

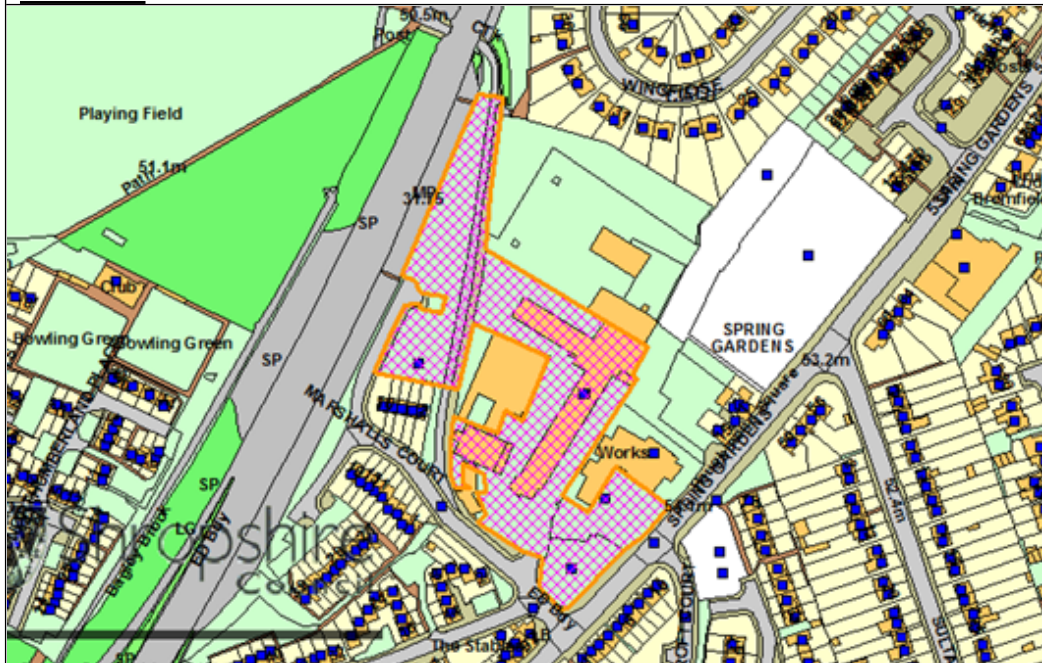
Development Management Report

Responsible Officer: Tim Rogers
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Summary of Application

<u>Application Number:</u> 16/02873/LBC	<u>Parish:</u>	Shrewsbury Town Council
<u>Proposal:</u> Works for the repair and restoration of the Main Mill and Kiln, installation of structural strengthening solution; re-opening of windows to all floors; installation of services and utilities		
<u>Site Address:</u> Flax Mill St Michaels Street Shrewsbury Shropshire SY1 2SZ		
<u>Applicant:</u> Historic England		
<u>Case Officer:</u> Jane Raymond		<u>email:</u> planningdmc@shropshire.gov.uk

Grid Ref: 349874 - 313832



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

REPORT

1.0 THE PROPOSAL

- 1.1 This application relates to Listed Building consent for the external and internal alterations required to enable the formation of a visitor interpretation centre, learning space and café on the ground floor and conversion of the upper floors for B1 commercial use (office and light industrial). The works include the repair and restoration of the Main Mill and Kiln, installation of a structural strengthening solution; re-opening of windows to all floors and installation of services and utilities.
- 1.2 The application is accompanied by an application for full planning permission for change of use of the buildings and formation of a car parking area.
- 1.3 This is stage 2 of the Shrewsbury Flax Mill Maltings project and follows on from the 2010 approved Masterplan and Stage I renovation of the Office and Stables to provide a visitor centre. This detailed application for the Stage II project comprises the following:
- ☐ Repair and restoration of the Main Mill and Kiln
 - ☐ Installation of new strengthening solution to allow scaffolding to be removed
 - ☐ Re-opening of blocked up former Flax Mill windows to all floors
 - ☐ Ground floor of Main Mill and North Engine house to be open to the public with interpretation, learning space and cafe managed by Friends of the Flaxmill Maltings
 - ☐ Four upper floors of the main Mill to be restored and finished to shell with the fit-out following on and available for commercial use (offices and creative light industry) for a maximum of 280 people.
 - ☐ The upper floors of the North and South Engine houses to provide services, utilities and access
 - ☐ The Kiln to be fitted with two 13 person internal lifts and will provide a circulation space for the commercial tenants and provide level access to all floors and for visitor tours to the restored Jubilee tower
 - ☐ Landscaped car park and improved accessibility across the site.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 This application relates to the Grade I listed Main Mill and the attached Grade II listed Kiln which is part of the larger Flax Mill complex (a site of National and International significance) situated in Ditherington approximately one mile to the North of Shrewsbury Town Centre and partially within the Shrewsbury Town Centre Conservation Area. The site is bounded by the mainline railway to the West and Spring Gardens to the East, a busy main road leading into town. Residential properties lie immediately to the North and South of the site and on the opposite side of Spring Gardens to the South East.
- 2.2 The Main Mill building is a former textile factory that was later converted to a Maltings. Built in 1797 it is the oldest iron framed building in the world. The iron framed building has local red brick external walls with a Welsh slate roof and was extended in the form of engine houses to its north and south elevations as part of

its Maltings conversion. The original pattern of fenestration can still be seen with many openings reduced in size, again as part of the buildings conversion to a Maltings.

- 2.3 The Malt Kiln building is a square shaped three storey building built in 1898 as part of the Maltings use of the site. This building links the Main Mill with the Warehouse and Cross Mill and has a pyramidal slate roof with red brick walls. The Warehouse and Cross Mill are not included in this application as no change of use or works are proposed in this phase of the development and these buildings have been excluded from the red line of the application.

3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 3.1 The scheme does not comply with the delegation to officers as set out in Part 8 of the Shropshire Council Constitution as it relates to land partly owned by the Council which are not in line with its statutory functions. In addition the Town Council have requested that the application is determined at committee due to its strategic importance and the sensitivity of the site locally.

4.0 **Community Representations**

4.1 **- Consultee Comments**

4.1.1 **Historic England:**

Summary

The main building is one of the first iron framed buildings in the world, and is listed at Grade I. Historic England recommends that this scheme should be approved subject to appropriate conditions.

Historic England Advice

The main building is a pioneering example of the use of an iron frame: the 'world's first building with a full internal iron frame'. It was built in the 1790s as a flax mill and converted to maltings in the 1890s. The significance is recognised by its listing at the Grade I. There are a number of associated listed buildings in the complex. The only other one directly affected by the application is the malt kiln attached to the north end of main mill which is listed at Grade II.

The proposals are for the extensive refurbishment of the main building for office and visitor use with the malt kiln serving as the main access.

Structural matters

The principal issue in the scheme is the structural integrity of the main building. The alterations to convert it to maltings included adding a layer of concrete to all the floors and the blocking of almost all the windows and their replacement with a much smaller number of openings. Investigation revealed concerns for the load bearing capacity of the iron frame, and its connection to the brick walls. There was a timber ring beam at each floor level providing the window lintels which was linked to the iron frame. The timber has rotted, and at some point in the 19th century all the lintels were replaced.

There has been considerable debate about the structural solution and the application sets out the various approaches considered. The scheme which has been adopted will have minimal visual impact. There will be a small number of new columns on the ground and first floors and some new tie rods at ceiling level on each floor. The only major structural intervention will be within the first floor, which will be concealed within the depth of the floor. This will consist of new steel work trenched into the concrete floor (not the primary construction) and will also involve raising the finished floor level a little. This will have minimal visual impact because there is ample floor to ceiling height to accommodate it.

External envelope

The major visual change externally is the re-opening of the primary windows. This will afford the opportunity to repair the external walls in order to restore their structural integrity. A sample bay has been undertaken which has developed the methodology showing that this can be undertaken successfully.

As for the new windows, there is no evidence, apart from the blocked openings, for the primary form of the windows. Since they were removed as recently as the 1890s this seems very surprising, but there has been extensive research on the history of the building which has not brought any more information to light. The proposals are for simple tripartite windows which are an elegant solution, rather than trying to invent a 'historic' window.

Fitting out

The proposals are minimal with respect to the main floors of the mill. These are being kept almost entirely open, with lavatories and other services fitted into the spaces at each end of the building which housed the steam engines (there had floors inserted in the malting phase).

The malt kiln becomes the key reception area for the building. This will include, amongst other interventions, the principal lift access. The linkage to the main building will be achieved by internal bridges, and at the higher levels through a partially concealed bridge. These will be unobtrusive externally, whilst providing exciting views of the surrounding landscape.

Recording

With such a major scheme on an internationally significant building there should be an appropriate scheme of recording to be integrated with the work undertaken to date to ensure that any further discoveries in the understating of this significant site are adequately recorded.

Overall, this is the first phase of the reoccupation of the site. Thus the other significant building attached to the main mill, the Cross Mill (also Grade I), is not being dealt with but will continue in its mothballed state for the moment. The first phase is a welcome beginning for the future use of the whole complex.

In policy terms whilst there is some minor visual harm and some physical interventions in the fabric these are fully outweighed by the provision of a future use for the Grade I listed building. This is in line with paragraph 134 of the NPPF.

Inevitably there are details which are not included even in the extensive application which has been submitted. Obviously you will wish to impose a range of appropriate conditions in order to control these matters and to fine tune any issues which you have with the scheme.

Recommendation

Historic England recommends that the proposals should be approved subject to appropriate conditions.

4.1.2 **SC Archaeology:**

Background to Recommendation:

The proposed development comprises the repair and restoration of the 1798 Grade I Listed Main Mill building (NHLE ref. 1270576) and 1898 Grade II Listed Malt Kiln (NHLE ref. 1270576), together with landscaping and the formation of a car parking area with improved access across the site. The proposed works to the buildings will enable them to be brought back into economic use, whilst preserving their nationally important character and significance. The necessary interventions into the structures will provide opportunities to undertake further recording in order to enhance existing understanding of their very substantial archaeological interest. By re-opening the window openings from the 18th century flax mill, this work will also enable the buildings' archaeology to be more easily 'read'.

Archaeological evaluation work in 2016 (Trench 6 ' 8 respectively) has targeted three further areas within the proposed development. Firstly, within the First Engine House at the southern end of the Main Mill the remains of two masonry structures were found that had been inserted into the engine pit prior to 1820. The design of the scheme has been amended so that these structures can be retained in situ. Secondly, on the east side of the main mill substantial sub-surface remains of East Terrace Boilers and the associated chimney base were revealed. Finally, the evaluation in the area of the proposed lift pit within the Malt Kiln suggests that the foundations of the kiln have heavily disturbed the site of the former north chimney. In addition, two of the evaluation trenches from the 2010 evaluation trench also lay within the proposed development site. The first of these (Trench 2) targeted the site of the former Thread Makers Shop / Packing House that was demolished in 1970. This revealed numerous structural remains associated with these buildings. Another trench (Trench 3) was positioned on the site of the 1797 boiler house, although the only feature associated with the Flax Mill that was revealed was a narrow brick culvert. Together this work indicates part of the proposed development site hold very high archaeological interest for sub-surface remains.

Recommendation:

A Heritage Impact Assessment has been submitted with the application which details what the effects the proposed development will have on the archaeological interest of the site. This further supplements the substantial body of existing information regarding the archaeological significance of the Flax Mill site, including the documents submitted with the 2010 planning applications (refs. 10/03230/FUL, 10/03233/LBC, 10/03237/OUT). It is therefore considered that the requirements of Paragraph 128 of the NPPF and MD13 of the Local Plan have been satisfied.

The Heritage Impact Assessment makes a number of recommendations to mitigate the impact of the proposed development on the sites archaeological interest. We confirm that we are in full agreement with the proposed measures. In view of this, in relation to Paragraph 141 of the NPPF and MD13 of the Local Plan, it is advised that a programme of archaeological work is made a condition of any planning permission for the proposed development. This should comprise an appropriate level of buildings recording, together with the investigation and investigation and recording of below ground remains.

4.1.3 **SC Conservation:**

Proposal outline:

The proposal is for the repair and restoration of the Grade I listed Main Mill and Grade II listed Kiln; installation of structural strengthening solution; re-opening of windows to all floors; formation of visitor interpretation centre, learning space and cafe; restoration of upper floors for commercial use; landscaping and formation of car parking area (98 spaces) with improved accessibility across the site.

Methodology applied:

Guidance contained within the EH/HE publications including Conservation Principles (2008), Seeing the History in the View (2011) and The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning: 3 (2015) have been referenced in the production of this response, together with policy MD2 and MD13 of the adopted SAMDEV plan, as this sits within the overall policies for the protection of historic environment as a pillar of sustainable development contained in the NPPF.

Policy context:

The proposal site is partially within the Conservation Area and comprises a Grade I and Grade II listed building, adjacent to and surrounded by a number of other associated buildings and structures, which are also listed. In considering the proposal due regard to the following local and national policies and guidance has been taken, when applicable including policy CS6 'Sustainable Design and Development' and CS17 'Environmental Networks' of the Shropshire Core Strategy, policy MD2 covering design and sustainable development principles and MD13 'The Historic Environment' of the adopted SAMDEV plan, as well as with national policies and guidance, particularly Chapter 12 of the National Planning Policy Framework (NPPF) published in March 2012. Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 apply.

Design context:

The current proposals for the conversion of the Grade I listed Main Mill and Grade II listed Kiln and associated landscaping and enabling works have been the result of a long drawn out phase of investigation and development. The changes in this HLF stage II funding related application largely affect the structural solution and the window openings to all elevations, which have been designed to take account of financial considerations and technical constraints.

The proposals sit within the context of the wider master plan, as approved in outline

form in 2010, and as such represent the first significant phase of implementing this permission. The conversion of the main mill to a mix of public and visitor interpretation space and commercial space for office and conference use, with a relatively light touch design scheme to the upper floors has evolved around the need for a solution to ensure the structural integrity of the buildings. The benefits of opening up all historic windows to each elevation far outweigh any harm caused, which is deemed to be negligible, to the setting of the asset. Fabric impacts are limited to what is necessary, and finishes have been selected and agreed during the pre-application process in order to mitigate and minimise any negative effect on the overall scheme.

Assessment:

The proposals are well thought out and respond to the constraints and context of this incredibly complex historic site. Our involvement and input to refine the details of the proposal during the design and development phases of this proposal have been taken on board, and this phase has resulted in what is the most pragmatic and sustainable approach to regenerating this part of the asset, acting it is hoped as a catalyst for the ongoing works to conserve and enhance the surrounding land and adjacent buildings on site.

This ensures that the development conforms with policies at a national and regional level for the protection of the historic environment and the promotion of lifetime homes through high quality design and Building in Context, and conforms to the relevant policies, as follows:

NPPF Chapter 12 in particular

MD2 and 13 of the SAMDEV plan

Good Practice Advice Note 2 and 3 produced by Historic England

Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Recommendation and conditions:

The exact colours of the paint finishes and internal flooring, doors and lighting shall be determined through a specific pre commencement condition, together with landscaping materials, which are not yet approved, as it is felt that further refinement is needed. All other matters are agreed and the proposals deemed a welcome step forward in securing the future of this significant structure.

We require, as a result of this work, to be satisfied that the revised proposals can be deemed to have negligible or less than substantial harm on the significance of these internationally significant heritage assets, and that any residual impacts are satisfactorily mitigated through design solutions and the wider public benefits from bringing this long redundant site back into sustainable use

4.1.4 **SC Ecology:**

Preliminary Ecological Assessment

An ecological desk study and a walkover survey (in accordance with Phase 1 Habitat Survey methodology) were undertaken in spring and summer 2016, in order to provide an update on the previous 2012 survey by Middlemarch Environmental Ltd. The survey identified only minor habitat changes and there were no significant ecological changes. Part of the area covered, to the north, lies outside the current

red-line boundary and does not form part of this planning application.

Bats

The desk study revealed records of seven species of bat within a 2 km radius of the survey area. The bats within the mill complex have been studied since 2007 by various consultants, the results of which are summarised within Middlemarch Environmental Ltd Report Number RT-MME-122753-01 Revision 2. During 2012 and 2013 the surveys were updated and a bat mitigation strategy was developed. These are reported within Middlemarch Environmental Ltd Report Numbers RT-MME-122753-01 Revision 2 and RT-MME-122753-02 Revision 4). This mitigation strategy was provided to the council as part of the previously approved planning permission and a licence was subsequently obtained from Natural England. The 2013 bat mitigation strategy was based upon the mill complex being undertaken in two stages and providing alternative space for the bats as the building works progressed.

Due to delays in the scheme, this is no longer the case. Some of the bat mitigation has been installed and is being utilised by bats as identified within the subsequent bat monitoring reports. Bat mitigation has been installed in the Apprentice house, an underground chamber and a new bat loft installed in the Stable Block. The bat mitigation will remain the same as previously agreed with the exception of the timescales of works which will require altering and an amendment to the existing bat licence will be submitted to Natural England. The exact timescales of works have yet to be determined and are dependent on a number of factors including the date of any planning permission and the contractor tender period. However, given the scale of the project, it is possible to programme the works to avoid key areas at critical times (e.g. avoiding works to the Jubilee Tower, a former maternity roost location during the bat maternity season).

Given that the same mitigation as agreed in the previous planning permission will be installed which was granted a licence from Natural England, combined with the fact that key bat areas can be avoided at the required times of the year, the local bat population can still be maintained at a favourable conservation status. A 3 test matrix form has been submitted with this consultee response and the Favourable Conservation Status test has been completed. The planning case officer must complete the first two tests and planning permission can only be granted if all three tests can be passed. The 3 test matrix must be attached to the committee report and should be brought to the councillor's attention for consideration.

In my previous responses for 12/04435/FUL I said I was concerned about the provision for bats in Phase 2 (drawing C112753-02-03 (November 2012). I asked for the building of the bat house to be brought forward as soon as possible in Phase 1, and provision made for its retention and maintenance, together with other mitigation features, for the life time of the development. The condition placed on the 12/04435/FUL permission should be repeated on the decision notice for this application if permission is granted.

Lighting and landscaping

Appropriately designed lighting for the site including the car park is essential to ensure that the mitigation measures installed for bats can be utilised by them. The

main commuting routes for bats to and from the site are across the railway line and the proposed car park. Dark commuting routes were shown in the revised drawing C112753-02-28 (April 2013) in reference 3 above. Lighting has been shown on several plans but in key places I believe the dark bat commuting routes have been compromised. This can be remedied by localised revisions to the lighting plan, with localised modifications to the landscaping and, in the extreme north end of the car park, the parking spaces. Following my previous response, a slight change has been made on amended plan Drawing number 1821/P/002 Rev H, but this still does not comply with the licenced mitigation strategy (see drawing C112753-02-28 (April 2013)). There also appears to be a potential dark route across the back gardens of the houses at the southern end of the car park (close to the Stable Block) dependant on minor changes in lighting.

The car park is currently shown to be lit by up to 4m high columns embedded in the trees, the only landscaping proposed for the site. This is likely to form a barrier for commuting bats. In order for the species which are more sensitive to light to reach the Old River Bed and other foraging areas, light levels at the northern end of the car park must be reduced. This is also the location of the proposed bat house for the later stages of the phased development. I would be happy to discuss the details of this with the applicant and their agent/consultants in order to discharge the suggested lighting condition.

Birds

The Preliminary Ecological Appraisal states that swifts are known to nest within the Flax Mill and Cross Mill and the proposed works are likely to impact upon them. Measures will need to be taken in to prevent disturbance of nesting birds and enhancements for this species have been recommended. Swift nesting boxes should be installed on the Apprentice House and the nesting entrances on the Flax Mill (or other areas which will be impacted) blocked up by the third week in April. Swift calls should also be played near the new swift boxes on the Apprentice House to attract the swifts and encourage them to use these new nesting boxes. Opportunities to install artificial swift nests on buildings once works have been completed should also be identified as the Apprentice House is due to be converted in later phases of the development.

Other wildlife

The Preliminary Ecological Assessment states that whilst areas of suitable habitat present on site are limited, it is considered possible that reptiles and amphibians might pass through the survey area. As such, to avoid negatively impacting upon any herpetofauna on site, it is recommended that the areas of tall herb and scrub are strimmed back, in a directional manner towards the northern and eastern site boundaries, immediately prior to works commencing to encourage any reptiles and amphibians present to move elsewhere.

A confidential addendum to this consultee response (in relation to badgers) has been forwarded to the planning case officer.

4.2 - Public Comments

4.2.1 **Association for Industrial Archaeology:** The proposal to re-open the windows

will not only enable the building to be re-used more easily, it will also show to a greater extent what the flax mill would have looked like when first constructed. (It is noted that the smaller windows of the malting phase are to be retained.) With one exception, the Association is supportive of the proposals. That exception is that the opening of the windows to the fourth floor results in the cutting through of the painted banner sign-age which at present is "Allbrew Maltsters Limited Shropshire Maltings". The visualisation indicates that this is to be replaced by "Shrewsbury Flaxmill Maltings", still cut through by the re-opened windows. This raises two points. The first is the removal of authentic sign-age, which is a part of the building's history, and replacing it by a clumsy new made up name. This is extremely regrettable in what is an otherwise excellent set of proposals to safeguard the future of these buildings. If it is felt that a maltings sign-age is no longer appropriate on the front of the building, it would be better to remove it altogether by painting over it and leaving it as shown a photograph on page 10 of the Heritage Impact Assessment, or page 9 of the Design and Access Statement. However, if either the Allbrew Maltsters sign or the new sign is to be cut across by the windows, then some way needs to be found to show the whole sign, not part truncated letters, such as by means of a gauze across those windows or even external shutters to them.

Therefore, the Association is supportive of this application with the one exception details of which are given above. Recording to be carried out as appropriate.

- 4.2.2 **Shrewsbury Civic Society:** The Shrewsbury Civic Society welcomes the progress being made, at long last, by Historic England and other bodies to ensure the preservation of what is arguably the most important building in Shrewsbury. We are concerned, however, that its international status may be subordinated to local interests. Whilst its later history as a Maltings is important -that part of its history is well within living memory of a great many local people; its 'iconic' status (that much overused word is apt in this case) lies in its revolutionary structure as a mill building. The intention of the current planning application to reopen the original large window openings will have the effect of revealing the original intentions of the builders but the simultaneous retention of the smaller window openings created when the building became a Maltings will surely create confusion both visually and in the understanding of the visitor. No doubt Historic England and its advisors, with the best of intentions, have weighed up the arguments for and against the arrangement of fenestration but we believe that, if only for the sake of clarity, only the original mill window openings should be retained - at least in the main building, in order to retain the integrity and significance of the original conception. It is to be hoped that upon the completion of the restoration, the Flax Mill may be a worthy candidate for World Heritage status. This may, however, be jeopardised by the decision to dilute the primary conception of the builders. Even at this late stage the Shrewsbury Civic Society urges Historic England to reconsider this part of the current application.
- 4.2.3 **Shrewsbury Town Council:** Is highly supportive of the development of the Flax Mill and associated buildings to create a mixed-use facility which will provide modern employment space as well as an important visitor space that will aid the promotion and enhancement of the Flax Mill's reputation and national/international standing.

However in supporting this application there are implications to the local residential amenity of the area we feel must be addressed to ensure that this development sits in harmony with its surroundings. Members feel that the transport plan needs greater consideration to the impact on the local residents, particularly those of Marshalls Court.

The comments relating to transport and traffic are available in full on the file and within the report for the planning application. These issues that are not relevant to the determination of this application for LB consent are considered within the planning report.

- 4.2.4 Objections have been received from residents in Marshalls Court that mainly relate to the traffic and transport implications of the associated application for planning permission. As these comments do not relate to issues requiring Listed Building consent they have been summarised and referred to within the accompanying planning report.

5.0 THE MAIN ISSUES

- 5.1 The proposal is partially within a conservation area and affects a listed building and has the potential to impact on these heritage assets. The proposal therefore has to be considered against Shropshire Council policies MD2, MD13, CS6 and CS17 and with national policies and guidance including PPS5 Historic Environment Planning Practice Guide and section 12 of the National Planning Policy Framework (NPPF). Special regard has to be given to the desirability of preserving or enhancing the character or appearance of a Conservation area and preserving a listed building or its setting or any features of special architectural or historic interest which it possesses as required by section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.2 The key issues in determining this application for Listed Building consent are:
- ☐ Impact on the historic fabric and
 - ☐ Impact on the character and appearance of the building.

A full Heritage Impact assessment has been submitted as required by paragraph 128 of the NPPF.

- 5.3 Regulation 9 (5) of the Conservation of Habitats and Species Regulations 2010 provides that '*A competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions*'. Therefore the ecological implications of the proposed alterations to the buildings also need to be considered in determining this application for listed building consent as also required by CS17 and MD12.

6.0 OFFICER APPRAISAL

- 6.1 **Impact on the internal historic fabric**

- 6.1.1 The proposal includes internal alterations to stabilise the structure and this includes a small number of new steel columns on the ground and first floors and some new tie rods at ceiling level on each floor. New steel work will be concealed within the first floor (which is a later concrete floor and not historic fabric). This also requires the finished floor level to be slightly raised but this will have minimal visual impact due to the existing internal ceiling heights.
- 6.1.2 In addition to the installation of the structural strengthening solution the remainder of the internal alterations include the installation of services and utilities within the engine houses at each end of the main floors of the main mill which will remain entirely open. A lift will be installed within the adjoining malt kiln building which will be linked to the main mill by internal bridges and an external 'sky bridge' between the Kiln roof and the Main Mill fourth floor and also giving access to the Jubilee Tower to be restored.
- 6.1.3 A gazetteer of each building has been submitted including a comprehensive list and assessment of components, structures, features, fixtures and fittings. The application also provides details of the existing and proposed internal and external materials. Notwithstanding these details conditions are recommended to be imposed to ensure that all alterations, finishes, works of making good and new additions are completed to a high standard and with minimal harm or loss of historic fabric. Compliance with conditions will be overseen by Historic England and Conservation.
- 6.2 **External alterations and the impact on the character and appearance of the building**
- 6.2.1 The major visual change externally is the re-opening of the former Flax Mill openings with new simple aluminium tripartite windows formed in the openings and painted black and the smaller Maltings windows restored with a new glazing system and painted reddish brown (the original colour for the Maltings joinery). This will enable the external walls to be repaired and their structural integrity restored. A sample bay has been undertaken which demonstrates that these alterations can be undertaken successfully.
- 6.2.2 In addition it is proposed that the existing painted sign which displays the words 'ALBREW MALSTERS LIMITED SHROPSHIRE MALTINGS' is to be replaced with 'SHREWSBURY FLAXMILL MALTINGS'. The openings of the fourth floor will cut through some of the lettering of the proposed sign.
- 6.2.3 Both the Association for Industrial Archaeology (AIA) and the Civic Society whilst supportive of the proposal overall, have reservations about the proposed sign and the treatment of the windows respectively. The AIA consider that the 'ALBREW...' sign is part of the buildings history and if not retained should be painted over altogether or if retained or replaced by a new sign then a way needs to be found to show the whole sign such as a gauze across the windows or external shutters.
- 6.2.4 The Civic Society consider that the retention of the smaller Maltings openings in addition to opening up the original larger Flax mill openings will create confusion both visually and in the understanding of the visitor. The Civic Society consider that

for the sake of clarity only the original mill window openings should be retained in order to retain the integrity and significance of the original conception.

- 6.2.5 Historic England have provided a response to both of these concerns and outline that the project team has *'sought to develop a philosophical approach which acknowledges the significance of the change from Flax Mill to Maltings and provides a framework for a new third age referred to as Shrewsbury Flaxmill Maltings. The approach seeks to retain existing fabric where it can serve a practical use or contribute to understanding. It seeks to use traditional materials to repair the existing fabric and introduced new materials where they are required to support the new use as a clearly defined new layer'*.
- 6.2.6 This approach is supported by officers and Conservation and it is considered that removal of the Maltings windows whilst perhaps restoring the building to its original form would result in the loss of an important aspect of its history. It is considered that the relationship between the two historic functions and the corresponding design requirement is part of the significance of the building that would be lost if the proposal was to restore the building to its original form.
- 6.2.7 Similarly the new name for the building 'Shrewsbury Flax Mill Maltings' serves to acknowledge its previous historic uses but at the same time give it a new name to which it can be referred during this next phase of the buildings history. The 'ALBREW ...' signage in any case painted over the previous 'WILLIAM JONES & SON...' signage which is now lost on this elevation but still evident on the Dye House. The 'ALBREW ...' signage on the gable end of the Cross Mill is however proposed to be retained and will serve as a reminder of this phase in the buildings history.
- 6.2.4 If the 'ALBREW ...' sign was to be retained across the front of the main mill then only 30% of it would be visible due to the restoration of every two of three Flax Mill Windows. The proposed 'SHREWSBURY FLAX MILL MALTINGS' sign will have a much larger proportion of its lettering visible so that it will be easily recognisable and legible.
- 6.2.5 It is considered that the suggestion of covering the windows with gauze or the use of shutters so that the letters can be viewed in full would adversely impact on the appearance of the building by introducing a feature not evident during its previous use and would also restrict light to the inside. It is also not considered necessary for the letters to be seen in full and that the words will still be legible in their truncated form.
- 6.2.6 It is considered that subject to compliance with suggested conditions the alterations and additions required to convert the building to its proposed new use would have minimal impact on the historic fabric and would preserve those features of special architectural or historic interest and would preserve and enhance the character and appearance of the building and the locality as required by section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is considered that the proposal would have negligible or less than substantial harm on the significance of these internationally significant heritage assets, and that any residual impacts are far outweighed by the benefit of bringing this long redundant site back into

sustainable use.

6.3 **Ecological implications**

- 6.3.1 The relevant ecological surveys have been undertaken and a full ecological report including mitigation strategy has been submitted. A reptile survey discovered no reptiles or amphibians; feral pigeons, house sparrows and swifts were found to be breeding within the buildings and endangered species of bats have been confirmed to be roosting within the complex of buildings.
- 6.3.2 The submitted badger report and the Ecologists comments are confidential. An informative advising the developer of the protection afforded to badgers under the Protection of Badgers Act 1992 is recommended.
- 6.3.3 A mitigation strategy and a licence application have been agreed as part of the previous approvals and implementation has commenced. An amendment to the existing licence will be required due to the changes in the proposed timetable for the mitigation strategy. The Councils is not satisfied with the current lighting proposal particularly to the proposed car park and therefore a condition is recommended to require a full lighting strategy be submitted prior to the erection of any external lights.
- 6.3.4 The 'European Protected Species 3 tests matrix' has been completed (see appendix 2). It is considered that the mitigation scheme satisfactorily justifies how the proposed development will not be detrimental to the local bat population that can be maintained at a favourable conservation status within their natural range provided that the recommended conditions are imposed and complied with. It is therefore considered that the proposal will not cause an offence under the Conservation of Habitats and Species Regulations (2010) and accords with Local plan policies CS6, CS17 and MD12.

7.0 **CONCLUSION**

- 7.1 It is considered that subject to compliance with suggested conditions the alterations and additions required to convert the buildings to their proposed new use would have minimal impact on the historic fabric, would preserve those features of special architectural or historic interest, and would preserve and enhance the character and appearance of the building and the locality. It is considered that the proposal would have negligible or less than substantial harm on the significance of these heritage assets of international importance, and that any residual impacts are far outweighed by the benefit of bringing this long redundant site back into sustainable use.
- 7.2 The proposal is therefore considered to accord with section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 12 of the NPPF and local plan policies MD2, MD13, CS6 and CS17.
- 7.3 Provided the conditions recommended by the Ecologist are imposed and complied with it is considered that the mitigation scheme satisfactorily justifies how the proposed development will not be detrimental to the local bat population that can

be maintained at a favourable conservation status within their natural range. It is therefore considered that the proposal will not cause an offence under the Conservation of Habitats and Species Regulations (2010) and accords with Local plan policies CS6, CS17 and MD12.

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: Section 12 of the NPPF

Local Plan Policies: MD2, MD12, MD13, CS6 and CS17

Relevant Planning History:

10/03230/FUL Repair and re-use of the Main Mill, Warehouse, Malt Kiln and Cross Mill for Business Use (B1) and Non-Residential Institutions (D1), landscaping of areas around the Mill, provision of a temporary car park, demolition of north silo and demolition of all non-listed buildings on the Spring Gardens sites (excluding existing takeaways) GRANT 9th March 2011

10/03233/LBC Listed Building application for the repair and alterations of the Main Mill, Warehouse, Malt Kiln and Cross Mill to facilitate their proposed re-use for Business Use (B1) and Non-Residential Institutions (D1) affecting a Grade I Listed Building GRANT 9th March 2011

10/03237/OUT Outline application for the mixed use re-development of Ditherington Flaxmill comprising repair and re-use of historic buildings to create workspace and associated cultural activities, new retail/commercial office and residential development, associated access, landscaping and car parking and demolition of non-listed buildings GRANT 28th March 2011

11/04899/LBC Works to facilitate removal of the mezzanine floor; roof sections and floor sections in the Dye House; insertion of suspended floor structure; repairs to roof structure affecting a Grade II* Listed Building GRANT 19th January 2012

12/04197/LBC Demolition of the North Silo GRANT 9th November 2012

12/04435/FUL Repair and conservation of the Dye and Stove House, office and stables to provide mixed use development (use classes A1-A3, B1-B2, B8 and D1-D2); new landscaping GRANT 1st July 2013

12/04436/LBC Works to facilitate repair and conservation of the Dye and Stove House, office and stables to provide mixed use development (use classes A1-A3, B1-B2, B8 and D1-D2); new landscaping GRANT 1st July 2013

13/02383/LBC Demolition of existing south silo structure affecting a Grade I Listed Building GRANT 26th July 2013

11. Additional Information

List of Background Papers: File 16/02873/LBC
Cabinet Member (Portfolio Holder): Cllr M. Price
Local Member : Cllr Alan Mosley
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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (As amended)

2. All works shall be carried out in complete accordance with the terms of the application and approved plans.

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

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

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

Reason: The development site is known to have archaeological interest

4. Any demolition, conversion or disturbance on the site to which this consent applies must be undertaken in line with the recommendations in 'Ditherington Flax Mill Phase 1, Bat Species Method Statement Document 1, Survey Results and impact Assessment', 2013, by Middlemarch Environmental Ltd, RT-MME-112753-01 Rev 2 and 'Ditherington Flax Mill Phase

2, Bat Species Method Statement Document 2, Bat Mitigation', 2013, by Middlemarch Environmental Ltd, RT-MME-112753-02 Rev 4, in order to protect bats.

The works must be carried out under a variation of the previously obtained European Protected Species (EPS) Licence with respect to bats unless this is deemed unnecessary by Natural England Wildlife Licensing Section. It is accepted that some aspects of this mitigation scheme may be altered, as required by Natural England, during the European Protected Species Licensing process. Prior to commencement of development a copy of the varied EPS Licence and the accompanying method statement must be submitted to the Local Planning Authority and the final mitigation measures must be retained for the lifetime of the development.

Reason: To protect bats which are known to be present on the site, all species of bats are European Protected Species.

5. A schedule of building works shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. No work shall be carried out other than in accordance with the approved schedule. All existing original features shall be retained in situ unless it is specifically shown on the approved plans that they are to be removed.

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

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

6. A schedule of features of architectural and historic interest marked and identified clearly on plans indicating which individual items are remaining in situ as is for the duration of the works, which are to be removed for restoration pending reinstatement and which are to be removed permanently, shall be submitted to and agreed in writing by the Local Planning Authority prior to the relevant works commencing. These features shall be recorded in photographs and/or scale drawings, and their sections and profiles accurately recorded and lodged with the Local Planning Authority.

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

7. No modification, development or other disturbance of the Cross Mill, Warehouse, underground chamber and Apprentice House mitigation roosts (as indicated on drawing C112753-02-02 April 2013) and flight lines shall take place unless a bat house or other acceptable mitigation has been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England) and made available for use by bats for at least 2 years beforehand.

Reason: To protect bats which are known to be present on the site, all species of bat are European Protected Species.

8. Prior to the commencement of development works on buildings supporting existing nest sites for swifts details of either internal or external artificial nests for swifts and their proposed locations shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full prior to the nesting season in which nesting sites are to be destroyed or disturbed.

Reason: To ensure the provision of nesting opportunities for swifts

9. Prior to the erection of any external lighting on the buildings a revised lighting plan for the site shall be submitted to and approved in writing by the local planning authority. The plan shall:

- a) identify those areas/features on site that are particularly sensitive for bats where lighting is likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example for foraging; and
- b) show how and where external lighting shall be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the plan, and these shall be maintained thereafter in accordance with the plan, for the lifetime of the development. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. The submitted scheme shall be designed to take into account the current best practice guidance on designing lighting to minimise effects on bats.

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

10. All routes for mechanical and electrical services and drainage shall be arranged to be visually unobtrusive and cause the minimum disturbance to historic fabric. Details of Internal and external services shall be submitted to and approved in writing by the Local Planning Authority prior to installation. These shall include types, sizes and positions of soil and vent pipes, waste pipes, rainwater pipes, boiler flues and ventilation terminals, meter boxes, exterior cabling etc and interior fittings such as radiators, internal lighting, electrical socket outlets and switch plates and the type and method of fixing of all fixtures for heating, lighting, kitchens and all other fittings associated with the conversion. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Listed Building.

11. 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. Development shall be carried out in accordance with the agreed details. Roofing to be repaired and restored to traditional finishes on the kiln as per approved plans, with any damaged slates or ridges replaced like for like.

Reason: To ensure satisfactory preservation of the Heritage Asset.

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

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

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

13. Windows shall be of the colour, material and style and make as shown on the approved plans. Prior to the commencement of the relevant work details of all windows and doors

including detail of doors and exact colour and finish of all joinery and hardware and any other 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.

14. All gutters, downpipes, soil and vent pipes and other external plumbing shall be of cast iron or cast aluminium unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the architectural and historic interest and character of the Listed Building.

15. All new external and internal work and finishes, and work of making good shall match existing original work adjacent, in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: To ensure satisfactory preservation of this Heritage Asset.

16. Details of the proposed decorative finishes and colour scheme to include flooring materials and colours and window and door treatments shall be submitted to and approved in writing by the Local Planning Authority before commencement of relevant works. The development shall be carried out in accordance with the approved details.

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

17. Prior to the first occupation of the development a maintenance and management scheme for the bat mitigation and other wildlife mitigation features shall be submitted to the planning authority for prior approval. The scheme shall include:

- a) Description and location of the features to be maintained and managed;
- b) Legal responsibilities of occupiers of the development with respect to the features;
- c) Labelling, signage and contact numbers for advice;
- d) Areas requiring no or sensitive lighting
- e) Aims and objectives of management;
- f) Appropriate management options for achieving aims and objectives;
- g) Prescriptions for management actions;
- h) Preparation of a maintenance schedule;
- i) Monitoring and remedial/contingencies measures triggered by monitoring.
- j) The financial and legal means through which the scheme will be implemented.

The scheme shall be carried out as approved, unless otherwise approved in writing by the local planning authority, for the lifetime of the development.

Reason: To protect and maintain mitigation features for bats (European Protected Species) and other wildlife.

APPENDIX 2: EUROPEAN PROTECTED SPECIES – Consideration of the three tests

Application name and reference number:

16/02872/FUL and 16/02873/LBC

Ditherington Flax Mill, Shrewsbury

Repair and restoration of the Main Mill and Kiln; installation of structural

strengthening solution; re-opening of windows to all floors; formation of visitor interpretation centre, learning space and cafe; restoration of upper floors for commercial use; landscaping and formation of car parking area (98 spaces) with improved accessibility across the site, Flax Mill St Michaels Street Shrewsbury Shropshire SY1 2SZ

Date of consideration of three tests:

13th October 2016

Consideration of three tests carried out by:

Test 3: Dr Sue Swales
Natural Environment Team Leader (Ecology)
(01743 258515)
sue.swales@shropshire.gov.uk

Test 1 & 2: Mrs Jane Raymond
Technical Specialist Planning Officer
(01743 258723)
Jane.raymond@shropshire.gov.uk

1 Is the development ‘in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment’?

The development is a sustainable heritage-led redevelopment of a Grade I listed Mill complex that is a heritage asset of national and international significance. In addition to the preservation and enhancement of the historic environment it will bring social and economic benefits both for the immediate locality and Shrewsbury.

2 Is there ‘no satisfactory alternative’?

There is no alternative as the development requires approval to secure funding so that the buildings can be restored.

3 Is the proposed activity ‘not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range’?

The historical data search revealed records of seven species of bat within a 2 km radius of the survey area. The bats within the mill complex have been studied since 2007 by various consultants, the results of which are summarised within Middlemarch Environmental Ltd Report Number RT-MME-122753-01 Revision 2. During 2012 and 2013 the surveys were updated and a bat mitigation strategy was developed. These are reported within Middlemarch Environmental Ltd Report Numbers RT-MME-122753-01 Revision 2 and RT-MME-122753-02 Revision 4). This mitigation strategy was provided to the council as part of the previously approved planning permission and a licence was subsequently obtained from Natural England. The 2013 bat mitigation strategy was based upon the mill complex being developed in two stages and providing alternative space for the bats as the building works

progressed.

Due to delays in the scheme, this is no longer the case. Some of the bat mitigation has been installed and is being utilised by bats as identified within the subsequent bat monitoring reports (Shrewsbury Flax Mill Maltings, Bat Monitoring surveys 2015, Report No RT-MME-120031, January 2016, by Middlemarch Environmental Ltd.). Bat mitigation has been installed in the Apprentice house, an underground chamber and a new bat loft installed in the Stable Block. The bat mitigation will remain the same as previously agreed with the exception of the timescales of works which will require altering and an amendment to the existing bat licence will be submitted to Natural England. The exact timescales of works have yet to be determined and are dependent on a number of factors including the date of any planning permission and the contractor tender period. However, given the scale of the project, it is possible to programme the works to avoid key areas at critical times (e.g. avoiding works to the Jubilee Tower, a former maternity roost location during the bat maternity season).

Minor changes will be required at the northern end of the car park to the landscaping, lighting and layout of a few car parking spaces. Also minor changes to the lighting plan may be needed adjacent to the Stable Block and boundaries of the site. Both of these will be covered by condition. Design of lighting and landscaping is key to the success of the bat mitigation. Dark high and low level commuting routes will be maintained for bats across the site as shown in drawing C112753-02-28 April 2013 of the mitigation plan.

Given that the same mitigation as agreed in the previous planning permission will be installed which was granted a licence from Natural England, combined with the fact that key bat areas can be avoided at the required times of the year, and dark flight routes protected, the local bat population can still be maintained at a favourable conservation status.

In view of the above, the proposed development will not be detrimental to the maintenance of the populations of the bat species identified on site at a favourable conservation status within their natural range, provided that the conditions detailed in the responses from Sue Swales to Jane Raymond dated 13th October 2016 (reference DitheringtonFlaxMill16.02872.lbc02873) are on any decision notice and are appropriately enforced.

The following conditions should be on the decision notice:

Condition

Any demolition, conversion or disturbance on the site to which this consent applies must be undertaken in line with the recommendations in 'Ditherington Flax Mill Phase 1, Bat Species Method Statement Document 1, Survey Results and impact Assessment', 2013, by Middlemarch Environmental Ltd, RT-MME-112753-01 Rev 2 and 'Ditherington Flax Mill Phase 2, Bat Species Method Statement Document 2, Bat Mitigation', 2013, by Middlemarch Environmental Ltd, RT-MME-112753-02 Rev 4, in order to protect bats.

The works must be carried out under a variation of the previously obtained European Protected Species (EPS) Licence with respect to bats unless this is deemed unnecessary by Natural England Wildlife Licensing Section. It is accepted that some aspects of this mitigation scheme may be altered, as required by Natural England, during the European Protected Species Licensing process. Prior to the above work commencing on site a copy of the varied EPS Licence and the accompanying method statement must be submitted to the Local Planning Authority and the final mitigation measures must be retained for the lifetime of the development.

Reason: To protect bats which are known to be present on the site, all species of bats are European Protected Species.

Condition

No modification, development or other disturbance of the Cross Mill, Warehouse, underground chamber and Apprentice House mitigation roosts (as indicated on drawing C112753-02-02 April 2013) and flight lines shall take place unless a bat house or other acceptable mitigation has been completed in accordance with details approved in writing by the Local Planning Authority (in consultation with Natural England) and made available for use by bats for at least 2 years beforehand.

Reason: To protect bats which are known to be present on the site, all species of bat are European Protected Species.

Condition

Prior to works commencing on the proposed car park between the buildings and the railway line and prior to erection of any external lighting on the remainder of the site a revised lighting, landscape and layout plan for the car park and revised lighting plan for the remainder of the site shall be submitted to and approved in writing by the local planning authority. The plan shall:

- a) identify those areas/features on site that are particularly sensitive for bats where lighting is likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example for foraging; and
- b) show how and where external lighting shall be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the plan, and these shall be maintained thereafter in accordance with the plan, for the lifetime of the development. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. The submitted scheme shall be designed to take into account the current best practice guidance on designing lighting to minimise effects on bats.

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

Condition

Prior to the first occupation of the development a maintenance and management scheme for the bat mitigation and other wildlife mitigation features shall be submitted to the planning authority for prior approval. The scheme shall include:

- a) Description and location of the features to be maintained and managed;
- b) Legal responsibilities of occupiers of the development with respect to the features;
- c) Labelling, signage and contact numbers for advice;

- d) Areas requiring no or sensitive lighting
- e) Aims and objectives of management;
- f) Appropriate management options for achieving aims and objectives;
- g) Prescriptions for management actions;
- h) Preparation of a maintenance schedule;
- i) Monitoring and remedial/contingencies measures triggered by monitoring.
- j) The financial and legal means through which the scheme will be implemented.

The scheme shall be carried out as approved, unless otherwise approved in writing by the local planning authority, for the lifetime of the development.

Reason: To protect and maintain mitigation features for bats (European Protected Species) and other wildlife.