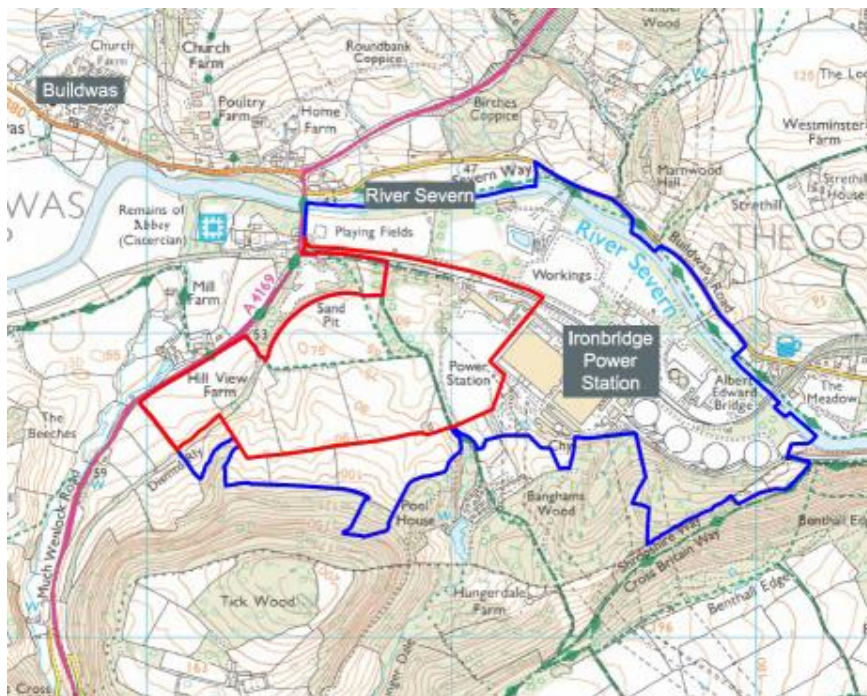


Figure 1 – Location Plan

REPORT

1.0 THE PROPOSAL

- 1.1 The proposal is to extract 1.9 million tonnes of sand and gravel from land within and to the immediate west of the former Ironbridge Power Station site. The site would be worked and restored in a phased manner over a period of 5 years. Demolition of the Power Station is nearing completion. The proposals fall within the area of an outline application to redevelop the power station site for housing and employment uses (ref: 19/05560/OUT).
- 2.2 The applicant, Harworth Group Ltd, justifies the proposals on two main grounds. Firstly, they will allow recovery of sand and gravel in advance of development, thereby avoiding sterilisation of this mineral resource. Secondly, they will allow formation of an engineered development platform suitable for accommodating the residential development proposed as part of the outline planning application.
- 2.3 Access to the site is by a private road which runs along the northern boundary of the Buildwas Quarry, off Much Wenlock Road. The proposal involves transporting the 75% of the mineral via rail utilising the existing infrastructure of the Power Station and 25% via HGV.



Figure 2 – Phasing

- 2.4 A new processing site would be constructed on the former Coal, Biofuel and PFA storage area of the power station. The plant will allow the dry screening of mineral. Mineral will be transported to the processing area via dump truck across the private road which connects the Caravan Park.

- 2.5 The phased nature of the development means that operations will move progressively around the site, meaning that any effects will be of limited duration at any particular point in time.
- 2.6 Two restoration schemes accompanied the original application. One supports the outline residential scheme if approved. The other is to agricultural land if the residential scheme is not permitted. However, the further information provided by the applicant in December 2020 advises that the mineral scheme would not be implemented if the residential scheme is not approved. The applicant is willing to enter into a legal agreement to confirm this and a legal clause to this effect has been included in Appendix 1.
- 2.7 Environmental Statement: An Environmental Statement accompanies the application under Schedule 1 of the EIA Regulations 2017 (as amended) and includes reports on transport, hydrology, ecology, visual impact and other relevant matters. Further information was requested by the planning authority under Regulation 25 of the EIA Regulations and this was received in December 2020.

2.0 SITE LOCATION / DESCRIPTION

- 2.1 The application site covers an area of 49ha, which includes agricultural fields and derelict brownfield land associated with the site of the former Ironbridge Power Station. The proposed mineral operations would form a new area of sand and gravel extraction south of Buildwas Quarry.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The proposals are for schedule 1 EIA development and as such are automatically referred to committee under the Council's scheme of delegation. They are also linked to an application for redevelopment of Ironbridge Power Station, also schedule 1 EIA development, which is being brought forward as a strategic site proposal under the current review of the Council's SAMDev plan.

4.0 COMMUNITY REPRESENTATIONS

Consultee Comments

A significant number and volume of comments has been received from planning consultees. Summary comments are provided here and a more comprehensive schedule is included in Appendix 2.

- 4.1 Buildwas Parish Council – Objection due to the negative impact on the local area including noise dust and traffic movements.
- 4.2 Much Wenlock Town Council Objection due to impacts on highways, the World Heritage Site, the Area of Outstanding Natural Beauty, Buildwas Abbey and other local designations, land stability. Questions policy justification for mineral extraction.
- 4.3 Broseley Town Council – Neutral stance providing there are no negative impacts for the Broseley area.

- 4.4 Leighton and Eaton Constantine Parish Council (neighbouring parish): Objection on highway safety and environmental grounds. Questions policy justification.
- 4.5 Cressage Harley & Sheinton Parish Council (neighbouring parish): Objection on highway grounds. Rail connection is uncertain.
- 4.6 Barrow Parish Council (neighbouring parish) object on highway grounds.
- 4.7 Easthope Shipton and Stanton Long Parish Council (neighbouring parish) object on highway grounds.
- 4.8 The Gorge Parish Council (adjoining parish): Objects to the proposed working hours.
- 4.9 Telford & Wrekin Council – No objection subject to conditions covering environmental matters (included in Appendix 1).
- 4.10a Environment Agency – Comments on application as originally submitted. Further information needed on hydrogeological impacts and baseline situation. Permit amendment required for Pulverised Fuel Ash ('PFA') processing.
- b. Comments following receipt of further information on hydrology from applicant. Have not objected. Advice in previous comments still applies. A surface water management condition is recommended.
- 4.11 AONB Partnership – Objection principally on the basis of the scale and proximity of this major development in the immediate setting of the AONB.
- 4.12 Natural England – Response on original consultation. Further information is required to determine impacts on designated sites and protected landscapes. Further information addressing this was subsequently submitted by the applicant in December 2020. Natural England were re-consulted. No response received.
- 4.13 Highways England – No objection.
- 4.14 Ironbridge World Heritage Site Steering Group - Concerns about the impact of the proposed mineral extraction and transport scheme on the setting and significance of the World Heritage Site. Concerns about night time rail track maintenance and potential implications for flooding and land stability.

Internal Comments

- 4.15 SC Trees – No objection.
- 4.16 SC Rights of Way – Need to maintain access to existing rights of way during the development.
- 4.17 Regulatory Services - No objection subject to conditions.
- 4.18 SC Highways Development Control – No objection subject to conditions.

- 4.19 SC Ecology No objection subject to conditions. Further information was requested on designated sites and priority species and has been provided by the applicant. Consideration of the Habitats Regulations '3 derogation test's will not be required because no works to Albert Edward bridge are proposed as part of this planning application. The submission of a future planning application where works are proposed to the bridge will need to include the results of the hibernation survey and a mitigation strategy for bats. Agrees with comments of T&W ecologist on the outline application.
- 4.20 SC Conservation - No objection.
- 4.21 SC Archaeology – No objection
- 4.22 SC Drainage – No objection subject to a condition requiring prior approval for a scheme of surface and foul water drainage.
- 4.23 Councillor Claire Wild (Local Member) – Requests conditions controlling hours of working, HGV movements, air quality and ecology monitoring and legal obligations concerning road safety.
- 4.24 Telford & Wrekin Council (T&W) – No objection subject to conditions, informative notes and legal agreement clauses delivering necessary infrastructure to support the development within the T&W administrative area. Detailed discussions have taken place at officer level between Shropshire Council and T&W.
Note: As a cross boundary application Harworth submitted an equivalent outline application to T&W which received an approval resolution at a meeting on 18th June 2021 subject to conditions and legal agreement clauses.

Public Comments

- 4.24 The application has been advertised in the press and by site notice and the nearest properties have been individually notified. The application has attracted representations from 94 individuals including 93 objections which can be inspected on the Council's online planning register (see link in section 11 of this report). The main concerns can be summarised as follows:
- i. Green field location of proposed quarry.
 - ii. Effect on wildlife. Key location for Little Ringed Plover and other bird species. Where will all the displaced wildlife go?
 - iii. Sensitive location near to AONB, World Heritage Site and Buildwas Abbey Scheduled ancient monument. Effect on setting of these designations. Effect on SSSI's and Ancient Woodland;
 - iv. Questioning need for the mineral. Economic case is unproven;
 - v. Concern about quarry traffic and highway safety. Limited capacity of local highway network. HGV's and cycling safety;
 - vi. Concerns about general and residential amenity including noise, dust, air quality and visual amenity. Noise carries in the Gorge and air pollution is trapped. Pollution and noise from trains. Noise from night-time rail maintenance. Concern about hours of working and noise. House shaken by HGV's. Loss of tranquility;
 - vii. Loss of best and most versatile agricultural land;
 - viii. Precedent for further greenfield development;

- ix. Concern the proposals could exacerbate existing flooding problems. Insufficient hydrological information submitted. Gravel currently acts as large rainfall soakaway;
- x. Need to ensure most mineral goes out by rail;
- xi. What happens if mineral can't be removed at the proposed rate? Impose a condition requiring 75% is removed by rail;
- xii. Climate change – mineral extraction will have a large carbon footprint;
- xiii. Effect on tourism. Will reduce attractiveness of the Abbey;
- xiv. Need to protect rights of way.
- xv. Need for strict conditions and monitoring for transport and working arrangements.

Representations have also been received from the following:

4.25 David Turner (former Councillor for Much Wenlock) - Concerns about the impact of the development on wildlife, air quality, visual amenity, highway safety and noise.

4.26 Much Wenlock Civic Society: The principle of avoiding sterilisation of mineral is understood. The Civic Society asks that Shropshire Council does not grant permission unless the condition is included that rail transport removes a minimum of 75 percent of the sand and gravel off the site. Use the A4169 junction in Much Wenlock should be avoided for air pollution and highway safety reasons.

4.27 Telford & Wrekin Local Access Forum & British Horse Society Access Officer (Telford and Wrekin): The development impacts on a number of important and well-connected Public Rights of Way. I would be very concerned if these routes became major vehicular routes for use by the quarry traffic. It is not acceptable to move the routes just onto a verge or similar.

5.0 THE MAIN ISSUES

- i. Planning policy and need for the development;
- ii. Environmental implications of the proposals, including with respect to highways, ecology noise, dust, working hours, hydrology, agriculture, restoration and afteruse.

6.0 OFFICER APPRAISAL

Planning policy and need

6.1 Introduction: The current application to extract sand and gravel is linked to an outline application to redevelop the former Ironbridge Power Station site for housing, employment and ancillary uses which forms a separate item on this Agenda. The applicant has put forward two main justifications for the proposals which are considered further below:

- 1. To avoid sterilisation of the mineral present in the western part of the site which would become inaccessible if the housing proposed in this area under the outline application proceeds.

2. To allow establishment of a level development platform for the housing proposals which is set down relative to current levels, thereby also allowing improved screening of the housing development.

The applicant has confirmed that the mineral proposals would not be implemented unless the masterplan development proceeds.

- 6.2 Avoiding sterilisation of mineral: The application site is located within a Mineral Safeguarding Area ('MSA'). This designation indicates the presence of a potentially economic mineral resource (in this case sand & gravel) without establishing any presumption in favour of working that resource. SAMDev Policy MD16(3) states that '*applications for permission for non-mineral development in a MSA must include an assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the development*'... '*This assessment will provide information to accompany the planning application to demonstrate to the satisfaction of the MPA that mineral interests have been adequately considered and that known mineral resources will be prevented, where possible, from being sterilised or unduly restricted by other forms of development occurring on or close to the resource*'. A development proposal could be refused if mineral safeguarding interests apply and are not satisfactorily addressed under Policy MD16.
- 6.3 The applicant has assessed the mineral beneath the site and finds that there are 1.9 million tonnes of recoverable sand and gravel. The applicant's boreholes confirm that the actual volume of mineral is much greater. However, the quality of some of the deposits is variable and the mineral beneath and nearer to the groundwater table is not deemed to be recoverable for economic and technical reasons.
- 6.4 In summary, recoverable mineral within the MSA will be worked in advance of any housing development in accordance with Policy MD16. Additionally, mineral not deemed to be recoverable for economic and/or technical reasons would remain in situ as a development platform for the housing proposals. Retention of this other mineral is not considered to conflict in this instance with the mineral safeguarding policy.
- 6.5 Establishing a suitable development platform: The topography within the site falls generally to the north but includes a central ridge with subordinate easterly and westerly gradients. The topographic variation within this part of the masterplan site presents a problem for housing development which prefers more even gradients. Additionally, without removal of the mineral any housing development would be at a higher elevation and subject to potentially increased visibility.
- 6.6 A significant proportion of the mineral proposed for excavation is located within topographic ridge. Hence, in addition to avoiding sterilisation of mineral the proposal to work the sand and gravel would deliver benefits in terms of improved gradients and screening of the residential development from external viewpoints.
- 6.7 Policy – links to outline planning application for redevelopment: The outline planning application for the redevelopment scheme of the power station site is being put forward as a strategic development site in the Council's emerging local plan which will cover the period 2016-2038 and replace the current SAMDev plan. The review of the local plan is at an advanced stage and subject to support from Council it is intended to

submit the plan to the Planning Inspectorate for consideration later this summer where it will then be subject to an independent examination. Although little weight can yet be accorded to the revised local plan it should be noted that there are other relevant planning considerations arising from the proposals to redevelop the former power station site. The site comprises a significant area of previously developed land with large scale buildings and significant remediation requirements. There is also significant national policy support for the delivery of housing and for the redevelopment of brownfield sites. The current application will facilitate the outline redevelopment proposals for the power station site. As such, it derives support from national policy on housing and brownfield land and from the status of the masterplan site in the emerging local plan.

- 6.8 Policy - minerals: The National Planning Policy Framework (NPPF) advises (paragraph 203) that ‘it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation’. *‘When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy’* (para 205). Minerals planning authorities should plan for a steady and adequate supply of aggregates including amongst other matters by maintaining a landbank of at least 7 years for sand and gravel (para 207). The NPPF also establishes a presumption in favour of development which is in accordance with the development plan.
- 6.9 In Shropshire the development plan comprises the Core Strategy and the SAMDev Plan. The proposed site is not allocated for mineral extraction under SAMDev policy MD5(2). As such, the application falls to be considered under the ‘windfall’ criteria of policy MD5(3), having regard also to the resource protection Policy MD16 referred to above. Policy MD5(3) stipulates that ‘proposals for mineral working falling outside the allocated areas will be permitted where developers can demonstrate that:
- i. the proposal would meet an unmet need or would prevent the sterilisation of the resource; and,
 - ii. the proposal would not prejudice the development of the allocated sites; or,
 - iii. significant environmental benefits would be obtained as a result of the exchange or surrender of existing permissions or the site might be significantly more acceptable overall than the allocated sites and would offer significant environmental benefits’.
- 6.10 The proposals would not ‘meet an unmet need’ but have been specifically put forward to avoid sterilisation if the proposed residential development proceeds in this area. Additionally, there would be no prejudice to existing allocated sites, none of which are located within a 10km radius of the site. The criterion of Policy MD5(3)i and ii are therefore met. Hence, the criteria of Policy MD5(3) overall are satisfied. Regarding Policy MD5(3)iii the proposals are not offering to exchange or surrender any existing mineral consents. A comparison of acceptability with existing allocated sites is not required given compliance with MD5(3)i and ii. The applicant states that if the housing scheme proceeds then the proposals would offer significant benefits by facilitating a level development platform which is set down and screened relative to current ground levels.

- 6.11 Policy for aggregate supply: Paragraph 207 of the NPPF requires Mineral Planning Authorities (MPA's) such as Shropshire to plan for the future steady supply of sand and gravel by ensuring amongst other matters that sufficient permitted reserves exist for at least 7 years of sand and gravel, having regard to relevant national advice and local policies. MPA's also have a duty to cooperate with neighbouring MPA's to ensure adequate provision within the sub-region. Core Strategy Policy CS20 (sustainable mineral working) amongst other matters reaffirms Shropshire's commitment to make continued provision for sand and gravel production at the appropriate apportionment level.
- 6.12 Shropshire is a member of the West Midlands Regional Aggregates Working Party (WMRAWP) which comprises a group of all mineral producing authorities in the West Midlands region. The WMRAWP identifies agreed annual production targets ('sub-regional apportionments') for each local authority area. Sufficient sand and gravel must then be made available in each area to meet the sub-regional apportionment target and to provide reserves sufficient to meet the 7-year rolling landbank of permitted reserves required by the NPPF. Shropshire must therefore identify sites in its minerals policy documents with sufficient capacity to meet this production target.
- 6.13 It has been over 8 years since the call for mineral sites linked to the current SAMDev plan and Shropshire's new emerging local plan does not make provision allocation of any new quarries. As such, windfall sites coming forward under SAMDev Policy MD5(3) such as the current application site will have an increasingly important role to play in meeting future demand for sand and gravel. Whilst the bulk of mineral from the proposed site is proposed to be exported by rail up to 100,000 tonnes would be exported by road annually to local markets. Some of this would potentially be used in redevelopment of the power station site, thereby reducing highway movements. This would have the potential to displace mineral which would otherwise have been worked at other permitted sites, thereby leaving it available for other uses and supporting Shropshire's existing landbank.
- 6.14 Much Wenlock Town Council has questioned the need for the mineral in the site on the basis that Shropshire is meeting its landbank criteria and other existing quarries have the capacity to meet the County's needs. However, the main justification for the current proposals is not to supply local markets but is linked to the need to avoid sterilisation of mineral by other development under SAMDev Policy MD16.
- 6.15 Conclusion on policy and need: In summary the current proposals have come forward as a windfall mineral development under SAMDev Policy MD5(3) and to avoid sterilisation of the mineral within the site by subsequent housing development in accordance with SAMDev Policy MD16. The proposals meet the criteria for a windfall site and would make a useful contribution to the Council's sand and gravel landbank at a time when no new policy allocations for mineral sites are currently being made. They would also facilitate establishment of a level development platform for future housing development proposed under the outline application for redevelopment of the power station site. Additionally, removal of the central knoll within the site would allow significantly improved screening for the housing scheme which is in a sensitive area near nationally designated sites. The need for the proposed temporary quarry can

therefore be accepted in principle. This is subject to the proposals also meeting other relevant policy tests with respect to the environmental matters discussed below.

Environment and amenity

- 6.16 The NPPF advises (para 205) that ‘Mineral Planning Authorities should ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment or human health, and should take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality’. MPA’s should also ensure amongst other matters that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties.
- 6.17 Traffic: Some concerns have been expressed by local town and parish councils that heavy vehicles from the site could impact adversely on the local highway network. In response the applicant has agreed to accept a condition limiting the total amount of mineral exported by road from the site to 100,000 tonnes a year. This equates to just under eighteen return movements (36 individual movements) using 20 tonne loads per working day (assuming a 5 ½ day working week) or twelve return loads by 30 tonne vehicles (24 individual movements). Assuming a 9-hour working day, this would equate to 4.4 individual movements per hour (@ one movement every 14 minutes) for 20 tonne loads or 3.3 movements per hour (@ one movement every 18 minutes) for 30 tonne loads. Additionally, the applicant has agreed to accept a legal agreement requiring implementation of a routing restriction which directs all quarry traffic up the Buildwas Bank Ironbridge by-pass and away from the Buildwas, Much Wenlock and Ironbridge roads, except where local access is required to customers along these routes. This restriction is capable of being enforced by use of CCTV cameras at the Much Wenlock Road junction. A legal agreement clause has been recommended requiring the applicant to install and monitor CCTV cameras.
- 6.18 A number of Parish Councils and local residents have voiced detailed concerns about the effect of HGV traffic from the proposals on the local road network. The proposed tonnage and routing restrictions address these concerns for this temporary operation by limiting the total amount of mineral traffic and directing it away from sensitive areas of the local highway network. The Council’s highway adviser WSP has indicated that there are no highway objections to the proposals and that the existing junction has sufficient capacity and visibility. This is having regard to existing uses also occurring at the junction including the Pool View caravan park and Buildwas Quarry. This is subject to a planning condition requiring submission of a scheme detailing interim improvements to the highway junction to accommodate the quarry traffic, with implementation of the scheme prior to commencement of the quarry development.
- 6.19 Paragraph 109 of the NPPF advises that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. The Highway Authority has not objected, and it is considered that the proposed conditions and legal clauses would ensure that there would be no severe residual highway impacts after mitigation. The proposals can therefore be accepted in highway terms subject to the recommended planning condition and legal routing clause.

- 6.20 Noise: The NPPF requires Mineral Planning Authorities to have regard to the need to protect local residents living near mineral sites from quarry related noise. The technical guidance on noise from mineral working which accompanies the NPPF provides further guidance on the levels of noise which are acceptable (s30). The guidance advises that subject to a maximum of 55dB(A)LAeq, 1h, MPA's should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A). It is recognised, however, that in many circumstances it will be difficult to not exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator. In such cases, the limit set should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) LAeq, 1h. Increased daytime limits of up to 70dB(A)Leq 1h are also allowed for short-term operations up to 8 weeks per year where this would generate benefits such as improved screening (NPPF Minerals Technical Guide s31).
- 6.21 The Environmental Statement includes a noise report which predicts noise levels at the nearest sensitive properties in accordance with methodology set out in national guidance (BS8233, BS4142, WHO guidelines and NPPF). The nearest sensitive receptors are at Pool View Caravan Park to the south east where the assessment identifies a moderate adverse effect. However, with the inclusion of bunding of around 4.5m in height along the southern boundary of the soil storage area, the assessment has identified a residual minor adverse effect at Pool View Caravan Park. Two other nearby properties are located opposite the proposed site access on Wenlock Road. The upper limit of 55dB is met for all receptor properties in this 'worst-case' scenario with or without the identified bunding. With respect to noise from rail movements the report advises that given the context and low frequency of such movements off-site any effect would be minor at worst and no mitigation would be warranted. The report concludes that overall, the extraction operations would not cause an unacceptable noise impact. Public Protection have not objected and have indicated that a 55dBA noise limit would be appropriate. A condition controlling noise has been recommended in Appendix 1. The proposals are considered acceptable in relation to noise on this basis. SAMDev Policy MD2, MD17.
- 6.22 Hours of working: The proposed hours of working are 7am to 7pm Mon-Friday and 7am to 1pm on Saturdays with no Sunday or Bank / Public Holiday working. The Council's Regulatory Services officers recognise that the Buildwas / Much Wenlock road is a busy commuter road where road noise is the dominant background noise source. However, traffic levels reduce on Saturdays and Public Protection suggest that a later start of 9.00am on Saturdays may be appropriate, unless monitoring during works suggests there is no increased noise impact on nearest properties. It is not considered that a 9am start on Saturdays would be impracticable for the operator and this is unprecedented for a Shropshire Quarry. However, the officer would support a condition requiring an 8am start on Saturdays unless noise evidence confirms that an earlier start would be acceptable. SAMDev Policy MD2, MD17.
- 6.23 Dust / Air Quality: The Environmental Statement has considered the potential for different activities to generate dust and methods of controlling dust have been identified in accordance with a Dust Action Plan. A source of water for dust suppression would be retained permanently on site. The nearest privately owned properties at Pool View Caravan Park (260m south east of the extraction area) and along Wenlock Road

(180m to the north and 200m west of the extraction area) are separated from the proposed extraction area by distance and topography. The ES concludes that the proposed measures would ensure that dust can be controlled within acceptable levels. These conclusions are generally supported by experience of the existing workings. An appropriate condition covering dust control has been recommended. The proposals were screened and found to fall below the national thresholds at which a road traffic emissions impacts assessment was required. Regulatory Services officers have not objected but advise that a robust dust management plan will be required detailing routine control and additional control measures. This has been conditioned. SAMDev Policy MD2, MD17.

- 6.24 Visual Impact: The site is in a sensitive visual environment. The application area is within 10m of the AONB on the opposite side of the A4169 with the mineral working area being 130m south of the AONB. The buildings of Buildwas Abbey the scheduled ancient monument are located 280m to the north of the extraction area. The Ironbridge Gorge World Heritage Site and associated Conservation Area is 1.1km to the east of the mineral extraction area and 900m east of the plant site processing area (though this would be screened by the retained transformer building). A landscape and visual impact assessment concludes that any landscape or visual effects resulting from the Proposed Development will be temporary, progressive and localised. The applicant states that operations would be carried out sympathetically and to a high standard to support this.
- 6.25 Shropshire Council's landscape consultant ESP accepts the methodology applied in the LVIA and has made a number of recommendations which have been taken into account in an updated LVIA submitted by the applicant. ESP were concerned that as the minerals scheme was not yet permitted the current on the ground situation should be used as the landscape baseline rather than the situation following any mineral extraction. To resolve this it was suggested that the following condition be included within any permission for the outline masterplan application:

'No development, apart from the preliminary works involving the construction of the new access road onto the Much Wenlock Road shall take place within the limit of mineral extraction shown on drawing No. HE014_D.1003B until all approved mineral extraction works have been completed. This is unless a scheme setting out the details of the proposed additional preliminary works has been submitted to and approved in writing by the Local Planning Authority'.

The applicant has agreed to this condition. Accordingly, ESP has not objected to the proposals on landscape and visual amenity grounds.

- 6.26 The proposed development would not proceed unless the masterplan development which encompasses the current application site also proceeds. The implications of the masterplan scheme for heritage and visual designations are considered in detail in the report on the masterplan planning application which forms a separate item on this agenda. This concludes that there would be less than substantial harm to the setting of the World Heritage Site / Conservation area and Buildwas Abbey at the lower end of the scale but that mitigation measures would allow the test set by NPPF Paragraph 196 with respect to heritage assets to be met. The current temporary mineral proposals would facilitate the strategic masterplan scheme because failing to recover mineral in

advance of development would conflict with Policy MD16 thereby adversely affecting consideration of the masterplan scheme. Additionally, it would lower and even out the landform in the west of the site, providing improved screening for subsequent development. This would in turn reduce any visual impact of the strategically important masterplan development on the setting of local heritage assets.

- 6.27 The localised setting of the AONB would be subject to some change through removal of a low knoll facing the AONB but this is not considered that this would on its own result in harm to the setting of the AONB. It is considered overall that the design and temporary nature of the proposals and the contained nature of the site should ensure acceptability in relation to landscape and visual impacts in accordance with Core Strategy Policy CS17 and SAMDev policies MD12 and MD13.
- 6.28 Agriculture: The NPPF advises (para. 170b) that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. An agricultural report confirms that there would be a loss of 20.6 ha of grade 2 and subgrade 3a best and most versatile agricultural land if the quarrying proposals are approved. The applicant would not implement the quarrying scheme unless the masterplan development is also approved and has accepted a legal clause securing this commitment. As such there would be no loss of best and most versatile land unless the masterplan development is approved and no loss of such land which is specific to the current proposals.
- 6.29 Additionally, the soil resources of the site would be protected under a soil management plan for re-use as part of landscaping works for the re-development proposals. It should also be noted that the soil resource in the brownfield parts of the masterplan site is very limited and poor in quality. The availability of high-quality soils from the proposed quarry area would allow delivery of a significantly improved landscaping scheme for the whole site.
- 6.30 Detailed soil management conditions have been recommended in Appendix 1. Subject to this it is concluded that the current proposals can be accepted in relation to relevant development plan policies and guidance covering agricultural land including NPPF paragraph 170b and Core Strategy Policy CS17.
- 6.31 Archaeology: An assessment concludes that the impact on archaeological features is limited and this has been accepted by the Council's historic environment team leader. However, a planning condition is proposed to ensure that monitoring is carried out in liaison with the Council's Archaeology section as extraction operations are undertaken.
- 6.32 Built Heritage: Where a development has 'less than substantial harm' to a heritage asset including its setting then the decision taker is required by NPPF Paragraph 196 to weigh up the effects on the asset and any mitigating factors against the public benefits of the development. A heritage assessment concludes that the proposals would not result in cumulative or residual impacts on heritage assets. It is stated that following the mineral extraction and associated restoration works, there will be a minimal change to the settings of the Buildwas Abbey Scheduled Monument with a minor change in views from within and across the southern portion of the heritage

asset. This will have a minor effect on the asset, which is not considered significant. The heritage assessment does not state that any effects would be 'less than substantial' in the terms meant by NPPF Paragraph 196. To adopt a precautionary approach the officer assumes that this is the case and will apply the Paragraph 196 test.

- 6.33 In terms of mitigating factors the applicant's visual impact assessment has confirmed that there is very limited inter-visibility between the site and the scheduled ancient monument, the 3 buildings of which are surrounded by mature trees. The temporary mineral working scheme would be managed and phases such that workings would at all times be behind a retained slope or below ground level relative to the scheduled monument.
- 6.34 The current application includes measures which are specifically designed to reduce the visibility of the proposals from external viewpoints, including the Buildwas Abbey scheduled ancient monument. As stated above, hedges and planting along the western boundary of the site will be preserved and supplementary landscaping is proposed. The phased working method means that only a limited area within the site will be subject to excavation / disturbance at any one time with previously worked areas being progressively restored. Machinery will be set down and hidden behind the extraction face from most viewpoints. Any visibility of open faces will be temporary and limited. The situation will be reviewed on an ongoing basis to ensure optimal screening. Physical separation between the working areas and heritage assets would also provide mitigation for any visual or amenity effects.
- 6.35 Additionally the mineral proposals would also allow any future residential development in this area under the strategic masterplan to be set down relative to existing ground levels, thereby allowing improved screening of such development from the scheduled monument. The mineral scheme would also only be implemented if the masterplan scheme is also approved. Hence, there would be no impacts on the scheduled monument or its setting from the proposed development unless the strategically significant masterplan development also proceeds. Having regard to the above matters it is concluded that the proposals meet the tests set by Paragraph 196 of the NPPF and that accordingly, the equivalent test set by SAMDev Policy MD13 is also met.
- 6.36 The heritage statement advises that the proposed export of materials of materials by rail will ensure the upkeep and preservation of the Grade II Listed rail bridge to the east of the site, which will result in a minor benefit to its significance. There would be negligible visual impact on the World Heritage Site which is 800m from the mineral site boundary and screened by the large retained transformer building. No unacceptable direct or indirect impact has been identified when assessed against EIA regulations, the NPPF and other material policy considerations.
- 6.37 The Historic Environment team has not objected to the current application or the masterplan development which forms the wider development context in which the current application sits. It is concluded that the proposals can be accepted in relation to relevant policies and guidance on built heritage including SAMDev policy MD13.
- 6.38 Ecology: The NPPF advises (Para 175) that 'when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

6.39 A small wooded protrusion of Tick Wood SSSI to the south of the site immediately adjoins part of the western boundary of the application site. An appropriate stand-off would be maintained to the SSSI within the site. The majority of the SSSI is located 130m or more from the application boundary.

6.40 An ecology report identifies that the application site includes 4 separate habitat types incorporating nine species groups. An ecological assessment studies these features and concludes that any permanent effects on nature conservation interests would be limited to 2 of the seven features and would not be significant. For the remainder of the features any residual effects are predicted to be significant positive or neutral. The two permanent not significant adverse effects concern the loss of arable fields and the subsequent effect on the farmland bird assemblage currently utilising the fields. This includes the little ringed plover, which will eventually lose suitable bare ground breeding habitat within the Site.

6.41 The applicant has provided subsequent clarification on a number of issues raised by the Council's ecologist:

- i. The geological SSSI at Buildwas Quarry is not located within the area of the current application. Management is the site owner's responsibility.
- ii. The proposals provide for a minimum 15m stand-off in accordance with current Natural England and Forest England standing advice. The stand-off exceeds 50m in some areas and the average exceeds 15m.
- iii. The ecologist has requested clarification on the level of activity at Buildwas Quarry as a baseline for assessing environmental effects from the development. The applicant confirms that whilst the ecology chapter of the ES makes no reference to activity at Buildwas Quarry it utilises ecological survey data to establish the ecology baseline in accordance with best practice.

- iv. Information has been provided to confirm that the proposals would not affect hydrology in the SSSI / Ancient Woodland.
- v. Details of site drainage proposals and mitigation measures to avoid a possible cause of increase in sediment input and increased flood risk of surface watercourses has been provided.
- vi. Information in measures to mitigate any potential land instability problems including in the GCN mitigation area and adjoining the ancient woodland has been provided.
- vii. Tick Wood and Benthall Edge SSSI is significantly exceeding its Critical Loads for Nitrogen and is demonstrating signs of enrichment. The development could generate increased levels of Nitrogen as NOx gases via traffic/locomotive emissions and other sources of combustion. The applicant has provided an assessment of possible impacts on habitats. Current guidance for the assessment of air quality impacts on designated nature conservation sites is provided by the Institute of Air Quality Management. The Design Manual for Roads and Bridges represents the main guidance for determining whether a detailed assessment of the impact of emissions arising from increased traffic levels on the strategic road network is required. An assessment is required if a European Site is within 200m of an affected road with a projected change in the annual average daily traffic (AADT) of $\geq 1,000$ or increase in heavy duty vehicles (HDV) of ≥ 200 . The predicted increase in traffic is below relevant thresholds in the DMRB guidance so the need for an air quality impact assessment can be scoped out. The project has not identified any other projects or plans that would affect this conclusion.
Note: The officer accepts that the site falls below the threshold for a detailed air quality assessment and concludes that a Construction Environmental Management Plan coupled with appropriate stand-offs and planning conditions as listed in Appendix 1 will provide protect appropriate protection for the SSSI during the temporary quarrying proposals. The Council's ecologist and the Ecologist for Telford & Wrekin Council have not objected.
- viii. A draft Construction Environmental Management Plan ('CEMP' has been provided.
- ix. The ecologist has asked why a narrow band of woodland running down the north western side of the application area along the dismantled railway needs to be removed. The applicant has confirmed that this would not be removed. This might be a misinterpretation as a larger extent of woodland is shown on the 'Alternative Agricultural Restoration Scheme' Plan due to proposed new planting. Some localised loss of this woodland would ultimately be necessary under the outline residential application in order to create the proposed new roundabout access onto the Wenlock Road. All retained woodland will be protected.
- x. The applicant has decided that the minerals development will not be implemented if the associated Masterplan development is not granted planning permission and is willing to accept a legal agreement clause securing this. Therefore, the alternative agricultural restoration scheme no longer forms part of the proposals.

Hence, a biodiversity nett gain assessment for the minerals application is not required.

- xi. The ecologist has asked whether the 'grassy knoll' referred to in the geological report contains valuable species rich grassland. The applicant has confirmed that the grassland is locally more diverse in this location but is not 'species rich'. Species-rich grassland to be created on one of the former arable fields alongside Much Wenlock Road will more than adequately compensate for the loss of the small areas of slightly more species-diverse grassland within the pasture.
- xii. The ecologist has advised that the buffer from the edge of mineral extraction along hedge line 2 ('H2') should be continued north to protect this green corridor and bat flight route. The applicant has confirmed that this area would be suitably protected and buffered and mineral extraction in this area would be completed within 2 years.
- xiii. The ecologist notes that the phasing plans indicate that scrub is to be removed along the route of the proposed access road and rail loading facility. What mitigation is to be provided for bats in this area? The applicant has confirmed that an assessment of trees for roosting potential did not identify any trees with such potential in areas where woody vegetation will need to be removed.
- xiv. The ecologist has requested submission of a monitoring and mitigation strategy for the GCN mitigation pond area. The applicant is willing to provide a more detailed strategy by condition although the ecology chapter already addresses this and the area is subject to a protected species license issued by Natural England.
- xv. No works are proposed in proximity to the river so there is no requirement for a botanical survey in this area.
- xvi. A badger mitigation strategy has been provided.
- xvii. The ecologist has advised that the lack of compensatory habitat for little ringed plover (a UK protected species) has not been adequately justified. The applicant notes that the ecology assessment advises that this is an adaptable and transient species and that no mitigation is required. However, since the ES was submitted two factors provide an opportunity for enhancement for this species. The two arable fields alongside Much Wenlock Road were originally required for the mineral extraction process, but this is no longer the case, making them available for alternative use which could include biodiversity enhancement measures. Additionally, new research confirms arable fields are being used increasingly by this adaptable species and they have been recorded as nesting in cropland in Cheshire. As such it is proposed to manage an arable field within the applicant's holding for this purpose, including employing a sympathetic cropping regime and addition of local stony patches to the soil.
- xviii. The ecologist welcomes the proposal to provide exposed mineral cliffs for sand martins and topsoil free mineral for natural regeneration of vegetation is welcomed. Confirmation is required however that this can be achieved without

compromising slope stability. The applicant confirms that the proposed gradient of the stabilised slope will not provide suitable conditions for the sand martin to create nest holes. The proposal is therefore to cut a few sections of vertical face at the top of the slope to provide suitable conditions. Their location at the top of the slope is such that any collapse of the face would be minor and not compromise slope stability.

- xix. The ecologist has asked for confirmation of measures to minimise impacts on the commuting routes of bats and other nocturnal species. The applicant has confirmed that the only loss of habitat in relation to important features for commuting bats would be the creation of the new quarry access through the woodland. Impacts on this woodland have been mitigated by the choice of the position of the crossing point, which will utilise an existing agricultural access track through the woodland. There is a lack of species diversity and a shrub layer is absent at this crossing point.
- xx. A bat survey of the Albert Edward Bridge has been provided and confirmed roosting potential at the bridge abutments. Three pipistrelle roosts were identified.
- xxi. A lighting plan has been provided.
- xxii. An impact plan accompanying the GCN license issued by Natural England confirms that there would be no loss of core habitat for a small GCN population in a water body in Buildwas Quarry. The GCN license application approved by Natural England advises that the small population 'are highly unlikely to disperse to the arable fields due to a reasonably vegetatively bare area between the quarry site and the arable field and highly suitable and valuable core habitat of grassland and scrub immediately adjacent to this waterbody. Newts are considered highly likely to utilise this core habitat rather than disperse in to unsuitable, intensely farmed arable habitat'.
- xxiii. It was originally proposed to temporarily divert a footpath through the GCN mitigation area. This has however been re-considered by the applicant and an alternative diversion route has been identified on the revised phasing plan.
- xxiv. The applicant is willing to accept a condition requiring monitoring to take place to ensure that reptiles do not move into the new quarry via the end of the GCN fence.

6.42 The above measures are acceptable to the Council's ecology team who do not object to the proposals. Planning Conditions attached to any Decision will ensure that the proposal operates in a sustainable manner keeping any environmental effects to an acceptable minimum. It is not considered that the proposals would be likely to result in any adverse effects to the SSSI or loss or deterioration of irreplaceable habitats given the nature of the development and its spatial relationships to the SSSI. Accordingly, the test set by NPPF Paragraph 175 is met. It is concluded that the proposals can be accepted in relation to relevant policies and guidance covering ecology, including Core Strategy Policy CS17 and SAMDev Policy MD12. This is provided robust mechanisms are put in place to ensure that the proposed ecological mitigation measures are

delivered in practice. Appropriate ecological conditions are recommended in Appendix 1.

- 6.43 Slope stability: Regulation 32 of The Quarries Regulations 1999 states that ‘the operator shall ensure that a suitable and sufficient appraisal of all proposed or existing excavations or tips at the quarry is undertaken by a competent person in order to determine whether any such excavation or tip is a significant hazard’. A consultant’s geotechnical analysis reviews the proposed operations and local geology and concludes that the proposed excavations will not present any significant slope stability hazards provided the design parameters are fully implemented. The report advises that slope stability will be subject to regular and at least annual review by the appointed geotechnical consultant as the development proceeds. A hydrological report (next section) confirms that if a perched water horizon is encountered in the excavation face then the design of the face will be modified to reflect this.
- 6.44 This matter can be dealt with by inclusion of a ground stability monitoring condition (included in Appendix 1). Under this condition any evidence of ground stability would be picked up by routine inspection by site operatives and / or by a slope stability specialist. The planning authority would be notified, and a mitigation scheme would be then be submitted and implemented. The main area where stability could be an issue is the excavated face at the southern end of the proposed quarry where there is a proposed 1 in 3 gradient of up to 25m. It should be noted that the masterplan scheme makes provision for terracing and tree / shrub planting parallel to the contours of the slope up this slope which should add further stability to the slope over time. This would be secured under a landscaping scheme attached to a reserved matters application. It is concluded that the proposals can be managed acceptably with respect to slope stability.
- 6.45 Hydrology and water resources: The Environment Agency indicated in its initial consultation response that further information is required to demonstrate that the proposals would not increase flood risk. The applicant’s consultant subsequently provided further information on boreholes and hydrology and entered into discussion with the EA on this matter. The Environment Agency did not object in its subsequent consultation response but recommended an additional condition to manage surface water which is included in Appendix 1.
- 6.46 A hydrological assessment has involved survey work including drilling 24 exploration boreholes (9 monitoring wells) allowing analysis of the local groundwater network. The groundwater monitoring recorded all boreholes to be dry throughout the monitoring programme, with the exception of one located close to the southern extent of the proposed mineral extraction, where water was recorded to be present at an elevation of 65.7 - 66.0m AOD as a result of a localised sump effect in a clay deposit. The base of the monitoring boreholes ranges from 57.2m AOD to 40.35m AOD suggesting that the water table deepens substantially to the north, consistent with the topography. A pond present in the existing quarry floor to the north of the site is considered to represent the local groundwater level and this lies at an elevation of c. 37 - 38m AOD. The proposed base level of the quarry terminates 5 - 10m above the base of the proven unsaturated zone. This indicates that the workings would be dry and that a significant freeboard would remain above the extraction base to remain as a soakaway.

- 6.47 A geophysical survey was also conducted to assist in understanding the baseline characteristics of the water environment. Potential moderate impacts on surface water, groundwater and flood risk were identified during the operational and restoration phases. The report does not anticipate any significant adverse residual effects following the implementation of good practice and management strategies.
- 6.48 The mineral resource is located within and beneath a knoll which is above the surrounding ground levels. The applicant's boreholes confirm dry strata to a significant depth confirming that a significant unsaturated area will remain to act as a soakaway below the proposed extraction base. As such, the natural soakaway effect referred to by some stakeholders should not be materially affected. Additionally, drainage balancing measures can be provided within the excavation void under the surface water management scheme requested by the Environment Agency. Additional measures including SUDS and drainage balancing ponds would be provided as a requirement of the residential scheme. These would be designed to ensure that drainage from the site is attenuated to greenfield run-off rates. This would be conditioned under the outline scheme.
- 6.49 The hydrology report concludes that the proposals will not cause an unacceptable impact upon the water environment or have an impact upon human beings, flora and fauna. It is considered that the applicants hydrological survey work supports this conclusion. Given also the ability to impose relevant planning conditions covering hydrology monitoring and surface water management it is considered that the proposals comply with Core Strategy policy CS18 and other relevant policies and guidance.
- 6.50 Rights of Way: The existing footpath running west to east is to be diverted to provide an alternative safe and secure route throughout the proposed development. The applicant advises that the alternative route will be constructed to a high standard to ensure that footpath users are not inconvenienced. The Rights of Way team is aware of this and will consider an application for the diversion at the appropriate time.
- 6.51 Restoration and aftercare management: The NPPF (paragraph 204) requires Mineral Planning Authorities such as Shropshire to put in place policies to ensure worked land is reclaimed at the earliest opportunity. High quality restoration and aftercare of mineral sites should take place, 'including for agriculture, geodiversity, biodiversity, native woodland, the historic environment and recreation'. SAMDev Policy MD17 and Core Strategy Policy CS20 support this objective.
- 6.52 The current application differs from a typical quarrying scheme in that mineral would be recovered in advance of proposed residential development without which the quarry would not proceed. As such, aftercare requirements would be focused on providing an interim restoration landform and managing the site sustainably in advance of any residential development. Not all soils saved from the agricultural fields would therefore be spread back on completion of excavations. Some are likely to be stored until required for use in restoration works across the residential application site. Other soils may be transported to developing areas of the residential site. Conditions covering soil handling and interim management of excavated areas have been included in Appendix 1.

- 6.53 Socio-economic: The quarry will contribute to the economy throughout its operational period. This is through investment in goods and services, including salaries, business rates, service contracting, hire of equipment and capital expenditure. Further indirect employment will be generated for owner-drivers of quarry vehicles. Much of the employment will be of a skilled and semi-skilled manual nature under-represented in the local economy. These effects would be maintained for the duration of the quarrying proposals.
- 6.54 Interactions and cumulative effects: The Environmental Statement concludes that the proposals are unlikely to give rise to unacceptable levels of environmental or local amenity impact including cumulative impacts. This is taking account of the temporary and phased nature of the operations with inbuilt protections and the additional controls which can be imposed by conditions and under the proposed legal agreement.
- 6.55 Consideration of alternatives: It is considered that not working the mineral within the site would not be an acceptable or practicable option. This is because it would result in sterilization of the mineral beneath the site in conflict with SAMDev policy MD16. Additionally, it would mean that it may not be possible to establish an acceptable development platform for future housing development in this area of the site, given the undulating topography and relative elevation of this area.
- 6.56 The applicant's viability appraisal demonstrates that it is necessary to include the western greenfield part of the site within the development in order to secure a viable redevelopment scheme for the whole site. The masterplan proposals put forward by the applicant are the subject of extensive consultations and stakeholder engagement. It is not considered that a materially different masterplan scheme not involving mineral extraction would be sustainably deliverable within the development parameters of the site.
- 6.57 Carbon management and climate change: The application details indicate that the proposals would not lead to an increased risk of flooding once appropriate safeguards are applied. The wider restoration proposals linked to the outline residential scheme would lead to increased habitats, thereby helping to manage the effects of climate change on biodiversity. The applicant has committed to ensure energy efficiency and to reduce the carbon footprint of its operations. If the current proposals were not to proceed then the mineral in the site would be sterilized. The option of supplying mineral from the site to the residential development would be lost and sand and gravel would have to be sourced from other areas with additional implications for the carbon footprint of the development. The proposals to use rail transport for $\frac{3}{4}$ of the mineral also represents a carbon saving relative to road transport.

7. CONCLUSION

- 7.1 The quarrying proposals are linked to an application to redevelop the former Ironbridge Power Station site for residential, employment and associated uses. This has been put forward as a strategic site in the Council's emerging local plan which will replace the current SAMDev plan. The applicant has confirmed that mineral extraction would not proceed unless the redevelopment scheme also proceeds.

- 7.2 Two main justifications have been put forward by the applicant. Firstly, the proposals would avoid sterilisation of the sand and gravel mineral in the site by the redevelopment proposals by allowing recovery of mineral to take place in advance of housing development. This is in accordance with Policy MD16 of the current SAMDev plan. Secondly, the proposals would allow removal of a low knoll which runs through the centre of the site and for setting down of the ground levels relative to the current situation. This would provide a stable development platform for the proposed housing development in this area with improved screening from the surrounding area which includes the AONB and Buildwas Abbey.
- 7.3 The potential environmental and amenity effects of the proposals have been assessed in detail as part of the applicant's Environmental Statement. Further information has been formally requested and provided. There are no sustained objections from technical consultees which would suggest that the proposals should not proceed. Additional information on ecology confirms that no species or designations would experience unacceptable adverse effects after mitigation has been provided. The ecology team has not objected and the test in NPPF Paragraph 175 with respect to wildlife designation is considered to be met. Highway officers have not objected. Further information on hydrology has been provided in response to comments from the Environment Agency and conditions requiring water management and monitoring are included in Appendix 1. Because a significant freeboard of unsaturated sand and gravel will remain in-situ above the groundwater level the natural soakaway effect of the strata should continue to operate effectively though surface water management within the site will also address this.
- 7.4 The proposals would result in the loss of best and most versatile agricultural land but only if the outline masterplan development proceeds. There would be some limited effects on the setting of Buildwas Abbey scheduled ancient monument but it is considered that the test set in NPPF Paragraph 176 is met. The phased nature and design of the development and associated landscaping proposals mean that any visual effects would be minimised.
- 7.5 The application also derives support from policies which support the redevelopment proposals, including with respect to provision of housing and redevelopment of brownfield sites. Additionally, there is general support for mineral proposals in the NPPF due in particular to the economic benefits which such development can bring.
- 7.4 No issues have been identified which would be likely to give rise to unacceptable impacts on the local environment or amenities which would justify refusal once the proposed mitigation measures are accounted for. It is concluded on balance that proposals are sustainable and can be accepted in relation to relevant development plan policies and guidance and other material planning considerations.
- 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 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents. This legislation has been taken into account in arriving at the above recommendation.
- 8.3 Equalities: The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1970. The officer has reviewed available information to establish whether the proposals might potentially raise issues with the Equalities Act 2010. No such issues have been identified.
- 8.4 Financial Implications: There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

9. BACKGROUND

Relevant Guidance and Planning Policies

National Planning Policy Framework: Summary of relevant minerals guidance:

9.1 Shropshire Core Strategy

- Policy CS5 (Countryside and Green Belt) – allowing for development on appropriate sites within the countryside that maintain and enhance countryside

vitality and character where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specified proposals including: required community uses and infrastructure which cannot be accommodated within settlements;

- Policy CS6 (Sustainable Design and Development Principles) – requiring designs of a high quality to respect and enhance local distinctiveness, mitigating and adapting to climate change
- Policy CS8 (Facilities, Services and Infrastructure Provision) – seeking the development of sustainable places by preserving and improving facilities and services; facilitating the timely provision of additional facilities, services and infrastructure to meet identified needs in locations that are appropriate and accessible; positively encouraging infrastructure where this has no significant adverse impact on recognised environmental assets
- Policy CS9 (Infrastructure Contribution);
- Policy CS16 (Tourism, Culture and Leisure);
- Policy CS17 (Environmental Networks) – to identify, protect, enhance, expand and connect Shropshire’s environmental assets;
- Policy CS18 (Sustainable Water Management) – to reduce flood risk; to avoid an adverse impact on water quality and quantity
- Policy CS20 (Strategic planning for Minerals) Note: Gonsal Quarry associated with the current application is within an area identified as a broad location for future mineral working in the plan accompanying policy CS20.

9.2 SAMDev Plan:

- MD2: Sustainable Design
- MD5: Sites for Sand and Gravel Working
- MD7b: General Management of Development in the Countryside
- MD12: The Natural Environment
- MD13: The Historic Environment
- MD15: Landfill and Landraising Sites
- MD16: Mineral Safeguarding
- MD17: Managing the Development and Operation of Mineral Sites
- S13: Much Wenlock Area

10. RELEVANT PLANNING HISTORY:

- SA/88/1489 Import and grading of fly ash from the power station adjoining the quarry. WDN 30th November 1988
- SC/MS2006/1376/SY Variation of conditions 4 and 5 attached to planning permission MS1996/0056/SY to extend for a further 10 years the life of the existing recycling facility for inert construction and civil engineering waste materials PERMIT 29th June 2007
- SC/MS1996/0056/SY Development of a permanent recycling facility for inert construction and civil engineering waste materials PERMIT 3rd September 1996
- SA/77/0095 Construction of a car park for 12 cars. PERCON 10th March 1977
- SA/74/0618 Permanent retention of existing site office to be used as administrative offices. PERCON 26th November 1974

- SA/84/0784 Scheme of landscaping involving deposit of pulverised fuel ash produced. PERCON 8th November 1984
- SA/77/0472 Erect an 132KV Overhead Line via two steel towers over the railway to connect existing transformer (adjacent to 400KV switch house) to existing 132KV switch house. PERCON 12th July 1977
- SA/75/0524 Erection of pump house and oil overburn installation (amendment to previous planning permission 74/642). PERCON 29th July 1975
- SA/77/0981 Erection of a primary electricity sub-station for electricity distribution. PERCON 20th December 1977
- SA/00/0040 Installation of new precipitators and ductwork in connection with dust abatement project. PERCON 23rd February 2000
- SA/77/0009 Extension of existing vehicle servicing building (30' x 12'). NOOBJC 25th March 1977
- PREAPP/11/01444 Proposed Covered Fuel Store PREAIP 18th October 2011
- 12/00032/MAW Construction and operation of a fuel store for the storage of wood pellets GRANT 5th April 2012
- 12/02134/DIS Discharge of Condition 8a (Dust Management Scheme) 10 (Complaints Procedure) 12a (Construction Management Plan) 12c (Construction Workers Compound) 13 (Fuel Store Design) 15 (Water Drainage) 16B (Site Contours) attached to planning reference 12/00032/MAW - Construction and operation of a fuel store for the storage of wood pellets GRANT 10th July 2012
- 12/02648/AMP Application for Non-Material Amendment following grant of planning permission ref. 12/00032/MAW to alter the dimensions of the building. Construction and operation of a fuel store for the storage of wood pellets GRANT 10th July 2012 12/04934/DIS Discharge of Conditions 6b, 7b and 17a (Lighting) attached to planning ref. 12/00032/MAW. Construction and operation of a fuel store for the storage of wood pellets DISAPP 3rd December 2012
- 14/00905/DIS Discharge of condition 22a. Construction and operation of a fuel store for the storage of wood pellets. DISAPP 23rd July 2014
- 15/00922/DIS Discharge of Condition 22a (Biofuel Procurement Report) on Planning Application 12/00032/MAW for the submission of report discharging annual reporting requirement under Condition 22a DISAPP 17th February 2016
- 15/05594/VAR Variation of Condition No. 23b attached to Planning Permission 12/00032/MAW dated 5th April 2012 - The building should be removed from site by 31st December 2017 unless a scheme has been submitted to and approved in writing by the Local Planning Authority. GRANT 17th February 2016
- 16/01583/VAR Variation of conditions 4 & 5 (time period) attached to planning permission SC/MS1996/0056/SY (varied on SC/MS2006/1376/SY) to allow for continuation of use as a recycling centre GRANT 9th November 2016
- 16/02486/CPE Importation and storage of a range of aggregates in 20 tonne loads. Sale to local builders in small loads for use in the construction industry. Storage areas have been located around the outside of the central inert waste recycling area, as shown on the Site Plan. Annual inputs of 8,000 to 10,000 tonnes. LA 21st March 2017
- 16/00926/DIS Discharge of Condition 22a (Biofuel Procurement Report) on Planning Permission 12/00032/MAW for the construction and operation of a fuel store for the storage of wood pellets DISAPP 2nd March 2016

- 16/02868/SCR Request for a Screening Opinion under Regulation 5 (2) of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (As Amended) EAN 26th July 2017
- 17/02079/VAR Variation of Condition 23b of permission reference 12/00032/MAW (as varied by 15/05594/VAR) to allow a further 2-year extension for retention of former fuel store building (to 31/12/19) GRANT 22nd June 2017
- 17/02314/DEM Application for prior notification under Schedule 2 Part 11 of the Town & Country Planning (General Permitted Development) Order 2015 for the demolition of Ironbridge power station conveyors 6 and 7 and associated structures PNR 14th June 2017
- 17/04439/DEM Application for Prior Notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow REP3J 6th November 2017
- 18/03597/FUL Construction of 20no wildlife ponds GRANT 2nd November 2018
- 19/00627/DIS Discharge of Conditions 9 (Landscaping Plan) and 10 (Habitat Management Plan) on Planning Permission 18/03597/FUL for the construction of 20no wildlife ponds DISAPP 26th March 2019
- 19/05509/MAW Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site PDE
- 19/01346/DIS Discharge of Condition 4 (Stakeholder Engagement) 5 (Noise Monitoring Scheme) 6 (Dust Management Plan) 7 (Asbestos Management Plan) 8 (Water) 9 (Drainage Scheme) 11 (HGV Routing) 14 (Protected Species/Habitats) 15 (Great Crested Newt) 16 (Reptile Mitigation Strategy) 17 (Badgers) 18a & 18b (Bat Survey) 19 (Otters & Peregrines) 21 (Site Waste Management Plan) attached to planning permission 17/04439/DEM Application for Prior Notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow DISAPP 12th June 2019
- 19/01779/SCO EIA Scoping Opinion for construction of around 1,000 residential dwellings, 20ha of commercial floorspace and associated infrastructure, to include a village centre (to potentially include a primary school, health provision and local

commercial development) Park and Ride Scheme and leisure facilities SCO 17th July 2019

- 19/02723/FUL Erection of a bat house GRANT 19th July 2019
- 19/03477/SCO Environmental Impact Assessment Scoping Opinion request relating to proposed extension of Buildwas Quarry as part of redevelopment proposals on land at Ironbridge Power Station GRANT 4th October 2019
- 19/04048/DIS Discharge of condition 20 (Construction Ecological Management Plan) on planning application 17/04439/DEM DISAPP 18th October 2019
- 19/04208/DIS Discharge of Condition 13 (Land Stability) on Planning Permission 17/04439/DEM for the application for prior notification under Schedule 2 Part 11B of The Town and Country (General Permitted Development) (England) Order 2015 for the demolition of: Zone 1 - four, natural draft, hyperbolic cooling towers and the cooling water supply channels and pipework; Zone 2 - the turbine hall and boiler house, electrostatic precipitators, chimney and admin block including adjacent workshops and stores; Zone 3 - the auxiliary boiler and associated tanks, and the area of land previously used for contractor welfare during outages; Zone 4 - two heavy fuel oil (HFO) tanks and the water treatment plant, the main site gatehouse, sewage treatment plant, storage buildings; Zone 5 - biomass store, coal stock conveyors, coal plant stores and workshop, the sports pavilion and bungalow DISAPP 18th October 2019
- 19/05509/MAW Phased extraction and processing of sand and gravel including the erection of processing plant and ancillary infrastructure, temporary storage of minerals, utilisation of existing rail siding and creation of new access road on to Much Wenlock Road; restoration of the site PDE
- 19/05560/OUT Outline application (access for consideration comprising formation of two vehicular accesses off A4169 road) for the development of (up to) 1,000 dwellings; retirement village; employment land comprising classes B1(A), B1(C), B2 and B8; retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2; allotments, sports pitches, a railway link, leisure uses, primary/nursery school, a park and ride facility, walking and cycling routes, and associated landscaping, drainage and infrastructure works PCO
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- 20/01792/DIS Discharge of Condition 4 (Landscaping) and 5 (Habitat Management Plan) associated with planning application number 19/02723/FUL DISAPP 20th August 2020
- 20/04930/FUL Erection of a peregrine falcon tower GRANT 18th February 2021
- 20/05301/FUL Phase 1 Earthworks - enabling works to commence upon grant of outline planning permission for the wider redevelopment proposals GRANT 8th March 2021

- 21/02012/FUL Change of use of existing railway track to a demonstrator track for very light rail (temporary permission for 3 years), construction of platform and associated hardstanding area to accommodate temporary buildings for use as office; welfare facilities; and maintenance building INV
- 21/02607/FUL Erection of Electricity Substation. REC

11. ADDITIONAL INFORMATION

Link to application documents:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2REMBTD07V00>

List of Background Papers: Planning application reference 20/03173/MAW and the related Environmental Impact Assessment, plans and supplementary reports as listed fully in condition 3 of Appendix 1 attached.

Cabinet Member (Portfolio Holder) Cllr Ed Potter

Local Member Cllr. Claire Wild

Appendices: APPENDIX 1 - Legal obligation heads of terms and recommended conditions

APPENDIX 1

Legal Agreement Clauses

- 1) The mineral permission shall not be implemented unless planning permission has been granted for the Masterplan development (ref 19/05560/OUT);
- 2) Routing restriction for HGV's to avoid Much Wenlock, Buildwas and Ironbridge to be enforced by CCTV cameras installed at the site access. Repeat offenders to be banned from the site.

Conditions

COMMENCEMENT OF DEVELOPMENT

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission. For the avoidance of doubt development is defined as the commencement of soil stripping within the Site. The commencement of development within the Site is hereafter referred to as the "Commencement Date".

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990.

DEFINITION OF THE SITE AND PERMISSION

2. This permission shall relate to the land edged red on Drawing No. HE-014-D.001A

hereinafter referred to as "the Site".

Reason: To define the Permission.

DEFINITION OF THE PERMISSION

3. Except as otherwise provided by the conditions attached to this permission the development hereby permitted shall be carried out strictly in accordance with:
 - i. The submitted details as contained in the application form dated 18th December 2019.
 - ii. The following documents supporting the application:
 - The Environmental Statement dated December 2019;
 - The appendices accompanying the Environmental Statement, namely:
 - Appendix 1 – Scoping Opinion;
 - Appendix 2 – Policy Audit;
 - Appendix 3 – Non Technical Summary;
 - Soils and Agricultural Quality Report;
 - Air Quality Appendices;
 - Soil contamination and ground investigation appendices;
 - Ecology appendices;
 - Geology appendices and landslide appraisal;
 - Archaeological and built heritage appendices;
 - Highways, proposed access and Transport Statement;
 - Hydrology appendices;
 - Landscape and Visual Impact Assessment appendices;
 - Noise assessment appendices;
 - Trees appendices.
 - iii. The submitted drawings accompanying the Environmental Statement, namely:
 - JER1594-IBLOC-001 - Site Location Plan;
 - HE-014-D.001A - Location Plan;
 - HE-014_D.1.003A - Block Phasing Plan;
 - HE-014_D.1.004A – Phase 1 Working;
 - HE-014_D.1.005A – Phase 2 Working;
 - HE-014_D.1.006A – Phase 3 Working;
 - HE-014_D.1.007A – Phase 4 Working;
 - HE-014_D.1.008A - Masterplan enabling scheme;
 - HE-014_D.1.011A - Masterplan enabling scheme sections;
 - Screening plant details (Figure J).
 - iv. The Regulation 25 submission of further information dated August 2020 and the associated appendices, namely:
 - Appendix 1 - revised block phasing plan (drawing number HE-014_D.1003B);
 - Appendix 2 - Addendum to ES Volume 1 Chapter 7 (Ecology);

- Appendix 3 - Regulation 32 stability appraisal (the Quarries Regulations 1999);
- Appendix 4 - Hydrology;
- Appendix 5 - Drainage;
- Appendix 6 - Landscape planting;
- Appendix 7 - Air quality and dust;
- Appendix 8 - Updated Flood Risk Assessment;
- Appendix 9 - LVIA - Response to AONB Partnership;
- Appendix 10 - LVIA – Buildwas Abbey landscape setting;
- Appendix 11 - Built Heritage.

Reason: To define the permission.

TIME LIMITS

- 4a. The extraction of sand and gravel from the Site under the terms of this permission shall cease within 6 years of the Commencement Date as defined in Condition 1 above.
- b. The date when extraction of sand and gravel has been completed within the Site under the terms of this permission shall be notified in writing to the Local Planning Authority.

Reason: To define the completion date for mineral extraction operations under the terms of the permission in accordance with the approved details.

5. The Site shall be fully restored within 18 months of the completion of mineral extraction under the terms of this permission and in accordance with scheme required to be approved under Condition 44b below.

Reason: To ensure the full and proper restoration of the Site within acceptable timescales.

6. The Local Planning Authority shall be notified in writing of the following events:-
 - i. the commencement of topsoil stripping and mineral extraction in the extension area;
 - ii. the commencement and anticipated completion of restoration in each successive phase within the Site.

Reason: To ensure satisfactory monitoring following the Commencement Date for the various specified operations with the Site.

GPDO RIGHTS

7. Notwithstanding the provisions of Part 17 of the Second Schedule of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order, the erection of any additional plant or machinery or structures or erections of the nature of plant or machinery shall not take place within the Site without the prior written approval of the Local Planning Authority. The only exception to this shall be for structures not exceeding 6 metres in height which are located within the existing Processing Plant area identified on the approved plans.

Reason: To enable the control of any further development within the Site.

PROTECTION OF RETAINED VEGETATION

- 8a. All the existing perimeter hedges and fences shall be maintained, made stockproof where necessary and protected from damage by the operator until the restoration is completed. Where the Site boundary does not coincide with an existing hedge or fence, the operator shall provide and maintain appropriate fencing until the restoration of the Site is completed. Undisturbed hedgerows within or bounding the Site shall be properly maintained, throughout the period of working and restoration.
- b. All trees, hedgerows and bushes within the Site but outside the limits of extraction shall be retained and managed and, where appropriate, protected during excavation and restoration works by fencing or other means.

Reason: To preserve and protect existing vegetation within the Site.

- 9. No soil storage shall take place other than in accordance with the details shown on the approved working plans as referred to in condition 3(iii) above.

Reason: To ensure that satisfactory preservation of soils for restoration of the Site.

HOURS OF WORKING AND GENERAL CONTROL OVER OPERATIONS

- 10a. Subject to Condition 10b and except in the case of emergency, records of which shall be retained for inspection by the Local Planning Authority, the quarrying and associated processing and associated rail and road transportation uses shall not take place outside the following hours:-

Mondays to Fridays 07.00 - 18.00 hours
 Saturdays 08.00 – 13.00 hours

No operations shall take place on Sundays, Bank Holidays or other National Holidays.

- b. The hours specified in Condition 10a above shall apply unless a scheme of extended working hours has first been submitted to and approved in writing by the Local Planning Authority. Any such scheme should demonstrate that the proposed extended working will not cause an unacceptable amenity impact to nearest residents, including with respect to noise.

Reason: To safeguard the amenities of the area.

- 11a. Access gates located at the entrance to the Site shall be locked or managed to ensure that no heavy goods vehicles enter the Site before 07.00 hours.
- b. Measures shall be implemented to avoid the possibility of vehicles waiting outside the site prior to the permitted opening hours as specified in condition 10a above.

Reason: In the interests of highway safety.

- 12a. The total amount of mineral processed and dispatched from the Site in a calendar year (i.e.

between 1st January and 31st December) under the terms of this permission shall not exceed 400,000 tonnes. Of this total, not more than 100,000 tonnes shall be exported by road per calendar year with the remainder being exported by rail.

- b. Written records of the tonnage of mineral produced from the Site shall be provided to the Local Planning Authority within one month of the end of each calendar year.

Reason: In accordance with the approved scheme and to ensure that the production and dispatch of minerals is controlled at a level which is designed to protect the amenities of the local area.

13. There shall be no vehicular access or egress for vehicles engaged in the supply of sand and gravel extracted from the Site other than by way of the proposed quarry entrance onto the A4169 Much Wenlock Road as shown on the approved phasing plans.

Reason: To ensure that mineral vehicles travelling to and from the Site only use the approved Accesses to the Site.

14. No bulk fill or waste materials shall be imported to the Site under the terms of this permission.

Reason: To ensure that satisfactory control is maintained over the operations at the Site.

SITE DRAINAGE, POLLUTION CONTROL AND HYDROGEOLOGY

15. No development shall take place until a 'water monitoring scheme' incorporating a further assessment of the impact and management of groundwater flood risk is submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved throughout the duration of the development, including the restoration and aftercare period. The Scheme shall include, but may not be limited to:

- water features survey including private water supplies and the Cound Brook;
- any borehole, well, spring or private water supply that is identified as being at risk of derogation or otherwise negatively impacted by the mineral extraction;
- water monitoring locations;
- method and frequency for recording monitoring results (level and quality);
- method and frequency for reporting of monitoring results to MPA and EA, detailing how and when the monitoring data and the Scheme itself shall be reviewed to assess if any impacts are occurring;
- methods for investigating the causes of any such impacts and for remediating them.

Reason: To protect the water environment and prevent any deterioration of 'controlled waters' (as defined under the Water Resources Act 1991), including groundwater.

16. If monitoring results from the approved water monitoring scheme provides evidence of any adverse risk of deterioration to groundwater flows and quality or increase in flood risk extraction of mineral on site shall cease until a scheme providing for investigation and mitigation has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall be implemented in

accordance with the approved details and shall include:

- i. Methods and analysis for investigating the causes of identified changes and for remediating them and
- ii. Criteria for monitoring and review of success and failure of any remediation works carried out;
- iii. Proposals for implementing further action where appropriate.

Reason: To protect the water environment and prevent any deterioration of 'controlled waters' (as defined under the Water Resources Act 1991), including groundwater.

17. There shall be no siting of structures or storage of materials and existing ground levels shall not be raised within 8 metres of top of the bank of all watercourses within or fringing the Site.

Reason: To ensure that flood water storage capacity is maintained and access to watercourses is maintained.

18. Throughout the period of working, restoration and aftercare the operator shall take steps to ensure that drainage from areas adjoining the Site is not impaired or rendered less efficient by the permitted operations.

Reason: To ensure the continuing satisfactory drainage of the Site.

19. No oil, fuel or chemicals shall be stored within the Site without the prior written approval of the Local Planning Authority. Any storage within bunded areas shall take place in properly constructed facilities consisting of an impervious base and impervious bund walls. The size of the bunded compound shall be equivalent to 110% of the capacity of the stored liquids and all filling points, vents and sight glasses shall be located within the compound.

Reason: To prevent pollution of groundwater and surface water resources.

- 20a. The presence of asbestos has been confirmed in shallow soils in the former coal stock yard area where the proposed mineral processing and stocking area would be located (RPS Preliminary Risk Assessment and Ground Investigation Report' reference JER1594v2). A further report detailing a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority (LPA). The Remediation Strategy shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The works detailed as being necessary to make safe the contamination shall be carried out in accordance with the approved Remediation Strategy.

- b. In the event that further contamination is found at any time when carrying out the approved development that was not previously identified this shall be immediately it must be reported in writing to the LPA. An investigation and risk assessment in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' shall then be submitted to and approved in writing by the Local Planning Authority within an timescale to be agreed by the LPA. Where the investigation determines that remediation is necessary a remediation scheme shall be submitted to and approved in writing by the LPA which shall ensure that the site will not qualify as contaminated land

under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The scheme shall be implemented in accordance with the approved details.

- c. Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that the identified contamination has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

Reason: To ensure that risks from land contamination to the future users of the land and any risks to controlled waters, property and ecological systems are minimised so that no unacceptable pollution risks are posed by the development to human health and offsite receptors.

Note:

Information on how to comply with conditions and what is expected of developers can be found in the Shropshire Council's Contaminated Land Strategy 2013 in Appendix 5. The following link takes you to this document: <http://shropshire.gov.uk/committee-services/Data/Council/20130926/Agenda/18%20Contaminated%20Land%20Strategy%20-%20Appendix.pdf>

21. Prior to cessation of mineral extraction under the terms of this permission a scheme detailing measures for the final drainage of the Site prior to any redevelopment linked to the outline masterplan scheme (application reference 19/05560/OUT) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure an acceptable standard of final drainage for the Site.

NOISE, DUST AND LIGHTING

- 22a. Subject to Condition 23b the maximum noise attributable to the permitted operations shall not exceed 55dB(A) LAeq 1h (free field) at the receptor properties identified in the noise report accompanying the Environmental Statement and also for properties on the Buildwas Road between Marnwood and Sunny Severn Rise Boarding Kennels & Cattery.

Note: Operations should also be managed wherever possible to avoid an increase of 10dB LA90 above the identified background noise levels at the receptor properties.

- b. An increased noise limit of 70dB(A) LAeq 1h (free field) shall apply for of up to 8 weeks in any calendar year (Jan 1st to December 31st inclusive) to allow temporary operations such as soil stripping and bund formation to proceed.
- c. A site-specific noise mitigation plan, including proposals for noise monitoring and management and complaint investigation and resolution shall be submitted for the approval in writing of the Local Planning Authority within 2 months of the Commencement Date and shall thereafter be implemented in accordance with the approved details.

Reason: To protect the amenities of occupants of nearby properties from the adverse

impact of noise emissions

- 23a. Before any extraction of minerals takes place within the Site a scheme incorporating details of the type of reversing alarms to be fitted to vehicles operating within the Site shall be submitted for the approval in writing of the Local Planning Authority.
- b. All plant and machinery used within the Site shall incorporate silencers fitted in accordance with the manufacturers' specifications and those silencers shall be maintained in full working order.

Reason: To protect any noise sensitive properties from noise disturbances.

- 24a. The dust management plan in the Environmental Statement shall be implemented continuously during the Site operations and shall be periodically reviewed.
- b. With the exception of the temporary period of the construction of screening mounds and soil storage areas around the edges of the Site, operations shall be controlled so that there shall be no fugitive dust from the Site when viewed at the Site boundaries. In particular, sufficient water shall be made available within the Site so that circulation routes and other exposed areas can be treated with water as necessary to minimise dust emissions.
- c. A scheme setting out measures for the monitoring and mitigation of dust in the Site shall be submitted to the Local Planning Authority within 2 months of the Commencement Date. The submitted scheme shall be implemented in accordance with the approved details.

Reason: To protect the amenities of the area from any dust generated by operations within the Site.

25. The processing plant within the Site shall incorporate dust suppression measures including water sprays and such measures shall be maintained in effective working order throughout the duration of the mineral processing operations under the terms of this permission.

Reason: To protect the amenities of the area from dust generated by mineral processing operations at the Site.

26. No fixed lighting shall be installed at the Site unless the details of such lighting have first been submitted to and approved in writing by the Local Planning Authority. All fixed lighting employed at the Site shall be designed to minimize the potential for light spillage and associated visual impacts. The use of any floodlights shall be limited to the approved hours of operation.

Reason: To protect the visual amenities of the area and to reduce the potential for disturbance to local wildlife.

HIGHWAYS

27. No development shall take place until details of the design and construction of the road and access 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.

- 28a. A wheel cleaning system shall be deployed at the site for the duration of the mineral extraction operations hereby approved. All heavy goods vehicles exporting mineral from the Site shall be directed through the wheel wash system before joining the public highway.
- b. The haul road serving the processing plant shall be regularly maintained and swept to provide a clean and even running surface, free from potholes.

Reason: To ensure that wheel cleaning measures are satisfactory over the life of the Site.

- 29 HGV's accessing/egressing the development shall do so using the routing detailed in the Transport Statement submitted as part of the approved scheme.

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

Informative notes:

Works on, within or abutting the public highway

- i. *This planning permission does not authorise the applicant to:*
- *construct any means of access over the publicly maintained highway (footway or verge) or*
 - *carry out any works within the publicly maintained highway, or*
 - *authorise the laying of private apparatus within the confines of the public highway including any new utility connection, or*
 - *undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway*

The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details: <https://www.shropshire.gov.uk/roads-and-highways/road-networkmanagement/application-forms-and-charges/>

Please note: Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

Extraordinary maintenance

- ii. *The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.*

No drainage to discharge to highway

- iii. *Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.*

Mud on highway

- iv. *The applicant is responsible for keeping the highway free from any mud or other material*

emanating from the application site or any works pertaining thereto.

Railway use and Albert Edward Bridge

- v. *The applicant will need to enter into further dialogue with Network Rail to ensure that the rail line is available for use for mineral export within the timescale anticipated in the planning application. In particular, it is necessary to ensure that repairs to the Albert Edward Bridge are undertaken as soon as reasonably practical, at the outset of the development. Should the*
- vi. *Should the rail link be delayed then the applicant will need to put forward additional measures to offset the carbon production of this site as part of any formal variation to the current application submission.*

CONTROLS OVER METHOD OF OPERATIONS

- 30. A scheme providing details of new fencing and / or boundary treatments for the Site during each phase of the minerals development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of mineral extraction under the terms of this permission. The proposed fencing and / or boundary treatments shall be implemented in accordance with the details of the approved scheme.

Reason: To ensure the Site is enclosed to an acceptable standard and that hedgerows are maintained.

- 31. The extraction of sand shall not take place other than in accordance with the approved scheme of phased working shown on drawings listed in Condition 3 above. In particular, operations shall be carried out so as to minimize the amount of operational area which is subject to disturbance at any one time.

Reason: To ensure that working of the Site takes place in accordance with the Permitted Scheme.

- 32. No new buildings or mineral stockpiles shall be constructed at the Site unless further details of any such structures have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any proposals to construct new temporary buildings or mineral stockpiles at the Site are subject to appropriate planning controls in the interest of visual and general amenity.

- 33. Mineral shall not be stockpiled other than in the approved stocking area adjacent to the quarry plant site as shown on the approved block phasing plan accompanying the application (Drawing No. M05108(d)_01).
 - b. At no time throughout the duration of the operations hereby permitted shall the height of stockpiles or overburden mounds exceed 10 metres.

Reason: In the interests of general and visual amenity.

SLOPE STABILITY

34. A scheme setting out measures for reviewing and ensuring slope stability shall be submitted for the approval of the Local Planning Authority within 6 months of the Commencement Date. The scheme shall incorporate the following measures:
- i. Confirmation of measures for draining areas above excavated slopes throughout the operational and aftercare phases of the Site;
 - ii. A regular visual inspection regime to assess slope stability with a mechanism to report any identified problems to the Local Planning Authority, including investigation / recording of any water seepages, evidence of surface movement or surface erosion features encountered in excavated slopes which could impact on slope stability;
 - iii. A commitment to obtain specialist geotechnical advice on slope stability if necessary where a slope stability issue has been identified;
 - iv. Confirmation of detailed gradients for excavation and final restoration batters within the Site;
 - v. Confirmation of appropriate stand-offs to site boundaries with measures for physical demarcation of these stand-offs;
 - vi. Confirmation of detailed planting seeding measures and timescales to assist in stabilizing excavated slopes as soon as practicable after mineral extraction has ceased in a given phase.

Reason: To preserve slope stability within the Site having regard to the proximity of Telegraph Lane and Bridgwalton House to the excavations.

SOIL STRIPPING, MOVEMENT AND STORAGE

35. A scheme setting out detailed provisions for construction of new soil bunds within the Site shall be submitted for the written approval of the Local Planning Authority within 2 months of the date of this permission. The submitted scheme shall include details of locations, heights, gradients, seeding timescales and the timetable for bund formation. Following approval of the scheme required by this condition the construction and management of soil bunds shall take place in accordance with the details of the approved scheme.

Reason: To ensure the satisfactory handling and storage of soil resources within the Site.

36. A detailed soil handling strategy shall be submitted for the written approval of the Local Planning Authority within 2 months of the date of this permission. The submitted scheme shall include confirmation of controls on soil handling and storage and confirmation of measures to maximise the use of soil seedbanks.

Reason: To ensure the satisfactory handling and storage of soil resources within the Site.

37. No movement of soil shall take place except when the full depth of soil to be stripped or otherwise transported is in a suitable dry soil moisture condition. Conditions shall be sufficiently dry for the topsoil to be stripped and separated from the subsoil without difficulty. Soils should be drier than field capacity in the case of coarse textured soils and drier than lower plastic limit for fine textured soils.

Reason: To ensure the satisfactory handling of soil resources within the Extension Site.

38. Before any part of the Site is excavated or traversed by heavy vehicles or machinery (except for the purpose of stripping that part or stacking topsoil on that part), or is built upon or used for the stacking of subsoil, soil making material or overburden, or for the construction of a road, all available topsoil shall be stripped from that part using dump trucks, front end loading shovels and/or conveyors.

Reason: To ensure that soils are stored in a satisfactory condition for future restoration uses.

39. All soil types within the Site as approved by the Local Planning Authority shall be stripped and stored separately and within those soil types, the top and subsoils shall be stripped and stored separately. Any overlap of soil types in a storage mound shall be kept to the minimum necessary for the effective formation of that mound and the interface shall be suitably defined on site and on a record plan provided to the Local Planning Authority so that soil types can be easily located at mound removal stage.

Reason: To ensure that soils are stored in a satisfactory condition for future restoration uses.

40. Subsoils shall be stripped from the extraction area to a minimum 75cm in depth and shall be stored for the subsequent restoration of this part of the Site.

Reason: To ensure that sufficient subsoils are reserved for future restoration uses.

- 41a. Stripping, movement, storage and any subsequent replacement of soils shall only be undertaken using a back-actor, front end loading shovels, dump trucks and/or conveyors.

Reason: To minimise possible damage to soils for use in future restoration.

- b. Stocking of soils in mounds shall be to a maximum height of 5 metres and such mounds shall be constructed with only the minimum amount of compaction necessary to ensure stability.
- c. Run-off from soil storage areas shall be contained within the Site or intercepted via peripheral drains and settled out through on-site treatment facilities prior to any discharge from the Site.

Reason: To ensure the satisfactory conservation of soils, the proper construction of soil storage areas and to prevent the pollution of the Mor Brook or other surface waters.

42. No turf, topsoil or subsoil shall be removed from the Site unless the details have first been agreed in writing by the Local Planning Authority.

Reason: To ensure that sufficient soils are retained for the comprehensive restoration of the Site.

ECOLOGY, LANDSCAPING AND RESTORATION

- 43a. Operations under the terms of this permission shall take place in strict accordance with the existing European Protected Species (EPS) Mitigation Licence with respect to Great

Crested Newts. If a modification to this license is required by Natural England then this shall be applied for within one month of the date of this permission.

- b. The applicant shall put in place a monitoring system to ensure that Great Crested Newts and other amphibians and reptiles do not move into the new quarry via the end of the GCN fence.

Reason: To ensure the protection of Great Crested Newts, a European Protected Species and other amphibian and reptile species.

Notes:

- i. *There is a need to monitor the amphibian and reptile populations within the mitigation area and to ensure that habitat quality is appropriately establishing, with recognition for the need for any intervention (particularly if water levels drop during breeding season). The potential for dust and hydrology to affect habitat quality should also be subject to ongoing review.*
- ii. *Badgers, the setts and the access to the sett are expressly protected from killing, injury, taking, disturbance of the sett, obstruction of the sett etc by the Protection of Badgers Act 1992. No works should occur within 30m of a badger sett without a Badger Disturbance Licence from Natural England in order to ensure the protection of badgers which are legally protected under the Protection of Badgers Act (1992). All known Badger setts must be subject to an inspection by an experienced ecologist immediately prior to the commencement of works on the site.*
- 44a. The Site shall be restored progressively in accordance with the general principles shown on the approved working plans.
- b. Within 3 months of the date of this permission a detailed interim restoration plan (i.e. prior to the masterplan development) shall be submitted for the approval in writing of the Local Planning Authority and these works shall be carried out as approved. The submitted scheme shall include:
- i. Planting plans, including wildlife habitat and features (e.g. sand banks, hibernacula, bat and bird boxes, species-rich grasslands) showing location and number of each;
- Tree and shrub species lists for mixed native hedgerow and woodland creation; (Woodland to be of NVC community types appropriate to the area and specific site conditions);
 - Numbers and planting patterns / mixes of trees and shrubs for hedge and woodland creation;
 - Means of ground preparation and planting pit specification where relevant;
 - Measures for tree protection and support (eg rabbit spirals and bamboo canes, or stakes and ties, or tree guards / shrub shelters);
 - Early years maintenance schedule (eg mulching and / or weeding, straightening and eventual removal of stakes and ties);
 - Replacement of losses as appropriate to achieve 90% survival rates after 5 years;
 - Timing of commencement and completion of the various phases of the scheme;
 - scale plans of the proposed planting sites;
- ii. Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment);
- iii. Schedules of plants, noting species (including scientific names), planting sizes and

- proposed numbers/densities where appropriate;
- iv. Native species used to be of local provenance (Shropshire or surrounding counties);
- v. Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works;
- vi. A scheme for the formation and treatment of all lakes to be established as part of the restoration of the Site including depths of the lakes, gradient of banks, provision of safe and shallow shorelines, treatment of lake margins to promote the growth of appropriate vegetation and establishment of habitats and a timetable for the implementation of these works;
- vii. A scheme for the restoration of the plant and stocks area and silt lagoons area;
- viii. Implementation timetables.

- c. All landscape planting shall undergo aftercare management for a 5 year period, commencing on the date at which the planting is completed to the satisfaction of the Local Planning Authority, including replacement of any failures with species of identical.

Reason: To ensure the provision of amenity and biodiversity benefits afforded by appropriate restoration.

45. A detailed habitat management plan shall be submitted to and approved by the Local Planning Authority within 3 months of the Commencement Date and shall include:

- i. Description and evaluation of the features to be managed;
- ii. Ecological trends and constraints on site that may influence management;
- iii. Aims and objectives of management;
- iv. Appropriate management options for achieving aims and objectives;
- v. Prescriptions for management actions;
- vi. Preparation of a works schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
- vii. Personnel responsible for implementation of the plan.
- viii. Monitoring and remedial/contingencies measures triggered by monitoring.

The plan shall be implemented in accordance with the approved details.

Reason: To protect features of recognised nature conservation importance and maintain created habitat.

46. No disturbance shall take place to any established trees or shrubs within or surrounding the Site until after the end of the bird nesting season (March - June inclusive), unless a supplementary ecological survey has been submitted to and approved in writing by the Local Planning Authority which shows that the affected vegetation is not being used by any nesting birds.

Reason: To preserve and protect existing vegetation within the Site which is not allocated for removal and to safeguard any nesting bird species.

47. Unworked agricultural areas within the Site and areas which have been subject to interim restoration under the scheme required by Condition 44b above shall continue to be subject to an appropriate management regime and shall in particular be treated with herbicides as necessary to avoid weed infestation.

Reason: To avoid a build-up of weeds in soils from the site.

48. All buildings, plant and machinery within the Site which have been installed in connection with the operations authorised under this permission or any previous permission relating to the Site, shall be demolished, and removed from the Site within twelve months of completion of mineral extraction and the sites of such buildings, plant and machinery shall be restored in accordance with the provisions of the scheme referred to in Condition 44b above.

Reason: To assist in securing the full and proper restoration of the Site within an acceptable timescale.

REVIEW OF SITE OPERATIONS

49. The Site shall be subject to a formal annual review of operations throughout the period of working, restoration and aftercare hereby approved. The annual review shall cover issues including:
- i. noise and dust mitigation;
 - ii. extraction and processing;
 - iii. progressive restoration;
 - iv. aftercare, including to agriculture and nature conservation;
 - v. a review of any complaints received and action taken.

Reason: To provide a suitable mechanism for the ongoing review of Site operations.

ON SITE RETENTION OF APPROVED DOCUMENTS AND PLANS

50. A copy of all documents and plans comprising the permitted scheme as referred to in Condition 3 above shall be held at the Site for inspection and reference for the duration of the permitted development.

Reason: To ensure the permitted documents are available to on-site personnel.