



Development Management Report

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

Summary of Application

Application Number: 23/00059/FUL	Parish:	Wem Urban
Proposal: Redevelopment of site to include change of use of public house to retail (Class E a-g), retention of existing residential accommodation as a separate dwelling, erection of a new build residential building incorporating 7 no. apartments following removal of existing outbuildings and associated external works (resubmission of application reference 21/05863/FUL)		
Site Address: Old Post Office And Buildings To The Rear 25 High Street Wem Shrewsbury Shropshire		
Applicant: Mr G.Lewis,Mrs N.Rutter,Mrs J.Page		
Case Officer: Jane Preece	email	: jane.preece@shropshire.gov.uk

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

REPORT

1.0 THE PROPOSAL

1.1 The application seeks consent for the:

'Redevelopment of site to include change of use of public house to retail (Class E a-g), retention of existing residential accommodation as a separate dwelling, erection of a new build residential building incorporating 7 no. apartments following removal of existing outbuildings and associated external works (resubmission of application reference 21/05863/FUL)'

1.2 The submission follows on from the refusal and dismissal on appeal for an earlier application, reference 21/05863/FUL that proposed the:

'Redevelopment of site to include change of use of public house to retail (Class E a-g), conversion of part existing building to residential to create (2no apartments),

erection of a new build residential building (7no apartments) following removal of existing outbuildings, and associated external works.'

- 1.3 The main issues identified by the Planning Inspector in the appeal decision (dated November 2022) related to:
- 'Whether the proposal would provide a suitable standard of living conditions for future occupants and the effect on the living conditions of neighbouring occupiers; and,
 - The effect of the proposal on the character and appearance of the surrounding area, including the historic environment.'
- 1.4 In relation to living conditions the Inspector found unacceptable harm, concluding at paragraph 9 of the appeal decision that:
- 1.5 *'The proposal would not provide a high quality of living conditions for future occupiers and would harm the living conditions of neighbouring occupiers as a result of the poor provision of outside amenity space, privacy and natural light. The proposal would therefore conflict with Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (the ACS) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan (the SAMDev), these require amongst other matters that developments contribute to the wellbeing of residents, including through access to open spaces, and safeguard residential amenity more widely. The development would also conflict with the National Planning Policy Framework (the Framework), in particular Paragraph 130 which seeks proposals to promote wellbeing with a high standard of amenity for existing and future users. It would also conflict with the guidance set out within the Type and Affordability of Housing Supplementary Planning Document (the SPD) with regard to amenity spaces, overshadowing and the loss of privacy.'*
- 1.6 In relation to character and appearance, the Planning Inspector found no harm, concluding within paragraph 17 that:
- 1.7 *'..., the proposal would not result in any harm to the character and appearance of the surrounding area and historic environment, including the nearby listed building. The proposal would therefore comply with ACS Policies CS6 and CS17 and SAMDev Policies MD2 and MD13. These policies collectively, and amongst other issues, require that developments are of a high-quality design that they protect, conserve, or enhance the built and historic environment. The proposal would also comply with the Framework, and in particular Paragraph 130 and Chapter 16 which have similar aims to the above policies. It would also comply with the overarching design guidance set out within the SPD.'*
- 1.8 The scheme the subject of this current application is put forward as having '... been revised to address the specific issues of concern to the Inspector ...' This statement is expanded upon within paragraphs 2.3 to 2.16 of the submitted Planning Statement that accompanies this submission, ie:
- 1.9 *'2.3 The existing outbuildings that were initially intended to be retained and converted to residential use are now shown to be demolished, resulting in an overall reduction of two units compared to the previous submission.'*

2.4 The removal of the aforesaid buildings enables a significant increase in the area available for amenity space for the occupiers of the new units which will be contained in the single block that faces onto Leek Street.

2.5 The amended plans demonstrate a small private rear garden to serve Flat 1 which is not intended for family use by virtue of its size

2.6 Flat 2 has its own space but has access directly onto the communal open garden space.

2.7 The layout and open space provision addresses the comments contained in paragraphs 3, 4 and 5 of the Inspector's Statement.

2.8 The removal of the existing outbuildings overcomes concerns made by the Inspector in paragraphs 6 and 7 with regard to the relationship between the new build and the previous to be retained single storey buildings.

2.9 The latter part of paragraph 7 also made reference to the potential of overlooking from habitable rooms in the new building to rooms in properties on the other side of Leek Street.

2.10 Such issues have been addressed by the re-designed floor layout for the new build whereby windows at first and second floor levels are predominantly obscure glazed as they serve corridors and not habitable rooms.

2.11 All habitable rooms have windows at the rear, the only exception being windows in the living room of Flats 5 and 7 which do not look directly towards habitable windows on the other side of Leek Street.

2.12 In paragraph 8, the Inspector concluded that the new building in the same position and height as previously shown would not result in any unacceptable harm, subject to the overlooking issues being addressed.

2.13 Paragraph 9 of the Inspector's report made it clear that the main concerns related to the new builds relationship to the buildings to the rear, which are now to be demolished.

2.14 In paragraphs 10 to 12, the Inspector describes the character and appearance of the area.

2.15 In paragraph 13 the Inspector accepts that the loss of the garages and the replacement with a block of flats would be more in keeping with the character of Leek Street.

2.16 He added that this is especially so as the building fronting onto Leek Street is of a fairly traditional style that would be sympathetic to the character and appearance of the existing street and wider Conservation Area. ‘

- 1.10 No pre-application advice has been sought in respect of the revised scheme prior to submitting this current application.
- 1.11 In response to continuing concerns regarding over development the scheme has further been revised during the consideration of planning application by removing the old store building, thus increasing the amenity space and responding to light issues in respect of existing development to the north. The housing mix has also been altered to reduce the on-site open space requirements based on the total number of bedrooms and the requirement for 30 sqm per bedroom. Six x 1 bedroom flats and two x 2 bedroom flats are now proposed, equating to 10 bedrooms in total and the requirement for 300 sqm open space (as opposed to 4 x 1 bedroom flats, 3 x 2 bedroom flats and 1 x 3 bedroom flat, equating to 13 bedrooms in total and the requirement for 390 sqm open space). The agent has provided an amenity analysis plan, calculating the on site open space for the revised scheme to now equate to 306.8 sqm m.

2.0 **SITE LOCATION/DESCRIPTION**

- 2.1 The site address is: The Old Post Office and buildings to the rear of 25 High Street, Wem.
- 2.2 The site lies within Wem town centre and the conservation area of Wem. It is also set amid numerous heritage buildings, listed and non-designated.
- 2.3 The measurement of the site area is stated as 614 sqm.
- 2.4 The existing use of the site is that of a public house, outbuildings, garages and a store.

3.0 **REASON FOR DELEGATED DETERMINATION OF APPLICATION**

- 3.1 The scheme complies with Shropshire Council's adopted scheme of delegation to Officers.

4.0 **Community Representations Summary**

4.1 **Consultee Comments Summary**

- 4.1.1 **SUDS** – 1. Condition: No development shall take place until scheme of surface and foul water drainage submitted to and approved in writing by LPA. Approved scheme shall be fully implemented before development is occupied/brought into use (whichever is sooner).

2. Comment: Surface water and foul drainage schemes should be designed and constructed in accordance with Council's SUDS Handbook.

- 4.1.2 **SC Ecology** – Recommendation: Conditions and informatives recommended to ensure protection of wildlife and provide ecological enhancements.

Reviewed information and plans submitted. Happy with survey work carried out.

Ecology survey by Arborist & Ecological Services found no signs of bats in buildings. No further surveys were recommended. In event bat is found during works, works must stop and NE or licensed ecologist must be contacted for advice on how to proceed.

No evidence of or suitable habitat for notable/protect was observed during preliminary ecological appraisal.

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

SC ecology require biodiversity net gains at site in accordance with NPPF and CS17. Installation of bat box/integrated bat tube will enhance site for wildlife by providing additional roosting habitat.

Recommend following conditions and informatives are included on decision notice:

Conditions:

- Bat and bird boxes
- Lighting Plan condition
- Landscaping Plan condition

Informatives

- Bats informative
- Nesting birds informative
- Landscaping informative

4.1.3 **SC Highways** – Observations/Comments: Application is resubmission. Current application differs from earlier one in that number of residential units has been reduced to net gain of 7 units not 9 as previously. Earlier application raised no highway concerns on basis loss of garages removed substandard access arrangements and additionally that site is considered to be sustainably located within town centre.

To give more weight to principle of proposal being unlikely to result in adverse highway implications, supporting statements should ideally also assess level of on-street parking and any potential constraints there may be in using car park opposite in terms of costs and what level of overnight usage is. Is reasonable to assume in absence of any realistic measures, proposal is likely to result in future residents generating degree of offsite parking. Ultimately however, is considered that potential increase in offsite parking leading to distinct highway road capacity and road safety issues in this location would be difficult to sustain on this occasion and therefore no highway objection is raised.

In event all other planning matters are resolved and considered to be acceptable is recommended development is carried out in accordance with approved drawings and Construction Traffic Management Plan is submitted and approved prior to commencement of development and be in place for duration of construction period.

Informative notes:

- Works on, within or abutting the public highway
- No drainage to discharge to highway
- Waste Collection

4.1.4 **SC Archaeology (re-consultation comments)** – Is understood amended version of Archaeological Heritage Assessment been submitted. However, findings of Assessment with regard to archaeological impacts of proposed development remain same. Officers therefore refer to their previous advice and have no further comments to make at this stage.

4.1.4 **SC Archaeology (original comments)** – Background to Recommendation: Site lies within medieval historic core of Wem and within group of tenement plots fronting onto High Street that may represent un-planned later medieval extension to town. Historic cartographic evidence indicates by early-mid C19th area of site to rear of High Street was occupied by number of buildings, some of which fronted onto Leek Street. Some of these buildings appear to survive, albeit in heavily altered state. In addition, late C17th or early C18th house known as Old Smithy is recorded to have stood on site of garages fronting onto Leek Street until later C20th, although no above ground remains are evident on site. It also incorporates wall whose lower courses comprise very large sandstones blocks which has been speculated may represent reused masonry derived from Wem Castle.

Application proposes demolition of existing outbuildings and garages to rear of 25 High Street and construction of new build residential building to provide seven apartments. Archaeological desk-based assessment submitted indicates construction and alteration of existing outbuildings, garage building, and hard landscaping within former beer garden in C20th century will have impacted on any earlier below ground archaeological remains but that deeper deposits may still survive. Demolition of existing buildings and structures and subsequent ground works have potential to impact on any such remains. On this basis proposed development site is considered to have moderate – high archaeological potential.

RECOMMENDATION: In relation to Policy MD13 of Local Plan and Paragraph 194 of NPPF, advise Archaeological Heritage Assessment by Archaeological Building Recording Services provides sufficient information about archaeological interest of proposed development site to enable application to be determined.

Given findings of Assessment, and in relation to Local Plan Policy MD13 and Paragraph 205 of NPPF, advise phased programme of archaeological work is made condition of any planning permission for proposed development. This should comprise any pre-demolition recording of standing buildings and structures that Conservation Officer considers necessary; post demolition trial trenching exercise on footprint of new build apartment building; and any subsequent further mitigation as appropriate.

Suggested appropriate condition:

Archaeology WSI - Pre-commencement phased programme of archaeological work in accordance with written scheme of investigation (WSI) to be submitted and approved by LPA.

- 4.1.6 **SC Conservation (re-consultation comments)** – Confirm comments made in previous response with regard to landscape layout and use of historic structures on site have been taken on board and therefore have nothing more to add. Please note conditions were included on response referred to above.

SC Conservation (original comments) – Background to Recommendation: In considering proposal due regard to following local policies and guidance has been taken, when applicable: CS6, CS17, MD2, MD13, national policies and guidance, NPPF and Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Site is within Wem Conservation Area (CA) and immediately adjacent site, to NE, is 19-21 High Street which are Grade II listed.

Section 16 of NPPF to Conserving and Enhancing the Historic Environment. Paragraph 194 of NPPF requires applicants to describe significance of heritage assets and their setting. Paragraph 197 requires new development to make positive contribution to local character and distinctiveness and when considering impact of proposed development on significance of designated heritage asset great weight should be given to assets conservation and any harm should require clear and convincing justification (paragraphs 199-200). Paragraph 202 states if considered proposed development will cause less than substantial harm to significance of designated heritage assets this harm should be weighed against public benefits of scheme.

Paragraph 206 states “Local authorities should look for opportunities for new development within CA’s ... and within the setting of HA’s to enhance or better reveal their significance... Proposals that preserve those elements of setting that make a positive contribution to the asset then they should be treated favourably.” CS6 states development will be designed to high quality to achieve positive contribution to character of buildings, to protect and enhance built and historic environment, ensuring appropriate scale and design and be in keeping with local character and context. In addition MD2 states “...for a development proposal to be considered acceptable it is required to...” contribute to and respect locally distinctive or valued character, respond appropriately to scale and proportion; and therefore protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13. MD13 states Shropshire’s heritage assets will be protected, conserved, sympathetically enhanced and restored by ensuring proposals avoid harm or loss to significance of designated and non-designated heritage assets and ensuring that proposals affecting significance of these assets are accompanied by Heritage Assessment.

Legislatively Section 66 and 72 of Planning (Listed Buildings and Conservation Areas) Act is relevant to application, where Act requires need to pay special regard to preservation of listed buildings and their settings (Section 66) and Section 72 is relevant where special attention should be paid to desirability of

preserving or enhancing character or appearance of conservation area.

RECOMMENDATION: Application description refers to previous refused application in 2021 and note the refusal was upheld at appeal. As part of this appeal decision heritage matters were reviewed by Inspector who found "...the proposal would not result in any harm to the character and appearance of the surrounding area and historic environment, including the nearby listed building. The proposal would therefore comply with ACS Policies CS6 and CS17 and SAMDev Policies MD2 and MD13..." We therefore do not wish to comment further on this element of scheme however, appears some of buildings subject of conversion scheme included in refused application are now proposed for demolition. My archaeology colleague has described history of site and noted buildings for demolition, describing them "...some of these buildings appear to survive albeit in a heavily altered state. In addition, a late 17th or early 18th century house known as the Old Smithy (HER PRN 12523) is recorded to have stood on the site of the garages fronting onto Leek Street until the later 20th century, although no above ground remains on this are evident on site. It also incorporates a wall (HER PRN 06288) whose lower courses comprise very large sandstones blocks which it has been speculated may represent reused masonry derived from Wem Castle." We would therefore consider appropriateness of proposed landscaping and wonder whether this could incorporate more reference to building lines of historic buildings that once stood on site? This could, in particular, relate to large sandstone block wall which runs north-south on site and suggest this should be subject of further consideration.

Should decision takers be minded to approve application would suggest following conditions, and consider that recording of any buildings to be lost (condition JJ30) should be a pre-commencement condition:

JJ3, JJ6, JJ7, JJ9, JJ11, JJ20, JJ30 (level 2 recording required).

4.1.7 **SC Affordable Houses** – If development is policy compliant then whilst Council considers there is acute need for affordable housing in Shropshire, Councils housing needs evidence base and related policy pre dates judgment of Court of Appeal and subsequent changes to NPPG, meaning that on balance and at this moment in time, then national policy prevails and no affordable housing contribution would be required in this instance.

4.2 **Public Comments Summary**

4.2.1 **Wem Town Council (re-consultation comments)** – Objection withdrawn

In view of the amendments proposed to the application, Wem Town Council wish to withdraw their objection to the development.

Wem Town Council (original comments) – Object

Wem Town Council object to the application because the Council consider the proposals to be over development of the site as the proposed reduction in the number of apartments in this resubmission is insufficient.

4.2.2 **Public representations** - One representation of objection has been received. The main points of objection relate to:

Wem Civic Society -

(1) Old Post Office itself, though early C20th building, is important feature on Wem High Street. In particular, façade raises and enhances appearance of streetscape. Would be good to see this building remaining viable and functional, and retained in its present form.

(2) An improvement in appearance of Leek Street is welcomed - currently is out of character within Conservation Area. Major concern is outbuildings, garden. and garages are very likely to sit on archaeological remains dating from mediaeval and later periods. Any development on site must involve detailed and in-depth archaeological investigation.

(3) Civic Society feels application in present form would still represent over development of site. Also has concerns over implications of increase in traffic in this area. Leek Street is mixed pedestrian and vehicle road, and is quite narrow.

5.0 **THE MAIN ISSUES**

- Previous reasons for refusal and appeal dismissal

6.0 **OFFICER APPRAISAL**

6.1 The proposal has been subjected to consultation and assessed against the relevant planning policies of the adopted development plan. Where issues have been raised these have either been resolved with the submission of amended plans or additional information and/or can be adequately addressed through the imposition of appropriate planning conditions of approval.

6.2 Accordingly, it is now considered that the re-submitted scheme as further revised during the consideration of this application, has now satisfactorily addressed the previous reasons for refusal and appeal dismissal decision and as such can be supported with appropriate planning conditions of approval in place.

7.0 **CONCLUSION**

7.1 On balance, officers consider that the proposal, as supported by revised plans and additional information, is now acceptable and capable of being planning policy compliant subject to the imposition of the planning conditions of approval listed in the appendix below.

7.2 Approval is therefore recommended, subject to the imposition of the recommended conditions listed in the appendix below.

7.3 Where pre-commencement conditions are recommended their imposition has been agreed with the agent on behalf of the applicant.

7.4 In considering the application due regard has been given to the following planning policies as relevant: Shropshire Core Strategy CS1, CS3, CS6, CS8,

CS9, CS11, CS13, CS15, CS17 and CS18; Site Allocations and Management of Development (SAMDev) Plan policies MD1; MD2, MD3, MD10A, MD12, MD13 and S17; the Council's SPD on the Type and Affordability of Housing, the National Planning Policy Framework and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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:

National Planning Policy Framework

Core Strategy and Site Allocations and Management of Development (SAMDev) Plan:

CS1 - Strategic Approach

CS3 - The Market Towns and Other Key Centres

CS6 - Sustainable Design and Development Principles

CS8 - Facilities, Services and Infrastructure Provision

CS9 - Infrastructure Contributions

CS11 - Type and Affordability of housing

CS13 - Economic Development, Enterprise and Employment

Economic Development, Enterprise and Employment

CS15 - Town and Rural Centres

CS17 - Environmental Networks

CS18 - Sustainable Water Management

MD1 - Scale and Distribution of Development

MD2 - Sustainable Design

MD3 - Managing Housing Development

MD10A - Managing Town Centre Development

MD12 - Natural Environment

MD13 - Historic Environment

Settlement: S17 - Wem

SPD Type and Affordability of Housing

National Planning Policy Framework

RELEVANT PLANNING HISTORY:

NS/06/02098/ADV Fitting of signage (individual lettering, pictorial hanging sign and etched window graphics) and installation of 2no.hanging lanterns and 3no.floodlights all to front elevation CONAPP 20th December 2006

NS/91/00950/FUL Change of use of former post office to public house and bistro GRANT 6th January 1992

21/05863/FUL Redevelopment of site to include change of use of public house to retail (Class E a-g), conversion of part existing building to residential to create (2no apartments), erection of a new build residential building (7no apartments) following removal of existing outbuildings, and associated external works REFUSE 24th February 2022

23/00059/FUL Redevelopment of site to include change of use of public house to retail (Class E a-g), retention of existing residential accommodation as a separate dwelling, erection of a new build residential building incorporating 7 no. apartments following removal of existing outbuildings and associated external works (resubmission of application reference 21/05863/FUL) GRANT 18th April 2023

NS/92/00717/FUL ERECTION OF SINGLE STOREY KITCHEN EXTENSION TO REAR OF BUILDING TO SERVE RESTAURANT
GRANTED UNDER REF: N/91/950/WU/50 PER 24th February 1992

NS/92/00718/FUL ERECTION OF BOILERHOUSE ERECTION OF GROUND FLOOR EXTENSION AND FORMATION OF CELLAR LINK PER 27th April 1992

NS/92/00719/ADV DISPLAY OF WALL SIGN HANGING SIGN AND INTERNALLY ILLUMINATED LANTERN TO FRONT ELEVATION PER 19th October 1992

Appeal

22/03053/REF Redevelopment of site to include change of use of public house to retail (Class E a-g), conversion of part existing building to residential to create (2no apartments), erection of a new build residential building (7no apartments) following removal of existing outbuildings, and associated external works DISMIS 22nd November 2022

11. Additional Information

List of Background Papers

23/00059/FUL - Application documents associated with this application can be viewed on the Shropshire Council Planning Webpages <https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RO2VJITDLHY00>

Cabinet Member (Portfolio Holder) - Councillor Richard Marshall

Local Member - Cllr Peter Broomhall Cllr Edward Towers

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, phasing plan 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.

3. Construction works shall not take place outside 07:30 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to maintain the amenities of the area.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

5. No development approved by this permission shall commence until a photographic survey (Level 2 survey, as defined in English Heritage's guidance 'Understanding Historic Buildings: A Guide to Good Recording Practice') of the interior/exterior of the buildings has been submitted to and approved in writing by the Local Planning Authority.

Reason: This information is required before development commences to record the historic fabric of the building prior to development.

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - a construction traffic management (& HGV routing plan) and community communication protocol.

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

7. No development shall take place until a scheme of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

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

8. Notwithstanding the details shown on the submitted proposed site plan prior to any above ground works commencing full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- a) Planting plans, creation of wildlife habitats and features and ecological enhancements e.g. bat and bird boxes, hedgehog-friendly gravel boards and amphibian-friendly gully pots;
 - b) Written specifications for establishment of planting and habitat creation;

- c) Schedules of plants/seed mixes, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- d) Hard surfacing details;
- e) Implementation timetables.

Native species used are to be of local provenance (Shropshire or surrounding counties).

The landscape works shall be carried out in full compliance with the approved scheme.

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 design.

9. 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 safeguard the architectural and historic interest and character of heritage assets and their setting and to ensure that the external appearance of the development is satisfactory.

10. Prior to the occupation of any part of the development a landscape management plan (to include a maintenance schedule and management responsibilities) for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in perpetuity or in accordance with an alternative management plan to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the adequate future management and maintenance of landscaped areas that are communal and outside privately owned gardens.

11. 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 on these aspects of the development. 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.

12. Before the relevant parts of the work are commenced, details of roofing materials, including ridge materials and detailing, together with the method of ventilating the roof voids and the method of fixing these items, shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure satisfactory preservation of the Heritage Asset.

13. 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 works commence on the roof. 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.

14. Details of the materials and form of the heads and sills to new openings in the external wall(s) of the building(s) shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence. 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.

15. Prior to the commencement of any above ground brickwork, details of the brick bond and type, shall be submitted to and agreed in writing by the Local Planning Authority. Following this approval, a freestanding sample panel of brickwork of approximately 1m square shall be provided on site and the mortar mix, colour, texture and joint finish shall be inspected and approved in writing by the Local Planning Authority before the relevant works commence.

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

16. 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.

17. Prior to first occupation / use of the buildings, 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 4 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 8 artificial nests, of either integrated brick design or external box design, suitable for Swifts (Swift bricks or boxes with entrance holes no larger than 65 x 28 mm can accommodate a wide range of species (CIEEM, 2019)), Starlings (42mm hole, starling specific), Sparrows (32mm hole, terrace design) and/or House Martins (House Martin nesting cups) shall be erected on the site prior to first use of the development.

The boxes shall be sited in suitable locations and at suitable heights from the ground, with a clear flight path and where they will be unaffected by artificial lighting.

The boxes shall therefore be maintained for the lifetime of the development.

For swift bricks: Bricks should be positioned 1) Out of direct sunlight 2) At the highest possible position in the buildings wall 3) In clusters of at least three 4) 50 to 100cm apart 5) Not directly above windows 6) With a clear flightpath to the entrance 7) North or east/west aspects preferred. (See <https://www.swift-conservation.org/Leaflet%20%20-%20Swift%20Nest%20Bricks%20-%20installation%20&%20suppliers-small.pdf> for more details).

Reason: To ensure the provision of roosting opportunities for bats and nesting opportunities for wild birds, in accordance with adopted development plan policies MD12 and CS17 and section 180 of the National Planning Policy Framework.

18. 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.

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

19. The first and second floor windows in the east (facing Leek Street) elevation shown to be obscure glazed shall be permanently formed as fixed lights and glazed with obscure glass (level 1) and shall thereafter be retained and maintained as such. No further windows or other openings shall be formed in that elevation.

Reason: To preserve the amenity and privacy of neighbouring properties.

20. The development hereby granted planning permission for shall be used as Six x 1 bedroom units of residential accommodation and two x 2 bedroom units of residential accommodation in accordance with the approved plans and at no time shall the development be modified and/or occupied to accommodate a greater number of bedrooms or persons for permanent residence.

Reason: To ensure that the development permitted does not lead to the establishment of a larger units of residential occupation and associated potentially substandard external residential amenity without further consideration being given to issues of external residential amenity.

21. The retail use hereby approved shall not be open for customers and members of the public and no customers or members of the public shall remain on the premises outside the following hours: - 07:30 - 19:00 on any day.

Reason: In order to restrict the use of the premises in the interest of the amenities of the area.

Informatives

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

3. 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.

No drainage to discharge to highway

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.

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-storage-and-collection.pdf>

4. You are obliged to contact the Street Naming and Numbering Team with a view to securing a satisfactory system of naming and numbering for the unit(s) hereby approved. At the earliest possible opportunity you are requested to submit two suggested street names and a layout plan, to a scale of 1:500, showing the proposed street names and location of street nameplates when required by Shropshire Council. Only this authority is empowered to give a name and number to streets and properties, and it is in your interest to make an application at the earliest possible opportunity. If you would like any further advice, please contact the Street Naming and Numbering Team at Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or email: snn@shropshire.gov.uk. Further information can be found on the Council's website at: <http://new.shropshire.gov.uk/planning/property-and-land/name-a-new-street-or-development/>, including a link to the Council's Street Naming and Numbering Policy document that contains information regarding the necessary procedures to be undertaken and what types of names and numbers are considered acceptable to the authority.
5. 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.

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 conversion 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 buildings for active bird nests should be carried out. If 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.

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.

6. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.

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