



Committee and date
 Northern Planning Committee
 2nd May 2023

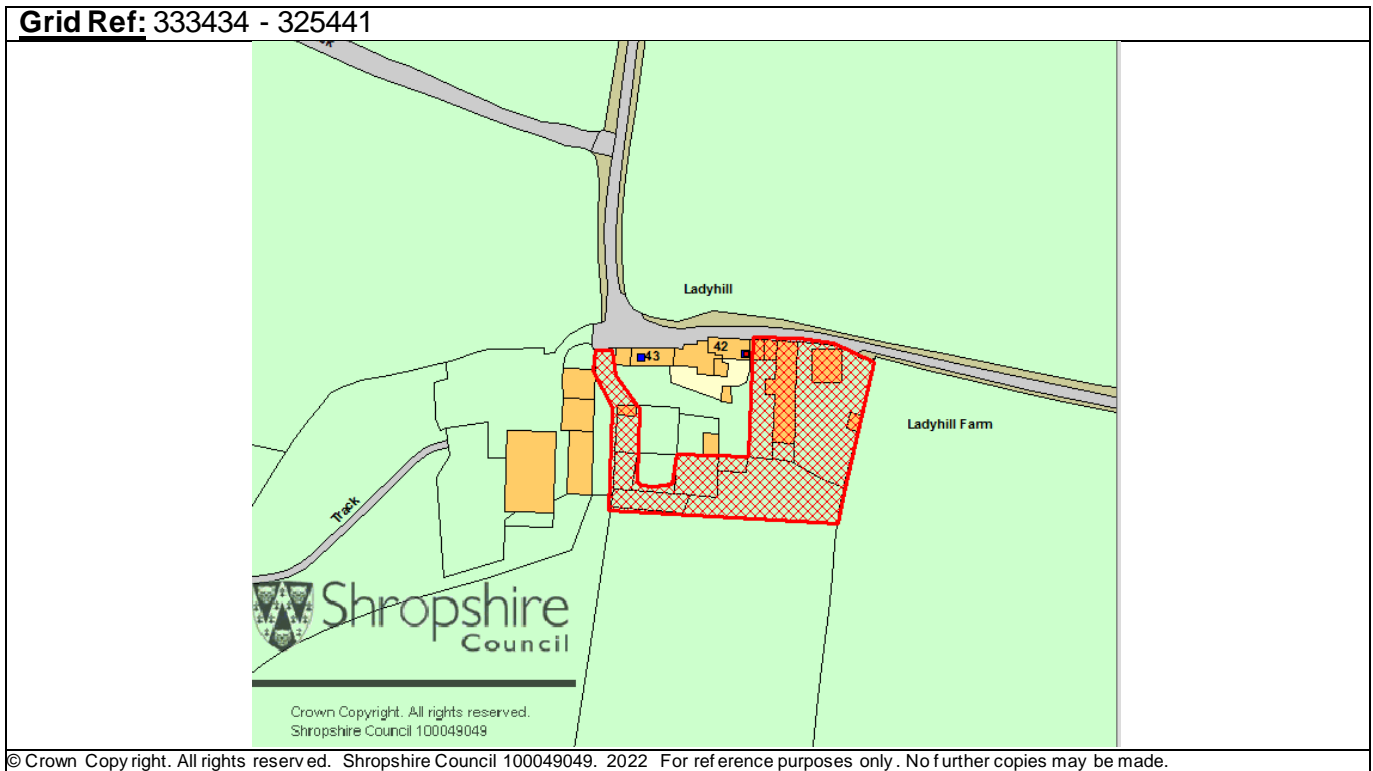
Development Management Report

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

Summary of Application

Application Number: 22/05620/FUL	Parish:	West Felton
Proposal: Conversion of a range of traditional outbuildings into 2No. residential units to include associated hardstanding, curtilage, access connection to required services to include a foul system, soakaway and oil tank		
Site Address: Lady Hill Farm West Felton Oswestry Shropshire SY11 4JZ		
Applicant: Shropshire Council		
Case Officer: Sara Robinson	email: sara.robinson@shropshire.gov.uk	

Grid Ref: 333434 - 325441



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

REPORT

1.0 THE PROPOSAL

- 1.1 The application is to convert an L shape range of agricultural outbuildings into 2 no. 4 bedroom residential units with a garage building. The proposed garage will provide a car port and an enclosed garage/store per unit and with four additional car parking spaces per unit. It is proposed for each unit to have private gardens to the east and a shared pedestrian access to the west. The proposal includes associated hardstanding, curtilage and access connection to required services.
- 1.1.2 The application forms a re-submission of application 22/00457/FUL which was previously withdrawn.
- 1.1.3 Amended plans have been received which have retained the boundary stone wall in its original location and have provided confirmation that the historic wall will remain in its original location and has provided some landscaping details.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is located within designated open countryside.
- 2.2 The site comprises an L shaped building. Dwellings to the west are attached to the application building.
- 2.3 A highway runs along the northern boundary of the site with fields located beyond the road. To the east and south of the site are open fields. Immediately to the west are farm buildings.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 Determination of this application is required by committee as the site is in the ownership of the Council and the proposed development is not in-line with the Council's statutory functions, thus Committee consideration is required as set out in Part 8 of the Council Constitution.

4.0 Community Representations

4.1 Consultee Comment

- 4.1.1 SC Drainage & SUDS - 24/01/2023

Drainage Comment:

All correspondence/feedback must be directed through to Shropshire Councils Development Management Team.

Informative Notes:

A sustainable scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Councils SuDS Handbook which is available in the Related Documents Section on the Councils Website: <https://shropshire.gov.uk/drainage-and-flooding/development-responsibility-andmaintenance/sustainable-drainage-systems-handbook/>

Any proposed drainage system should follow the drainage hierarchy, with preference given to the use of soakaways. Soakaways should be designed in accordance with BRE Digest 365. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if it can be demonstrated that infiltration techniques are not achievable.

Where a positive drainage connection is proposed, the rate of discharge from the site should be restricted to an appropriate rate as set out in the SuDS Handbook. Shropshire Council will not permit new connections to the Highway Drainage network.

Where a proposed surface water attenuation feature serves multiple properties, this feature should not be constructed within a private property boundary and be located in areas of public open space or shared access to allow future maintenance.

4.1.2 SC Affordable Housing - 03/02/2023

As the site is 0.7ha then it does meet the threshold for affordable housing. The proforma shows the correct level of contribution.

4.1.3 SC Archaeology - 07/02/2023

SC Archaeology confirm they have no comments to make on this application with respect to archaeological matters.

4.1.4 SC Ecology - 03/03/2023**No objection:**

Conditions and informatives have been recommended to ensure the protection of wildlife and to provide ecological enhancements under NPPF, MD12 and CS17. They have reviewed the information and plans submitted in association with the application and they are happy with the survey work carried out.

The Ecological Appraisal carried out by Greenscape Environmental (September 2022) found no signs of bats or nesting birds in the buildings. No further surveys were recommended. In the event a bat is found during works, works must stop and NE or a licensed ecologist must be contacted for advice on how to proceed.

Any external lighting to be installed on the building should be kept to a low level to allow wildlife to continue to forage and commute around the surrounding area.

SC ecology require biodiversity net gains at the site in accordance with the NPPF and CS17. The installation of bat boxes/integrated bat tubes and bird boxes will enhance the site for wildlife by providing additional roosting and nesting habitat.

They recommend that the following conditions and informatives are included on the decision notice:

by providing additional roosting and nesting habitat.

4.1.5 SC Tree Team - 28/03/2023

A landscaping scheme has not been provided to the standard requested, but the additional detail does indicate the quantity, type and location of the proposed tree planting, which is to an acceptable level. The SC Tree Team wouldn't object to the scheme going forward on these grounds providing that a pre-commencement condition was applied to planning permission requiring that a scheme be provided.

4.1.6 SC Conservation - 05/04/2023

Following the HE Team comments made 17.02.23 the SC Conservation Team have now been re-consulted on the revisions submitted.

The revisions have addressed the concerns raised and they now consider the scheme to be acceptable. They would, however, wish the officer to note that the use of Laurel hedging to subdivide the plots will appear too domestic in character within the setting of farm building conversions. They would suggest a native mix would be more appropriate, and therefore a landscaping condition will need to be attached to any consent issued to ensure the details are appropriate (this should be pre-commencement).

The following conditions are suggested for inclusion on any consent issued:

Precom - Landscaping and CC1

During – JJ3, JJ7, JJ8, JJ10, JJ17, JJ20, JJ23.

4.1.7 SC Conservation – 17/02/2023

Please refer to previous comments made on the withdrawn application 22/00457/FUL. On this application we would comment as follows:

1. There is no reason on visibility grounds for what appears to be a historic stone wall to be taken down and relocated and therefore we would encourage this to be retained in its current position as it will retain the existing rural context and character of the location.

2. In addition to 1. Above we would note that there is not detail regarding the means of enclosure at the point of pedestrian and garden access to Unit 1. We would suggest that this should be formed using native hedging with a pedestrian timber gate to provide the pedestrian access to avoid its use as a vehicular access. Apart from these issues I consider the scheme to be a marked improvement to that of the previously withdrawn application which could be supported, however, due to the above points it would be premature to do so.

4.1.8 SC Highways - 27/02/2023

No objection – subject to the development being constructed in accordance with the approved details and the following conditions and informative notes.

Conditions:

- Access, Parking, Turning
- Vehicular Closure of Access
- Passing Places

Observations/Comments:

It is considered that, subject to the conditions listed above being included on any

approval, there are no substantiative highway conditions upon which to base an objection on highway safety grounds.

The potential implications of the traffic movement along the lane have been assessed and reviewed in earlier applications to support the principle of the proposal with a more detailed assessment forwarded under PREAPP/22/00398.

The current supporting information whilst mentioning the provision of places has not formally submitted details.

The existing eastern access into the garden area of unit 1 is substandard in terms of visibility and with the current scheme is superfluous for vehicular access. The access width maybe revised to ensure only pedestrian use and will not require the whole of the wall to be realigned as suggested on the Proposed Site Plan.

Informative notes:

- Works on, within or abutting the public highway
- Waste Collection

Background:

- 22/00457/FUL,
- PREAPP/22/00398

4.2 Public Comments

4.2.1 Parish Council - 16/02/2023

The Parish Council has no objection to the application. However, the Parish Council does have concerns about the number of vehicles using this very narrow lane with inadequate passing places and the impact on safety for pedestrians, cyclists, and horse riders that frequently use the lane. The Parish Council therefore requests that if permission is granted then it is made conditional upon the creation of adequate passing places along the lane.

4.2.2 Following the display of a site notice for the period of 21 days, no public representations were received at the time of writing this report.

5.0 THE MAIN ISSUES

- Principle of development
- Siting, scale and design of structure
- Visual impact and landscaping
- Other

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that all planning applications must be determined in accordance with the adopted development plan 'unless material considerations indicate otherwise'.

- 6.1.2 Paragraph 14 of the National Planning Policy Framework builds on this wording by encouraging planning to look favourably upon development, unless the harm that would arise from any approval would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
- 6.1.3 The National Planning Policy Framework (NPPF) has been published by national government and represents guidance for local planning authorities. It is a material consideration to be given weight in the determination of planning applications.
- 6.1.4 Policy CS1 'Strategic Approach' of the Shropshire Council Core Strategy and Policy MD1 'Scale and Distribution of Development' of the SAMDev Plan seeks to steer new housing to sustainable locations described as Market Towns, Key Centres, Community Hubs and Clusters. This is repeated throughout Policies CS3 'The Market Towns and Key Centres', CS4 'Community Hubs and Clusters', CS5 'Countryside and Green Belt' and CS11 'Type and Affordability of Housing' of the Core Strategy. Community Hubs and Clusters were designated as part of the adoption of the SAMDev Plan in 2015.
- 6.1.5 The site is located within the open countryside.
- 6.1.6 The relevant policies are CS5 and MD7a which allow for the conversion of redundant rural buildings in the countryside to dwellings provided the proposal takes account of and makes a positive contribution to the character of the building and respects the significance of the heritage asset, its setting and the local landscape character.
- 6.1.7 In addition to the above-mentioned policy, in considering the proposal, due regard is also given to local policies CS6, CS17 and MD2. These policies seek that development protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate
- 6.1.8 Policy MD7a requires that in the case of market residential conversions, requiring planning permission, the conversion of buildings to open market use will only be acceptable where the building is of a design and form which is of merit for its heritage/ landscape value. The Conservation Officer has been consulted on the proposed development and has made reference to their comments made on application reference 22/00457/FUL where they stated that the building to be converted is a non-designated heritage asset.
- 6.1.9 In light of the above it is therefore considered that the buildings subject to this application would comply with policies CS5 and MD7a.

- 6.2 Siting, scale and design of structure
- 6.2.1 The application forms a re-submission of application 22/00457/FUL which was previously withdrawn. The previous scheme proposed to convert the range of traditional outbuildings into 3No. residential units to include associated hardstanding, curtilage, access connection to required services to include a foul system, soakaway and oil tank. Concerns had been raised by Highways who stated that the submitted application is limited in terms of assessing the adequacy of the approach road leading to the site, which is essentially single width. In light of the narrowness of the approach road they would expect a Transport Statement to address this point and would look at its current permitted use and trading this off against the current proposed redevelopment and resultant traffic movements. The Conservation Officer had also raised concerns in relation to no Heritage Assessment being submitted and therefore insufficient information in order to assess the proposed alterations and conversion scheme, the size of the red line boundary, the reduction in curtilage afforded to existing residential units, insufficient information in relation to the undercroft, no sections being provided, the plans and elevations do not match, too many roof lights proposed, the number of units will result in undue pressure on the character and appearance of the historic farmstead, the removal of the dairy lean-to would reveal the buildings and is of no historic value.
- 6.2.2 Amendments have been undertaken to the proposed plans, the most significant being the reduction in the proposed number of units, the reduction of the scale of the proposed garage, site layout/access, removal of the dairy lean-to, and the number of proposed roof lights have been reduced. The alterations help to retain the original appearance and features of the buildings to be converted and provide better access and amenity space.
- 6.2.3 Unit 1 is proposed to have an internal floor area of approximately 180.6m². The ground floor will accommodate an open plan kitchen/dinning room, pantry, utility, entrance hall with cloak room, WC, Sitting area and living room, whilst the first floor will provide a family bathroom and four bedrooms, two of which will have en suites. The unit will have a rear garden which is considered to be commensurate to the size of the dwelling. It is noted that the proposed first floor windows will not directly overlook private amenity space afforded to neighbouring properties.
- 6.2.4 Unit 2 is proposed to have an internal floor area of approximately 141.6m². The ground floor will accommodate an open plan kitchen/dinning/living room, pantry, utility, entrance hall with cloak room, WC, as well as a bedroom with en-suite, whilst the first floor will provide a family bathroom, stores and three bedrooms and a void above the living room. The unit will have a rear garden which is considered to be commensurate to the size of the dwelling. It is noted that the proposed first floor windows will not directly overlook private amenity space afforded to neighbouring properties.
- 6.2.5 The proposed carport/store is to measure approximately 12m in width and 6m in depth and will reach a height to the ridge and eaves of approximately 3.9m and

2.2m respectively. The carport/store will be finished in brick plinth below a green english oak or similar cladding with oak posts and a slate roof. The building will provide one car port and one enclosed store per unit.

- 6.2.6 The SC Conservation Officer has commented on the proposed development and has stated that there is no reason on visibility grounds for what appears to be a historic stone wall to be taken down and relocated and therefore would encourage this to be retained in its current position as it will retain the existing rural context and character of the location. The Conservation also noted that there is no detail regarding the means of enclosure at the point of pedestrian and garden access to Unit 1. The Conservation Officer suggested that this should be formed using native hedging with a pedestrian timber gate to provide the pedestrian access to avoid its use as a vehicular access. It is noted that the tree officer has also requested additional information in relation to landscaping.
- 6.2.7 Amended plans received have retained the wall in its original location and have provided confirmation that the historic wall will remain in its original location and has provided some landscaping details.
- 6.2.8 The tree officer has acknowledged that although the landscaping scheme has not been provided to the standard requested additional details do indicate the quantity, type and location of the proposed tree planting which is to an acceptable level. A pre-commencement condition is proposed to secure landscaping details which will overcome these concerns.
- 6.2.9 The Conservation Officer has also reviewed the amended plans and additional information and consider that the revisions have addressed the concerns raised and the Conservation Officer now consider the scheme to be acceptable. The Conservation Officer would, however, wish to note that the use of Laurel hedging to subdivide the plots will appear too domestic in character within the setting of farm building conversions. The Conservation Officer would suggest a native mix would be more appropriate, and therefore a landscaping condition will need to be attached to any consent issued to ensure the details are appropriate (this should be pre-commencement).
- 6.2.10 As the building subject to this application is a non-designated heritage asset it is considered that permitted development rights should be removed in order to preserve the historic asset.
- 6.2.11 In light of the above and subject to the proposed conditions being attached to any grant of planning permission the proposed development is considered to comply with relevant planning policies.
- 6.3 Other
- 6.3.1 The Highways authority have been consulted on the proposed development and have raised no objection in relation to highway safety subject to the inclusion of

appropriately worded conditions and informative notes being attached to any grant of permission. The Highways officer has requested a condition to ensure the access, parking and turning areas are satisfactorily completed in the interest of highway safety, a vehicular closure of access to limit the number of accesses onto the highway, and a passing places condition to ensure the layout and construction of the passing opportunities are carried out in the interest of highways safety.

- 6.3.2 The SC Ecologist has been consulted on the proposed development and have raised no objection in relation to biodiversity and protected species subject to the inclusion of appropriately worded conditions and informative notes being attached to any grant of permission. The Ecologist has requested a condition to secure bat and bird boxes to be erected to ensure the provision of roosting and nesting opportunities, a lighting plan condition to ensure that the disturbance to bats is minimised, and a condition to ensure that the development is undertaken in accordance with the method statement to ensure the protection and enhancement for bats.

7.0 CONCLUSION

- 7.1 In light of the above and all the material considerations it is considered that the proposed development complies with relevant planning policies subject to the inclusion of appropriately worded conditions and informative notes as set out in appendix one attached to this report.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

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

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

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

8.2 Human Rights

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

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

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

8.3 Equalities

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

9.0 Financial Implications

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

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

CS5 - Countryside and Greenbelt

CS6 - Sustainable Design and Development Principles

CS17 - Environmental Networks

MD2 - Sustainable Design

MD7A - Managing Housing Development in the Countryside

MD12 - Natural Environment

MD13 - Historic Environment

National Planning Policy Framework

RELEVANT PLANNING HISTORY:

22/00457/FUL - Conversion of a range of traditional outbuildings into 3No. residential units to include associated hardstanding, curtilage, access connection to required services to include a foul system, soakaway and oil tank - WDN 4th May 2022

PREAPP/22/00398 Conversion of traditional outbuildings at Ladyhill Farm to provide 2 residential units with associated drainage, services, access and garaging - PREAMD 31st August 2022

22/05620/FUL - Conversion of a range of traditional outbuildings into 2No. residential units to include associated hardstanding, curtilage, access connection to required services to include a foul system, soakaway and oil tank - PDE

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RMVSOITD0BN00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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Cabinet Member (Portfolio Holder) - Councillor Richard Marshall

Local Member

Cllr Steve Charmley

Appendices APPENDIX 1 - Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.

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

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No above ground works shall be commenced until full details of both hard and soft landscape works (in accordance with Shropshire Council Natural Environment Development Guidance Note 7 'Trees and Development') have been submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved details prior to occupation of the residential units. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall upon written notification from the local planning authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs

4. No development shall take place until a scheme for the formalising the layout and construction of passing opportunities numbered 2 and 4 in the supporting statement TN01- Access and Trip Assessment 26.04.2022 submitted under reference PREAPP/22/00398 has been submitted to and approved by the Local Planning Authority; and the development hereby permitted shall not be occupied until the works have been carried out strictly in accordance with the approved details.

Reason: In the interests of highway safety.

5. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

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

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

6. All new partitions and other elements of construction shall be scribed around historic and architectural features including cornices, picture rails, chair rails, skirtings, panelling, door and window linings and shall not cut through such features.

Reason: To ensure the satisfactory preservation of the Heritage Asset.

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

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

8. Before any pointing or repointing commence, the areas for pointing or repointing of stonework shall be agreed on site with the Local Planning Authority. The maximum of sound original pointing is to be retained. Mortar for pointing shall be a lime mortar which matches the original in colour, texture and surface finish unless otherwise agreed by the Local Planning Authority. An unobtrusive sample of pointing shall be carried out and approved in writing by the Local Planning Authority before commencement of the relevant works. Old mortar shall not be cut out or removed by mechanical means Reason: To ensure the satisfactory preservation of the Heritage Asset.

9. No pointing or re-pointing of existing or proposed masonry shall commence until the Local Planning Authority has approved the following items in writing:

- a drawing showing the proposed area(s) of repointing
- the mortar mix
- the method of removing existing mortar, please note that old mortar shall not be removed using any mechanical tool or angle grinder.
- an inconspicuous pointing sample provided on site following approval of the above items

Reason: To safeguard the historic interest and character of the Heritage Asset and ensure an appropriate external appearance.

10. Prior to their installation full details of the roof windows shall be submitted to and approved in writing by the Local Planning Authority. The installation of the windows shall be carried out in complete accordance with the approved details.

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

11. Details of the roof construction including details of eaves, undercloaks ridges, valleys and verges shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall be carried out in complete accordance with the approved details.

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

12. Details of exterior soil and vent pipes, waste pipes, rainwater goods, boiler flues and ventilation terminals, meter boxes, exterior cabling and electrical fittings shall be submitted to and approved in writing by the Local Planning Authority before the commencement of works. The development shall be carried out in accordance with the approved details.

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

13. The access, parking and turning areas shall be satisfactorily completed and laid out in accordance with the Proposed Site Plan Drawing No. SHA101/01 Rev F prior to the dwellings being occupied.

The approved parking and turning areas shall thereafter be maintained at all times for that purpose.

Reason: To ensure the formation and construction of a satisfactory access and parking facilities in the interests of highway safety

14. Vehicular access to the adjoining highway shall be limited to the existing western access shown on the Proposed Site Plan Drawing no. SHA101/01 Rev F. The existing access shall be permanently stopped up to vehicular traffic, in accordance with details to be agreed in writing with the Local Planning Authority before the dwellings are first occupied.

Reason: To limit the number of accesses onto the highway in the interests of highway safety.

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

15. All works to the site shall occur strictly in accordance with the mitigation and enhancement measures regarding bats and birds as provided in Section 6.3.2 and 6.4.2 of the Ecological Appraisal (Greenscape Environmental, September 2021).

Reason: To ensure the protection of and enhancements for bats, which are European Protected Species and birds which are protected under Section 1 of the 1981 Wildlife and Countryside Act (as amended).

16. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority.

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

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

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development relating to schedule 2 part 1 class A, AA, B, C, D, E, G, H; shall be erected, constructed or carried out.

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

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

2. The above conditions have been imposed in accordance with both the policies contained within the Development Plan and national Town & Country Planning legislation.

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

4. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or

from the Local Planning Authority. The fee required is £116 per request, and £34 for existing residential properties.

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

5. A sustainable scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Councils SuDS Handbook which is available in the Related Documents Section on the Councils Website:

<https://shropshire.gov.uk/drainage-and-flooding/development-responsibility-and-maintenance/sustainable-drainage-systems-handbook/>

Any proposed drainage system should follow the drainage hierarchy, with preference given to the use of soakaways. Soakaways should be designed in accordance with BRE Digest 365. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if it can be demonstrated that infiltration techniques are not achievable.

Where a positive drainage connection is proposed, the rate of discharge from the site should be restricted to an appropriate rate as set out in the SuDS Handbook.

Shropshire Council will not permit new connections to the Highway Drainage network.

Where a proposed surface water attenuation feature serves multiple properties, this feature should not be constructed within a private property boundary and be located in areas of public open space or shared access to allow future maintenance

6. Bats informative

All bat species found in the U.K. are protected under the 2017 Conservation of Habitats and Species Regulations (as amended) and the 1981 Wildlife and Countryside Act (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.

Any chemical treatment of timbers should not take place between the beginning of October and the end of March and no pointing or repairs of any gaps or crevices which cannot be easily seen to be empty should take place between the beginning of October and the first week in April, to minimise the possibility of incarcerating bats.

If timber treatment is being used then the Natural England's Technical Information Note 092: Bats and timber treatment products (2nd edition) should be consulted and a suitable bat safe product should be used (see

<http://webarchive.nationalarchives.gov.uk/20160913000001/http://publications.naturalengland.org.uk/publication/31005>).

Breathable roofing membranes (also called non-woven textiles) should not be used as it produces extremes of humidity and bats can become entangled in the fibres. Traditional 1F bitumen felt that is of hessian matrix construction should be chosen instead (BCT, 2020).

Nesting birds informative

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 and conversion work in buildings (or other suitable nesting habitat) should be carried out outside of the bird nesting season which runs from March to August inclusive.

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

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

General site informative for wildlife protection

The European hedgehog is a Species of Principal Importance under section 41 of the 2006 Natural Environment and Rural Communities Act. Reasonable precautions should be taken during works to ensure that these species are not harmed.

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

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

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

direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife.

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

All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife.

Where possible, trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a close-fitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

If a hibernating hedgehog is found on the site, it should be covered over with a cardboard box and advice sought from an appropriately qualified and experienced ecologist or the British Hedgehog Preservation Society (01584 890 801).

Hedgerows are more valuable to wildlife than fencing. Where fences are to be used, these should contain gaps at their bases (e.g. hedgehog-friendly gravel boards) to allow wildlife to move freely.

Landscaping informative

Where it is intended to create semi-natural habitats (e.g. hedgerow/tree/shrub/wildflower planting), all species used in the planting proposal should be locally native species of local provenance (Shropshire or surrounding counties). This will conserve and enhance biodiversity by protecting the local floristic gene pool and preventing the spread of non-native species.

Please contact me, or one of the other Ecology team members, if you have any queries on the above.

Demi Cook
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7. 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 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 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. This link provides further details

<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-formsand-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.

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, to ensure that all visibility splays, accesses, junctions, pedestrian crossings, and all trafficked areas of highway (i.e., footways, cycle ways & carriageways) are kept clear of any obstruction or impediment, at all times, in the interests of public and highway safety.

<https://shropshire.gov.uk/media/2241/supplementary-planning-guidance-domestic-waste-storageand-collection.pdf>