

TWC/2014/0631

The Red Lion, 15 Holly Road, Little Dawley, Telford, Shropshire, TF4 3HB
Demolition of existing public house and erection of 8no. dwellings with associated access and landscaping ***AMENDED PLANS AND INFORMATION RECEIVED***

APPLICANT

Brooklands Trading Ltd, Mr W Stone

RECEIVED

15/07/2014

PARISH

Dawley Hamlets

WARD

Dawley Magna

OFFICER

Libby Harper

DEFERRED APPLICATION FROM THE 4TH FEBRUARY 2015

This application was considered by members of Planning Committee on the 4th February 2015, where by members resolved to defer this application to allow for further negotiations with the applicant regarding a reduction in density and the access arrangements for the proposed development.

Following the meeting, a viability assessment has been submitted for the scheme as considered by Members. This has been reviewed by the Council's Development Delivery Group Specialist who has concluded that the achieved profit levels are well below those stated as acceptable in recent appeal cases, and therefore less units would certainly impact on the viability of the site.

The Agent has advised that no changes to the application will be made as requested by members with regard to either density or access, and thus officers have been unable to negotiate any amendments. Members are therefore asked to determine the application in its current form as originally presented to members. The recommendation remains unchanged.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions:

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|---------|--|
| A04 | Time limit |
| B011 | Samples of Materials |
| B012 | Sample Brick Panel |
| B049 | Custom highways condition – footway construction details |
| B121 | Landscaping Design – including replacement trees |
| B149 | Japanese knotweed management plan |
| B150 | Site Environmental Management Plan |
| C12 | Car Parking |
| C38 | Development in accordance with deposited plans |
| C109 | Erection of Artificial Nesting Boxes |
| C109 | Custom Lighting Plan |
| CCustom | No approval of tarmac finish to driveways |
| D01 | Removal of Permitted Development Rights |

Informatives

| | |
|---------|-----------------|
| I11 | Highways |
| I23 | Bats |
| I25a | Nesting Birds |
| I25e | Trenches |
| RANPPF1 | Approval - NPPF |

TWC/2014/0631 PLANNING COMMITTEE REPORT OF 4th FEBRUARY 2015

CLLR JANE PINTER HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY PLANNING COMMITTEE

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, loss of community facility, highway safety and parking, character and appearance, loss of trees

THE PROPOSAL:

This is a full planning application for the demolition of the existing public house which would be replaced by the erection of 8no. dwellings with associated access and landscaping, comprising four pairs of semi-detached units in a staggered formation. A total of 4 x 2no. bed houses, and 4 x 3no. bed houses are proposed with hallway, kitchen, living room, and WC at the ground floor with bathroom and respective bedroom accommodation at the first floor.

The properties would front Holly Road, in a set back position behind a low stone wall and modestly sized landscaped front gardens. Gated or open access would be provided round the rear, each with a patio and lawned garden provided in a linear form, with the exception of unit 8 - the most easterly plot - with its amenity principally to the side.

Parking for two vehicles is proposed per unit with driveways set adjacent to the rear gardens through a gated access in each instance, vehicular access would therefore be from the cul-de-sac Hafren Road at the rear which links through to Holly Road to the south west of the site. In each instance, a gated access to Holly Road fronting the site is proposed on to a new footpath running along the frontage.

Notably, the scheme has been subject to significant amendment in terms of access and parking arrangements, the scheme originally submitted sought access and parking from and at the front of the site, further to concerns raised by the Highways Authority, the revised scheme now before Members has been prepared.

The application is accompanied by a Design & Access Statement, Extended Phase One Habitat Survey, Bat Survey Report, and Arboricultural Impact Assessment.

SITE AND SURROUNDINGS:

The Red Lion is a combined one and a half and two storey vacant public house comprising a brick built structure with a yellow render finish and tiled roof. The building fronts Holly Road, principally in a set back position of around 2 metres. The

form of the building is of varying heights including a number of single storey pitched and flat roof extensions and suggests the building has evolved considerably over time; this is also evident from the range of chimneys across the building.

The site extends to 0.16 hectares in area and is subject to a slope from Holly Road down towards Hafren Road of around 2 metres, with a retaining wall separating the site from Hafren Road which is approximately 0.5 metres lower. This stone wall continues at a higher level along the eastern boundary adjacent 14A Holly Road, the remainder of the site is bound by a mix of timber fencing and brick walls.

Two tarmac car parks are positioned either side of the building providing parking for 26 vehicles, with a beer garden and outbuilding at the rear. Two trees are positioned along the southern boundary, one towards the centre of the site, together with an established Lawson cypress and bank of young Lawson cypress forming a screen adjacent 31 Hafren Road. An area of grass lies at the side of the building with a further grassed area at the rear within the beer garden. The remainder of the site is either tarmacked or footpath areas with paving in place.

Residential development neighbours the site to the east and west and opposite fronting Holly Road, as well as at the rear off the cul-de-sac of Hafren Road, a mix of single and two storey dwellings both detached and semi-detached of varying ages are present in the locality. A number of services and facilities are available in the vicinity of the site including a convenience store at the junction of Holly Road and South View Road around 150 metres and The Unicorn Public House 105 metres to the south west, and the Captain Webb Primary School 0.6 miles to the north (all walking distances), Dawley District Centre is in the region of a mile away to the north with a further range of services and facilities available including the new Phoenix Academy (11-16 school).

PLANNING HISTORY:

Various applications relating to alterations to the Public House including W80/0205 Construction of Car Park and Extension and Alterations to Vehicular and Pedestrian Access. Full Granted 03/06/1980, in addition to:

W84/0738RM Erection of a bungalow (land adjoining The Red Lion). Reserved Matters Granted 27/04/1990

W84/0738 Renewal of Permission for the Erection of a bungalow. Outline Granted 21/01/1985

W77/0763 Residential Development and Construction of Vehicular and Pedestrian Access. Wrekin no objections 03/07/1978

Pre-application enquiries:

PE/2013/1184 Erection of 8no. semi-detached dwellings

PE/2014/0495 Erection of 8no. semi-detached dwellings

PLANNING POLICY CONTEXT:

National Planning Guidance:
National Planning Policy Framework

Wrekin Local Plan:
UD2 Design Criteria
H6 Windfall sites in Telford & Newport
OL11 Woodlands and Trees

Core Strategy:
CS1 Homes
CS3 Telford
CS5 District and Local Centres
CS9 Accessibility and Social Inclusion
CS10 Community Facilities
CS14 Cultural, Historic and Built Environment
CS15 Urban Design

CONSULTATION RESPONSES:
Standard Consultation Responses

Parish Council: Originally supported the application however, following amended plans they now object to the application.

During the initial consultation the Parish Council wished to draw the attention of the Planning Officer to the fact that the existing building stands on the site of a Medieval Hall which is the oldest building in Little Dawley. The Council asked that consideration is given to an archaeological survey during the works to protect and or record the medieval remains on the site.

Councillor Jane Pinter: Green Carded Application, objecting to the scheme for the following reasons:

- Unsuitable for Hafren Road to be used for access
- Not in keeping with Hafren Road houses
- Unsuitable for increased amount of traffic using Southveiw road, Severn Way and Hafren Road
- Hafren road is a cul-de –sac with inadequate turning area at present and will be unable to cope with increased vehicle parking
- Emergency services access - concerns as no updated report since amended application
- Japanese Knotweed concerns on site
- Habitat Survey – concerns as no new update

The site is on Holly Road and the access should remain on Holly Road, there has never been a problem getting on or off this site regarding traffic, the proposed site in its entirety is the conflict. The application should be revised using access off Holly Road instead of proposing to use Hafren Road, which in turn will cause residents of Southview Road, Severn Way and Hafren Road permanent disruption.

David Wright MP

Aware no. of residents have submitted comments on the application and it would seem there is no broad objection to the development of the site for housing, concern arises from the proposed vehicular access to the dwellings from Hafren Road, crucial Plans Board considers whether vehicular access should be off Holly Road and whether the cul-de-sac arrangements off Hafren Road can take additional traffic.

Highways: Comment

Originally objected to the scheme recommending refusal due to concerns over visibility splays at the access with Holly Road, with the prerequisite 2.4m x 43m not being achievable in land within the applicants control or the adopted highway which is likely to result in an increase in highway danger; that the proposed development fails to make adequate provision for the parking of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger of vehicles being parked on the public highway; that the proposed development fails to make adequate provision for the turning of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger due to drivers having to manoeuvre into Holly Road.

Further to the submission of the revised design with parking accessed from Hafren Road, the Highways Officer now advise that in principle they have no objection to the proposal requesting a pre-commencement condition requiring the submission of full construction detail of the proposed footway and pedestrian dropped crossing on Holly Road with implementation prior to occupation; and secondly that the car parking be delivered (laid out, hard surfaced and drained) prior to development being brought into use. Finally, an informative has been requested advising contact be made with the Highways Authority prior to commencing work for permission to work on the adopted highway.

Arboricultural: Support subject to conditions

Advise that tree related constraints to be adhered to. No comment representation made in respect of the latter period of consultation.

Drainage: No objection

Ecology: Comment

Originally objected to the scheme with the need for further survey work to be undertaken on the basis that the Extended Phase One Habitat Survey carried out on this site recommended that bat activity surveys be carried out. Following receipt of a bat survey of the buildings, a comment response is submitted. A number of conditions are requested on the basis of the above observations – necessitating the submission of a Japanese knotweed management plan prior to commencement of development; erection of artificial nesting/roosting boxes for bats and birds prior to first occupation; submission of a lighting plan to minimise disturbance to bats prior to the erection of any external lighting; and, full details of both hard and soft landscaping prior to commencement of development. Three informatives are requested drawing the developers attention to the timing of works related to and protection of the nests of wild birds; the protection of bats; and, guidance around provision of trenches to prevent any wildlife becoming trapped.

No comment is made in respect of the final round of consultation.

Shropshire Fire Service: Comment

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". A parallel response is provided in respect of the 2nd period of consultation.

Neighbour Representations

Two periods of consultation have publicised this application, the first noticeably with access onto Holly Road at the front of the site [although a number of representors have responded with reference to access from the rear]; the second further to the scheme being amended with vehicular access from the rear. The issues raised can be summarised as follows:

1st consultation

Object (4 received)

- Access from Hafren Road – disruption of construction traffic
- Japanese knotweed – latter removal from site and should be removed with a license
- Loss of community facility
- Design not in keeping – most properties bungalow or dormer style
- Lack of need for development – no. of sizeable developments locally
- Loss of privacy

Comment (1 received)

- Boundary wall between Red Lion and 14a Holly Road in poor state of repair
- Concern vibration from construction machinery could damage boundary wall to 14a and property itself (at lower level than Holly Road)

2nd consultation

Object (42 received, from 30 households)

- Inappropriate access – Hafren Road too narrow to accommodate increased traffic, nature as a cul-de sac, impair access for emergency services / refuse vehicles / delivery vehicles / care services including limited turning ability already, existing two accesses from Holly Road should be used - wider road and no awareness of incidents, highway safety for children, increased traffic noise, parking already limited, would remove roadside parking for visitors, developers of Sylvie Meadow nearby unable to secure rear access and obliged to provide front access into Holly Road
- Design not in keeping should be single storey – most surrounding properties bungalow or dormer style
- Ecology concern – recommendation of Extended Phase One Habitat Survey to undertake bat activity surveys at the correct time of year, no further survey work submitted with this application
- Lack of need for development – no. of sizeable developments locally
- Noise – plans ignore recommendations of WHO noise levels in enclosed gardens
- Increased pollution from CO² emissions

- Level of amendment to scheme - new application should be submitted and everyone in Hafren Road notified
- Planning department / developer should meet with residents
- Need for archaeological survey as development on site of medieval hall
- Lack of consultation.

PLANNING CONSIDERATIONS:

Principle of development

The application site is presented as white land on the adopted Proposals Map, whilst the loss of a community facility must be considered in light of a protectionist policy defined in CS10. The policy dictates that the loss of existing land or buildings used for the benefit of the community will be resisted. In order for development for non-community uses to be considered appropriate, a lack of need must be demonstrated or where acceptable alternative provision exists or is proposed concurrently. The Design & Access Statement includes a map showing the position of the site related to alternative public houses within a 1.5km radius, this indicates a number present and in fact does not present The Unicorn Public House which is approximately 110 metres from the site boundary (walking distance) to the south west. On this basis, it is considered that the proposal satisfies the requirements of CS10 in that acceptable alternative provision exists in the locality. The application form defines that the use as a public house ended 01/10/2013.

The site is brownfield in nature sitting within the urban area in a sustainable location surrounded by residential development, there is a convenience store close by, a primary school within walking distance, with a range of further facilities available in the District Centre to the north. The proposal therefore accords with policies CS3 and CS5 with Telford, and particularly the District Centres being the focus for development over the plan period.

Design and Highways, access and parking

The NPPF has as one of its 12 core planning principles to 'secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. The NPPF goes on to advise at para 59 that 'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

Wrekin Local Plan policies UD2 and Core Strategy CS15 all seek to promote good design and good concepts of 'place making' to create 'Attractive, responsive and adaptable environments in which to live, work and play and are essential to creating sustainable local communities' (para 9.76 CS15). Further, a proposal is required to show a high quality of design, and not have an adverse impact on the local environment, especially with adjacent land uses in accordance with Wrekin Local Plan policy H6.

As the Design & Access Statement for the scheme references, a range of house types of varying architectural periods are present in the vicinity of the site, including older character properties, circa 1970s dwellings and more modern additions. The houses along Holly Road are principally two storey, with predominantly dormer bungalows along Hafren Road at the rear of the site. There is also a mix of detached and semi-detached properties, with the overall emphasis being on the latter.

This scheme has been subject to a number of iterations at the pre-application stage firstly, and then through the duration of the application. Prior to submission, two designs were submitted as evidenced in the Design & Access Statement, the first being a scheme for ten dwellings split in to three components around a central spine road with a bank of 9 parking spaces alongside, notably a number of units were proposed sideways on to Holly Road with their rear gardens facing the road. This was judged to represent overdevelopment of the site, and did not appropriately address Holly Road where an improved frontage was required – particularly bearing in mind the existing context of the principal elevation of the pub fronting the road, and a lack of and over dominant form of parking provision.

The 2nd pre-application scheme entailed a reduction to 8 units being semi-detached and a staggered formation, 6 of which would front Holly Road and the remaining 2 fronting Hafren Road, each would have individual driveways. Whilst the scheme provided an improved relationship in terms of street frontage on to Holly Road, it was again not supported by the Local Planning Authority, individual driveways off Holly Road was not supported by the Highways Authority, a lack of footpath at the front of the site, and concern over overlooking between two units at the west of the site.

The application was duly submitted comprising 8 units fronting Holly Road with an access towards the western edge of the site leading to an internal road running the length of the site with driveways fronting or to the side of units. A footpath was proposed along the front of the site, modest planting bays between the parking bays, and provision of rear gardens. This proposal was considered significantly detrimental to the streetscene being dominated by the access, tarmac and parking arrangement with limited staggering of the units.

As well as the negative visual impact, the implications of the scheme raised a number of highway danger concerns. The reasons related to an inability to provide sufficient visibility splays in land within the applicants control and / or the adopted highway which would likely result in an increase in highway danger; the proposed development failed to make adequate provision for the parking of vehicles within the site curtilage - with spaces being below the level required of 2.4m x 4.8m resulting in an increase in the likelihood of highway danger due to the likelihood of vehicles being parked on the public highway; the proposed development failed to make adequate provision for the turning of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger due to drivers having to reverse manoeuvre into Holly Road.

Wrekin Local Plan policy H6 requires that a site can be adequately accessed and parking provided. On the basis of the original scheme, as well as the detrimental design implications of the access and parking arrangement, the proposal was in conflict with policy H6. Further to the revisions made – which appreciably adopts the approach of neighbouring 14a to the east which fronts Holly Road with parking at the rear, the objection has been revised to a comment requesting conditions relating to the construction detail of the footway fronting the site, delivery of car parking as proposed prior to occupation. The proposal provides adequate parking, and is in a sustainable location with access to a range of services and facilities nearby, with a

bus route along Holly Road. The scheme is duly considered to accord with policy H6 in this respect.

Concerns over the proposed amended access and parking arrangement is a dominant issue within the representations received for this application, particularly the nature of Hafren Road as a cul-de-sac, existing difficulties experienced by emergency services and refuse vehicles in turning within Hafren Road. Further clarification has been sought from the Highways Authority as to the acceptability of the scheme, with a particular distinction between the nature of Holly Road as a Through Road with a 30mph speed limit. Although the existing use of the site is a sizeable pub car park the times in which the car park would be utilised would be outside of the peak hour, however, the proposed residential development would create vehicular movements during peak times. Therefore due to the nature of this road a single point of access is required with adequate on plot parking and turning area. Due to the limited frontage and size of the site this could not be provided to serve the proposed 8 units. Hafren Road is a quiet residential cul de sac and generates minimal two way peak movements. It is of a traditional design with a 4.8m carriageway with standard footways on either side. Existing residential units have sufficient on plot parallel parking and minimal on street parking is evident. On plot turning area is not necessarily required on a road of this nature therefore 8 individual driveways to the proposed residential units is acceptable in highway terms. It is advised that 2 parking spaces are provided per unit which is also adequate. The cul de sac also has an adoptable turning head at the end of it. Refuse vehicles may have to reverse manoeuvre to service Hafren Road, however, this is common practice on many older cul de sac arrangements in the Borough and is not a significant highway safety issue. In respect of emergency vehicle access, consultation has arisen with the Fire Service who did not raise concern as to the revised form of scheme. The Local Planning Authority therefore considers that the revised proposal accords with policy H6 in terms of being adequately accessed and parking provided.

The amended scheme has notable implications in terms of design, as well as, the aforementioned highway safety considerations. The scheme remains at 8 units and does represent a density of units that is generally higher than properties in the locality. The agent has been encouraged to drop a further unit, but unwilling and remains in the current format to consider, which on balance is considered acceptable. However, the scheme as amended does deliver: a footpath to provide a safe means of access to pedestrians to and from the site as sought at the pre-application stage, and notably from front gardens rather than across the access road as originally proposed; development would be setback from the road with a stone wall – as an evident existing feature of the site; modest front gardens would be provided for each unit and an active frontage to Holly Road – an emphasis of two storey units facing the front rather than the rear is considered more appropriate with a greater emphasis on two storeys rather than bungalows and dormer bungalows at the rear; individual access to the rear of each unit – thus encouraging occupants to store their refuse bins at the rear; with rear gardens whilst leaning towards being a touch small, provide sufficient amenity area and noted the provision is larger on the three bed units. The scheme now provides a much softer approach to development.

At the rear of the site the boundary along Hafren Road is a low wall and close board fencing along the western half, and then a mix of block and stone wall with planting behind with partial views through to the car park. The application form identifies the proposed boundary treatment as brick wall and timber fencing, further clarification has been sought in terms of the boundary at the rear as it is felt that improvement can be sought here from the existing mismatch of low stone wall and varied fences. Here provision of a new hedge is proposed and would provide a more consistent approach and an enhancement to the streetscene. Notably, the block plan shows the driveways as tarmac, again an enhancement would be sought through provision of permeable paving as had been indicated when parking was proposed at the front of the site. These requirements would be controlled through condition.

Due to the variety of house styles in the area, a more contemporary design has been favoured for the scheme, seeking to recognise the scale and form of the surrounding dwellings. Vernacular materials comprise a mix of brick, render and timber, again being reflective of buildings present across the eras present in the local area. The proposed window arrangement is somewhat unusual, however, again a range of different arrangements are present in the locality, and add interest to the elevations and fitting with the proposed contemporary nature of the units. Variation between the pairs of semis would be sought through a mix of render colours.

The proposal also provides sufficient distance separation to existing properties so not to have an adverse impact on residential amenities by virtue of loss of light or outlook. In terms of a wider privacy and amenity context, here it is important to appreciate the historic context of the site with a beer garden at the rear and car park bordering the eastern and western edge, thus activity would have arisen at varied times during the day and evening.

Bearing in mind the residential context of the surrounding area, it is considered appropriate for control to be placed over the construction phase, with imposition of a Site Environmental Management Plan condition recommended.

Drainage

The application material advises that both foul and surface water drainage will be conveyed to the mains sewer, there are no objections to this. Clarification has been sought in this respect, this was provided on the basis that the site as existing is principally impermeable surface (the building and tarmac/pathways), that there are no known capacity issues in the locality and an enhancement will be secured through development with a reduction in the level of impermeable surface. Policy H6 is therefore satisfied in respect of drainage.

Ecology and Trees

An objection was initially made in respect of a lack of further bat activity survey work at the outset of the application following the recommendation of the Extended Phase One Habitat Survey, and has also been identified within the neighbour representations received. Following the submission of a bat survey report, the response of Ecology has been revised to a comment with no evidence of roosting observed externally or internally, activity surveys having recorded no bats emerging from the buildings, with a small number of common pipistrelles and a soprano pipistrelle recorded foraging on the site during the surveys. On this basis, to

compensate for the loss of roosting opportunities and to enhance the site for bats, a number of artificial roost boxes should be erected on the new buildings with a condition accordingly recommended, a lighting plan condition is also requested to minimise disturbance to bats.

The context of Japanese knotweed has been raised by Ecology, further to the habitat survey having identified 'a strong colony of Japanese knotweed ... mainly located along the southern boundary.' 'This will require control and management prior to development works taking place.' The presence of knotweed on the site has also been raised by a number of neighbours. The concern is therefore appreciated and a condition is recommended for the submission and approval of a Japanese knotweed management plan with works to be undertaken in line with approved details.

Development would now entail the removal of four trees from the site and the Lawson Cypress hedge adjacent to No. 31 Hafren Road. Ecology have confirmed that none of the trees on site contain features suitable for bat roosting. The Council's Arboriculturalist supported the scheme subject to conditions that tree related constraints are adhered to, with no comment made with reference to the revised scheme. The proposed tree plan indicates a number of replacement trees, and will present an enhancement to the streetscene along both Hafren and Holly Road overall.

Therefore there will be no adverse impact on flora or fauna subject to the protection of ecology and provision of replacement trees, with relevant mitigation, can be secured in accordance with Core Strategy policy CS12 and Wrekin Local Plan policy OL11.

Archaeology

The need for an archaeological survey has been raised by a number of local residents with reference to the building lying on the site of a medieval hall. The archaeologist has confirmed that they have no reference to a medieval hall on this site, and as there is no record of archaeological remains on this site it is not appropriate to provide archaeological mitigation measures. .

Other Matters

A concern has been raised within a representation as to the level of amendment made to the scheme identifying that a new application should be submitted and everyone in Hafren Road notified, alongside a lack of consultation. The Local Planning Authority has met its obligations under the Development Management Procedure Order in terms of neighbour notification, notably applications are regularly amended during the determination period and this instance a further period of consultation occurred.

Conclusion

The site is located within the built-up area of Telford, with the loss of the community facility justified with alternative provision available nearby, the principle of the development is considered acceptable. Following amendment, the proposal can be adequately accessed and parking provided and is appropriate in highway terms. The site can be adequately drained with betterment likely through a reduction in the level of hardstanding through provision of gardens. The design whilst providing a density

that is generally above the average in terms of immediate neighbours does sit within the context of a mix of house types including modest terraced units in the locality, with a design that will add to the diversity of house types present. Accordingly, the proposed complies with relevant national and local planning policies and is recommended for approval.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions:

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