

DECISION NOTICE

Mr G.Lewis,Mrs N.Rutter,Mrs J.Page
c/o Bleazard And Galletta LLP
Maypole Court
2 High Street
Wem
SHREWSBURY
SY4 5AA

Date: 18th April 2023

Our Ref: 23/00059/FUL
Your Ref: 2067 Redevelopment
of 25 High...

Dear Mr G.Lewis,Mrs N.Rutter,Mrs J.Page c/o Bleazard And Galletta LLP
Bleazard And Galletta LLP

DETERMINATION OF APPLICATION FOR FULL PLANNING PERMISSION

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Location:	Old Post Office And Buildings To The Rear, 25 High Street, Wem, Shrewsbury
Proposed Development:	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)
Application No.	23/00059/FUL
Date Received:	9th January 2023
Applicant:	Mr G.Lewis,Mrs N.Rutter,Mrs J.Page

Shropshire Council hereby **GRANT FULL PLANNING PERMISSION** subject to the conditions listed below.

STANDARD CONDITIONS

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



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

2. The development shall be carried out strictly in accordance with the approved plans, 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.

CONDITIONS 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.

CONDITIONS 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.swiftconservation.org/Leaflet%20%20Swift%20Nest%20Brick%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.

CONDITIONS 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.

Schedule 1 - Approved plans, drawings, documents

Description	Reference	Date Received
Detail Drawing	CIL Phasing Plan	18.04.2023
Location Plan	2067 D 01	09.01.2023
Floor Plan - Proposed	2067 D 100B, Rev. B	20.02.2023
Proposed Elevations	2067 D 101B, Rev. B	20.02.2023
Proposed Elevations	2067 D 200B, Rev. B	20.02.2023
Proposed Elevations	2067 D 201B, Rev. B	20.02.2023
Site Plan	2067 D 203B, Rev. B	20.02.2023

INFORMATIVES

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.

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.

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>

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.

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.

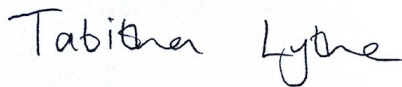
THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.

If your proposed project requires **Building Regulations Approval** or you are unsure whether it does please contact us on **01743 258710**, email buildingcontrol@shropshire.gov.uk or visit our website <https://www.shropshire.gov.uk/building-control/> for pre-application advice and a competitive fee.

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" which can be found using the following link: <http://www.shropshirefire.gov.uk/planning-applications>

If your project relates to a **Listed Building** please be aware that if, during the process of obtaining Building Regulation Approval or undertaking Fire Safety works amendments to the scheme as approved under the Listed Building Consent are requested, it is very likely that you will need to amend your approved drawings regardless of how minor the alteration may be. If this is the case, please contact the Case Officer and they will determine what action is required. Work should not be proceed until appropriate amendment/s have been approved in writing by the Council. We would advise that the carrying out of unauthorised work could represent a criminal offence under Section 9(1) of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended).

23/00059/FUL



Tabitha Lythe, Planning and Development Services Manager
Date of Decision: 18th April 2023

NOTES

Conditions

You will see that your decision notice includes a number of conditions:

- You must comply with all of the conditions. If you are unclear about any of them, please contact the Planning Officer who dealt with the application.
- Some of the conditions may require you to submit further information to the Council for approval. Most conditions will need to be complied with before you start work on site.
- If you think any of the conditions are unreasonable you may appeal to the First Secretary of State, through the [Planning Inspectorate](#).
- Please also ensure that you comply with the requirements of any Legal Agreement that may accompany the planning permission.

Informatives

Your decision notice includes a number of informatives. This gives you some extra guidance and advice which will help the development process. Please note your Decision Notice gives permission only under the Town and Country Planning Acts. You may need other approvals, for example under the Building Regulations, or Party Wall Act, or permission from your neighbour to go onto his/her land.

Amendments

If you need to alter your approved drawings please send full details to us regardless of how small the alteration is. Your case officer will determine whether this can be agreed through a simplified exchange of correspondence or whether a revised application needs to be submitted. Further guidance can be found at www.shropshire.gov.uk/planning . You should not commence work until the amendment has been approved in writing by the Council. This is **particularly important** if the project involves a **Listed Building** and work should not be proceeded until appropriate amendment/s have been approved in writing by the Council. We would advise that the carrying out of unauthorised work could represent a criminal offence under Section 9(1) of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended).

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then the applicant can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 (as amended).

An appeal must be made within six months of the date of this notice, or 12-weeks if the scheme is for that of "household" development, or minor commercial application, or within 8 weeks in the case of advertisement appeals. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

Where an enforcement notice has been served on the same, or substantially the same, development as in the application within 2 years of the date the application was made, the period for receiving an appeal is 28 days of the date on the decision notice or the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA has to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 week deadline).

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (appeals@shropshire.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council requiring the Council to purchase the interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).