

Date: Tuesday, 19 September 2017

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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NORTH PLANNING COMMITTEE

SCHEDULE OF ADDITIONAL LETTERS

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

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Item No.	Application No.	Originator:
6 & 7	17/01875/FUL & 17/01876/LBC	Officer
<p>The principle of development and policy section of the report should also refer members to Section 66 of the Listed Building and Conservation Area Act 1990 which states: <i>In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.</i></p> <p>This special regard to the listed building must be given my members in making their decision and members need to be clear that any decision they make has had regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.</p> <p>Paragraph 6.4.1 refers to the North Shropshire Local Plan policies in regard to parking standards. This policy is no longer a saved policy and should not be referred to.</p> <p>The conditions in the officer report are not fully detailed or correct. The following changes are necessary: Condition 1 of the full planning application is the wrong condition, should read: <i>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</i> <i>Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).</i></p> <p>Condition 10 of the full planning application should be amended to read: <i>Prior to the above ground works commencing on the new dwelling hereby approved samples and/or details of the roofing materials and the materials to be used in the construction of the external walls, including the colour finish of the 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.</i> <i>Reason: To ensure that the external appearance of the development is satisfactory.</i></p> <p>Condition 9 of the listed building application is unnecessary as it is currently worded as the external finish of the listed building is covered by conditions 7 & 8. However, condition 9 could be amended to cover internal alterations as follows: <i>All existing features of architectural and historic interest (e.g. windows, doors, ornamental plaster, joinery, staircases, fireplaces) shall be retained in-situ and fully protected during the approved works. All new partitions and other elements of construction shall be scribed around historic and architectural features including cornices, picture rails, chair rails, skirting's, panelling, door and window linings and shall not cut through such features. Any repairs to features shall be carried out to match existing features. Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.</i></p>		

In addition conditions are required to secure the restoration of the listed building as the first stage of the development of the site and to secure the use of the listed building as an annexe to the new dwelling. The following conditions are recommended to be added to both applications:

A – The restoration and extension of the listed building shall be carried out in accordance with the approved details prior to above ground works commencing on the new dwelling hereby approved. Reason: To ensure satisfactory preservation of this Heritage Asset.

B – The listed building, referred to as The Lodge, shall only be used in association and incidental to the enjoyment of the new dwelling hereby permitted, once the new dwelling is constructed and capable of occupation, and shall not at any time be sold, let or otherwise disposed of or allowed to be occupied as a separate unit of residential accommodation. Reason: To ensure proper control of the development and to avoid any future undesirable fragmentation of the curtilage.

An additional condition is also required to the LB application:

C – All existing features of architectural and historic interest (e.g. windows, doors, ornamental plaster, joinery, staircases, fireplaces) shall be retained in-situ and fully protected during the approved works. All new partitions and other elements of construction shall be scribed around historic and architectural features including cornices, picture rails, chair rails, skirting's, panelling, door and window linings and shall not cut through such features. Any repairs to features shall be carried out to match existing features. Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

The conditions will need to be re-numbered to include the above additions.

As such the recommendation is that **delegated powers be granted to the Area Planning Manager** to approve the planning permission subject to the conditions listed in the report and the additional/ amended conditions above.

Item No.	Application No.	Originator:
5	17/02628/FUL	Officer

In its' relevance to this case regarding the need to continue to protect non-designated heritage assets that have already undergone conversion to residential use, Officers would report to Members the recently received appeal dismissal in respect of Lavender Barn, Clive (Appeal Ref: APP/L3245/W/17/3166592) .

The case involved internal alterations and the extension of a converted farm building with a large double height timber frame/highly glazed structure. In Dismissing the appeal, the Inspector agreed the proposals were harmful to character of that **non-designated heritage asset**.

At paragraph 4 the Inspector stated: *'The Council have referred to the converted barn in this case as a non-designated heritage asset. The Planning Practice Guidance states that this type of heritage asset can be identified by the local planning authority as having a degree of significance meriting consideration in planning decisions because of their heritage interest, though they do not have statutory protection. Further, Policy MD13 of the Shropshire Council Site Allocations and Management of Development Plan 2015 (SAMDev) refers to the need for proposals to avoid harm or loss of significance to designated or non-designated heritage assets. Also Paragraph 135 of the National*

Planning Policy Framework (the Framework) refers to the need to take into account the significance of non-designated heritage assets in determining planning applications.'

At paragraph 5 s/he stated that the status of the host building as a '... as a non-designated heritage asset is a matter of some weight in this case'. At para.s 6 and 7 s/he refers to the introduction of inappropriate design and features that would not reflect the simple and robust design of the original building and how the glazing would be a visually domineering and incongruous feature.

At para. 9 s/he stated that '*In accordance with SAMDev Policy MD13 and the Framework paragraph 135, in such cases it is necessary to balance the degree of harm to the non-designated heritage asset against the public benefits accruing. I accept that the degree of harm to the heritage asset in this case would be less than significant. The benefits referred to by the appellant in this case would be ... a private benefit which would not in itself outweigh the harm to the significance of this non-designated heritage asset.'*

At para 10 s/he concluded on this point '*... that the proposal would have a detrimental effect on the character and appearance of the host building. In this respect it would conflict with the Shropshire Core Strategy 2011 (CS) Policies CS5, CS6, CS17 and SAMDev Policies MD13 and MD2 which, taken together, seek to avoid harm to designated and non-designated heritage assets, and ensure that development protects and enhances their character and significance. These policies also require that design should be appropriate, taking into consideration local context and character.'*

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