



Committee and date
South Planning Committee
6 December 2016

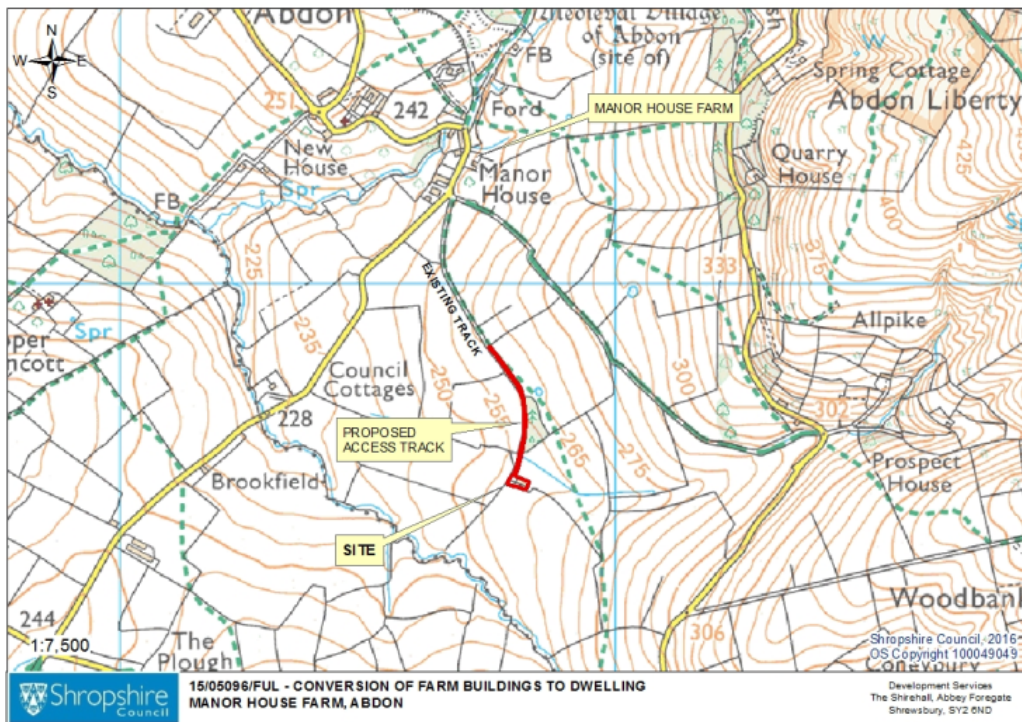
Development Management Report

Responsible Officer: Tim Rogers
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Summary of Application

Application Number: 15/05096/FUL	Parish:	Abdon and Heath
Proposal: Conversion of 2No farm buildings to 1No dwelling and erection of link extension		
Site Address: Manor House Farm, Abdon, Craven Arms, SY7 9HZ		
Applicant: Mr Simon Wedgwood		
Case Officer: Grahame French	email:	planningdmsw@shropshire.gov.uk

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



Contact: Tim Rogers (01743) 258773

REPORT

1.0 THE PROPOSAL

- 1.1 It is proposed to convert two traditional farm lambing buildings that formerly serviced a sheep fold at Manor House farm to a single dwelling. The buildings are in good structural condition and the quality of the facing stonework in both the buildings is high. The applicant states that any disturbance to the fabric of the building has been kept to the minimum necessary to facilitate the conversion.
- 1.2 The conversion is single storey which ensures no disturbance to the roof trusses and maximizes the floor space available on the ground floor for accommodation. Fenestration is introduced into the open sided structure on the south side of the building, disturbing the wall plate and stone work as little as possible.



Figs 1 and 2. Main building and outbuilding showing vernacular construction.

- 1.3 The second smaller building, set on the south western corner of the fold is also proposed for conversion to provide additional accommodation. These two

buildings will be linked by a narrow linear glazed linked structure which will unify the accommodation but is not provided to introduce additional accommodation.

- 1.4 The applicant states that use of a glazed link with a flat lightweight roof provides minimum visual intrusion and distraction from the main building conversion. No additional domestic buildings are proposed and the curtilage of the proposed development is closely defined by the existing sheepfold structure.
- 1.5 The proposal includes extending the existing hard cored farm track by about 75 yards. This would be done by forming two narrow wheel tracks with foundations but retaining the essential green character of the track. The applicant states that the residential traffic associated with a single dwelling would be less than the previous sheep management use based at the building.
- 1.6 Surface Water from the existing building would continue to be taken to a soakaway. It is intended that surface water from the proposed link building would be collected in rainwater butts and be utilized for gardening purposes. Foul Water would be taken to a new Bio disk treatment plant which will drain to soakaway.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is located in the higher reaches of the AONB at Abdon and is 600m from the cluster of buildings at Manor House farm. It is approached along a hard cored farm track running to the east off the rural lane, which stop short of the building by some 75 yards.
- 2.2 The walls of both the building and the sheep fold are stone. The roof is at a traditional pitch of 45 degrees and is supported by trussed rafters that are in sound condition.
- 2.3 A previous proposal for the buildings conversion was refused in July 2000 but the applicant advises that this was at a time when planning policy was less favourable for such conversions.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Parish Council have submitted a view contrary to officers' recommendation for approval. The Area Planning Manager in consultation with the Local Member and the committee chairman agrees that the material planning issues have been raised and that the application should be referred to the committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

- 4.1 Abdon and Heath Parish Council: Objection. The majority of councillors would not support the application for the following reasons:-
- The proposed dwelling is in an Area of Outstanding Natural Beauty in a field well away from any other cluster of properties;
 - The property is not for the use of local young persons living and working in the area as far as we can tell;
 - The planning application does not match up to the collective wishes captured in the Abdon and Heath Parish Plan in terms of the number of barn conversions already supported by the Parish Council as well as the possible potential use as holiday accommodation.
- 4 2 Historic England: No objection.
- 4 3 AONB Partnership: No objection subject to comments relating to the need to protect the AONB.
- 4 4i. SC Ecology: No objection. Conditions and informative notes are recommended. An initial bat survey was carried out on this site in February 2016 by Star Ecology. No evidence of bats was observed but potential roosting opportunities were identified in both buildings. A re-entry survey was carried out on 1st August 2016 and an emergence survey was carried out on 3rd October 2016. Four static bat detectors were also deployed around the buildings during both surveys. No roosting activity was recorded during either survey. The second activity survey was not carried out within the survey season and the report does not provide any justification for this. However, because no evidence of roosting was recorded during the initial survey or during the re-entry survey, no further survey work is considered necessary.
- ii. The site is likely to be used by foraging bats (The report does not state whether any foraging or commuting behaviour was observed during the activity surveys). New lighting on the site should be sensitive to bats and follow the Bat Conservation Trust's guidance. Bat boxes should be erected on the site to enhance the roosting opportunities available for bats.
- iii. Swallow nests were recorded within the buildings. Alternative roosting opportunities should be erected on the site to enhance the nesting opportunities available for birds. Conversion works should be carried out between October and February to avoid harming nesting birds. If this is not possible then a pre-commencement check should be carried out and if any active nests are present, no works can commence until the young birds have fledged.
- 4 5 SC Archaeology: The proposed development site lies c.810m north north east of Nordy Bank: a slight univallate hillfort 400m north east of New House Farm (National Ref. 1008390). It is recommended that Historic England is consulted.
- 4 6a SC Conservation (23/12/15): The proposal affects an undesignated heritage

- i. asset which has local historic and archaeological interest. The construction of the existing building mainly consists of stone with some brick in the local vernacular and is a good example of a rural agricultural building. There are no records of the building on the Historic Environment Record. 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 MD13 'The Historic Environment' of SAMDev, as well as with national policies and guidance, National Planning Policy Framework (NPPF) published March 2012. Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
 - ii. The proposed conversion is supported in principle, however the proposed fenestration is inappropriate in terms of the amount of glazing as well as the loss of existing openings. New windows should be accommodated mainly in the existing doorways where the lower sections of the openings could be weatherboarded over or constructed in a slightly recessed matching brick. There is no principle objection in having a one storey glazed link but the existing openings should be retained so that there is a clear definition between the new section and the existing historic structure. There is an objection to this proposal unless the suggested amendments as recommended above are taken into account.
- 4.6b SC Conservation (3/05/16): The renovation proposals for the reuse of this isolated complex of historic vernacular buildings in the Shropshire Hills AONB still appear to be unnecessarily intrusive despite recent improvements in a design review to reduce the impact of contemporary residential elements on the traditional form and fabric of this non designated heritage asset. A relatively well preserved example of the economic tradition of the hill farm, it is now seemingly inevitable that the original purpose of these buildings as a sheepfold has been lost due to the decline of such farming practices. A suitable economic use would at best preserve them from further deterioration and at worst result in their loss to the historic farm unit through division and sale of title.
- i.
 - ii. With the additional information provided by the structural engineer's report, and in the context of policy MD13 of SAMDEV, it is apparent that the structures are capable, with minor works, to be sensitively converted into an alternative use, which is in accord with the landscape management plan and policies of the AONB and with the relevant paragraphs of NPPF, particularly those which enable heritage assets to be preserved and enhanced as a catalyst for sustainable development.
 - iii. The proposal for conversion is acceptable in principle, yet the isolated nature of the buildings mean that the proposals for access, hardstanding and landscaping as a permanent residential unit have a more significant impact on the character and appearance of the heritage asset than would be desirable in this sensitive context. It is advisable that the proposals have as low an impact as possible due to its setting and relatively intact historic character and fabric, and that the end use is limited to provide eco-friendly accommodation

for the significant numbers of tourists looking to visit such a beautiful, historic and precious part of Shropshire. This means that the massing and design of additions will better respect the plan form of the existing buildings, and the existing elevations of the historic sheepfold and its character will be inherently legible. New introduced materials should be kept to a minimum, and be sympathetic, in order to avoid excessive harm to the historic fabric and any unnecessary visual intrusion in its sensitive landscape setting.

- iv. The economic, social and environmental balance has governed this advice, with the hope that a scheme will be devised that gives the heritage asset a sustainable and appropriate future, sitting quietly within its outstanding natural landscape.

4.7 Affordable Housing: Following a change in national policy an affordable housing contribution is not required.

4.8 Highways: No objection subject to the access, parking and turning facilities being constructed in accordance with the submitted/approved plans. The proposed development is considered acceptable in highway safety terms, as the existing private accommodation track and its junction with the public highway are adequate to serve this barn conversion. The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

4.9 Drainage: No objection subject to informative notes on flooding.

4.2 Public Representations:

4.2.1 The application has been advertised in accordance with statutory provisions. No representations have been received from the public.

5.0 THE MAIN ISSUES

- Principle of development
- Siting, scale and design
- Highways and access
- Visual impact and landscaping
- Other considerations

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Consideration needs to be given to this presumption in favour of sustainable development in determining whether a site is suitable for release.

- 6.1.2 The location of new-build residential development is strictly controlled under national and local planning policy. Such development is focused towards market towns, key centres, and identified hubs and clusters. However policy CS5 of the Shropshire Local Development Framework Adopted Core Strategy advises that proposals for the conversion of existing rural buildings, particularly those which are of some historic merit may also be acceptable. This is also reinforced by policies MD7a and MD7b of the Site Allocations and Management of Development (SAMDev) plan and the Supplementary Planning Document – Type and Affordability of Housing.
- 6.1.3 The development plan gives equal priority in the countryside to small-scale economic/employment-generating uses, affordable housing to meet local needs, and other appropriate rural uses. However, the policy also advises that open market residential conversions will be considered where buildings are judged to be 'heritage assets'. The Type and Affordability of Housing SPD defines heritage assets as buildings that: -
- Pre-date 1950;
 - comprise traditional materials and building methods;
 - are of permanent and substantial construction;
 - are of local significance and add value to the landscape.
- 6.1.4 The current proposals relate to two traditional farm buildings which are of high quality traditional design and have been confirmed as non-designated heritage assets by the Council's Historic Environment team. A structural survey submitted in support of the application confirms this designation and the generally good state of condition of the buildings. The buildings have a strong local presence and make a positive contribution to the appearance of the area. However, with changes to of traditional sheep farming practices there is no longer an agricultural need for buildings of this nature.
- 6.1.5 Core Strategy Policy CS5 supports the preservation of heritage assets in order to maintain countryside vitality and character. The Policy facilitates conversion of existing heritage assets to a residential use where such development achieves a high standard of sustainability. Additionally, the local planning authority also has a duty to preserve buildings with special architectural or historic interest under Part 12 of the National Planning Policy Framework (NPPF), Core Strategy Policies CS6 and CS17 and SAMDev Policy MD13. The current proposal to secure the preservation and future use of a non-designated heritage asset would in principal be encouraged by these policies.

6.2 Siting, scale and design

- 6.2.1 Core Strategy policy CS6 seeks to ensure that all development is appropriate in scale, density, pattern and design taking into account the local context and character, this is supported by SAMDev policy MD2, and in the case of the conversion of existing buildings policy MD7a, which expects minimal alteration or rebuilding to be required for conversions and that such developments should respect the significance of the heritage asset, its setting and the local landscape character.

- 6.2.2 Design guidance on the conversion of historic buildings is contained in the Historic England document 'The Conversion of Traditional Farm Buildings: A Guide to Good Practice'. Generally, alterations and additions to traditional former agricultural buildings should be minimised in order to maintain their vernacular character and avoid confusing their form or introducing an overly domestic appearance.
- 6.2.3 In this case, the proposed floorplans indicate that the room layout has been informed by the position of existing internal walls and openings. This enables the scheme to keep the amount of external alterations to a minimum, utilising existing openings, retaining the majority as windows. The council's conservation section initially expressed concerns about the amount of glazing in the proposed link block and the applicant has responded by amending the design of the scheme. The submitted block plan shows additionally that the proposed unit will have ample private amenity space, and parking provision.
- 6.2.3 The application is supported by an illustrated structural survey in accordance with Historic England guidelines which provides a thorough record of the current form of the sheepfold buildings. Overall the proposed alterations are considered to preserve the character, appearance, fabric and agricultural 'feel' of the building. The design can therefore be supported, subject to appropriate conditions.

6.3 Highways and access

- 6.3.1 The NPPF, at section 4, seeks to promote sustainable transport. At paragraph 32 it states that decisions should take account of whether safe and suitable access to the site can be achieved for all people but that: "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe." Core Strategy policy CS6 seeks to ensure that proposals likely to generate significant levels of traffic be located in accessible locations, where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel reduced.
- 6.3.2 However, the proposals would not generate significant traffic and levels would be much less than for the previous agricultural use. The Councils highways team raise no objections and are satisfied that the proposed scheme would not result in detrimental harm to the users of the highway.
- 6.3.3 It is proposed to utilise an existing farm track from the minor road at Abdon and to extend this by 300m in order to provide access. The track extension would however be 'rural' in nature with 2 metalled parts and a grassed centre.
- 6.3.4 The site is in a remote location where permission for a new open market dwelling would not normally be supported by planning policy as occupants would be entirely dependent on use of the private motor vehicles. However, the proposals relate to the conversion of an existing building which is a non-designated heritage asset and there is general policy support for such

residential conversions as a way of preserving heritage assets. In this particular case the officer considers that the benefits of securing the future of the heritage asset through its conversion significantly outweigh the disadvantages of the location. It is not considered that refusal could be justified on access grounds.

Fig 3 - Farm track (left) and track extension (right)

6.4 Visual impact and landscaping

- 6.4.1 Policies CS17 and MD12 seek to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment. The site is located in an elevated location but is single storey and is well screened by existing vegetation. Where the buildings are currently visible it is considered that they add to the character of the local countryside. Visually there would be limited change from any external viewpoints relative to the current situation so officers consider that the development would continue to make a positive landscape contribution.
- 6.4.2 Conditions can be attached to ensure any boundary treatments reflect the rural character of the area. The alterations to the buildings itself are considered to be sensitive and would not result in any material loss of agricultural character. Permitted development rights would be removed by condition to accord with SAMDev policy MD7b, this would also enable a degree of control to be retained over the level of domestic paraphernalia, this in turn helping preserve the agricultural character and mitigate any visual impact from the proposed conversion.
- 6.4.3 The proposed conversion would enable the most efficient use of a building which is considered to be a local heritage asset and makes a positive contribution to the local area. The alterations proposed to enable the conversions would not detract from the visual amenity of the area and the setting of the Shropshire Hills AONB would be preserved.

6.5 Other considerations

- 6.5.1 Affordable Housing: A Written Ministerial Statement (WMS) was issued in November 2014 by the then the Minister of State for Housing and Planning. This stated that planning obligations should not be used to secure affordable housing contributions in connection with developments of 10 units or less (and with a maximum combined gross floor space of 1,000sqm), or 5 units or less in Designated Rural Areas, such as within the AONB. Reading and West Berkshire Councils sought to challenge the WMS at the High Court and it was quashed in July 2015 when the Government subsequently withdrew its associated Planning Practice Guidance (PPG). From this point Shropshire Council continued to apply its own affordable housing policy.
- 6.5.2 The Government subsequently challenged the High Court decision through the Court of Appeal, which overturned it on 11th May 2016. Consequently the WMS still applies. Furthermore the Housing and Planning Act gained Royal

Assent on 12th May 2016, giving the Government power to achieve the same result via secondary legislation. The Planning Inspectorate has also taken the stance that the WMS is a significant material consideration. At this juncture Shropshire Council accepts this position, despite the development plan remaining the starting point for planning decisions. Therefore, the Council will not generally now require an affordable housing contribution in connection with schemes where the above thresholds are not exceeded. In this case the proposed conversion falls below the relevant thresholds and so an affordable housing contribution is not required.

- 6.5.3 The Parish Council has objected on the grounds amongst other matters that the proposals would not deliver housing suitable for local young people. Reference is also made to the Parish Council's concerns regarding barn conversions. However, it is considered that the form of the existing agricultural buildings would not lend itself to the provision of an affordable dwelling or dwellings. The smaller building is too small to be converted as a separate residential unit without significant and inappropriate structural intervention. The two buildings have always been integrated within a central courtyard and the current proposals would maintain this coherent relationship.
- 6.5.4 Biodiversity: National guidance gives a duty to public bodies (including Local Planning Authorities) to ensure development does not harm protected species or its habitat. The National Planning Policy Framework (NPPF) emphasises that Local Planning Authorities should ensure development contributes to and enhances the natural and local environment including minimising impacts on biodiversity and providing net gains where possible. Bat surveys have been carried out at the site. The Council's Ecologist has considered these reports and is content that ecological interests can be safeguarded by condition and informative notes.
- 6.5.5 Residential Amenity: The site is 5-600m from the nearest residential properties and there is no overlooking. As such, the proposed conversion could be carried out without any significant harm to residential amenity.
- 6.5.6 Public right of way: The existing agricultural access track and the first 100m of the proposed track extension is also a public right of way. It is not considered that there would be any permanent impact on the right of way given that levels of traffic would be less than for the current agricultural use. Given the proposal to lay the access track extension as two metalled strips with a grassed area in the centre it is considered that any effects to the existing rural character of the track would be minimised. An advisory note regarding the need to keep the right of way open during the development works or secure a suitable temporary diversion is recommended in Appendix 1.
- 6.5.7 Drainage: In common with many equivalent upland areas in Shropshire the Council's land drainage team has advised that the site is at potential risk from surface water flooding and has recommended an advisory note on flood prevention. A small brook runs across the line of the proposed access track some 50m to the north. However, the buildings themselves are 3-4m above the line of the brook and have never been subject to any flooding.

- 6.5.8 The application does not give details of any proposed arrangements for crossing the brook where intersected by the access track though currently this is understood to be un-culverted. An advisory note has been recommended to confirm that any planning permission for the conversion and track would not confer approval for construction of a culvert / bridge. It should however be noted that the proposed extended access track would also be likely to retain some agricultural use for field access and certain limited culverting works could therefore be undertaken in principle under agricultural permitted development rights.
- 6.5.9 Planning history: Two previous applications by the same applicant to convert the barns to residential use were refused in 2000 and 2001 respectively (SS/1/00/11196/F and SS/1/00/11753/F). These previous proposals involved a very similar type of conversion. The refusal reasons were based on impact on the AONB from introducing a domestic structure and associated road and to the remoteness and lack of sustainability of the location.
- 6.5.10 These applications were submitted at a time when different planning policies applied. There was no equivalent to the current 'exceptional circumstance' which supports residential conversions in order to preserve historic assets (CS5, MD7b, MD13 etc.).
- 6.5.11 Whilst it is recognised that the sheepfold buildings remain in relatively good condition it is clear now, some 15 years down the line from the previous applications that they no longer have a viable agricultural use due to changes in sheep farming practice. At the same time, additional information has been submitted this time which confirms that the buildings have significant heritage asset value. As such, it is considered that the only way of protecting them in the longer term is to allow conversion to an alternative use.
- 6.5.12 With respect to the previous refusal reasons concerning the impact on the AONB it is considered that this must be weighed against the very real possibility that the historic structure of the buildings may be lost in time through neglect if they have no productive use. Hence, the positive contribution which they make to the AONB landscape would also be lost.
- 6.5.13 The previous refusal reasons also refer to the disturbance caused by introducing a domestic use in this location. However, in practice, the two buildings would face inwardly around a courtyard space with no appreciable overlooking of the surrounding landscape. The only significant views towards the site would come from a public right of way which passes some 120m to the east on the opposite side of the small stream valley. External facades would appear very similar to the current situation. The agricultural origin of the buildings would still be clearly perceived. The proposed access track would also have an agricultural appearance with its central grassed strip and so would not look out of keeping in the opinion of this officer.
- 6.5.14 The agent has been asked whether an alternative use as holiday accommodation could be considered instead. This is on the basis that such a

seasonal use would potentially align more favourably with relevant policies and guidance relating to sustainability, given the remote location and would also align more with the scenic nature of the location. However, the agent has advised that such a use may not be economically feasible, although no viability appraisal to demonstrate this has been submitted. Either way, the current application must be considered on its own merits. It must be recognised in this respect that that national and local policy on heritage and conversion of agricultural buildings has changed materially since the previous applications were refused.

7.0 CONCLUSION

7.1 The proposals raise issues which pull in different policy directions. On the one hand the site is in a remote location where any occupant would be entirely dependent on use of the private motor car and this conflicts with policies regarding access and locational sustainability.

7.2 On the other hand, the buildings are clearly fine example of their type and function, and have an important heritage value in this nationally designated landscape. National and Local Development Plan policy positively encourages the retention and adaptation of such buildings to alternative uses to ensure their longevity subject to design and sustainability criteria.

7.3 The proposed design respects the character and appearance of the existing structure. Any disturbance to the building fabric has been kept to the minimum necessary. The proposals would secure the future use of the sheepfold buildings, allowing them to continue to make a positive contribution to the local landscape. The works can also be carried out without undue harm to visual or residential amenity, ecology or highway safety.

7.4 The officer concludes that in this case the benefits of securing the future of these non-designated heritage assets outweighs the concerns regarding lack of sustainability of the location. On balance therefore the proposals are considered to be compliant with the development plan as a whole and approval is therefore recommended, subject to the conditions listed in appendix 1.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

8.1.1 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 three months after the grounds to make the claim first arose.

- 8.1.2 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

- 8.2.1 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

- 8.3.1 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

- 9.1 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.

10.0 BACKGROUND

Relevant Planning Policies

Central Government Guidance:

- National Planning policy Framework

Shropshire Core Strategy:

- CS3 The Market Towns and other Key centres
- CS4 Hubs and Clusters
- CS5 Countryside and Greenbelt seeks to limit development in the countryside to that which needs to be there and makes it clear that in

assessing proposals account will be taken of the impact on the character of the countryside.

- Policy CS6: Sustainable Design and Development Principles is concerned, amongst other things, with ensuring new development protects, restores, conserves and enhances the natural, built and historic environment. The policy also seeks to ensure that there is sufficient infrastructure capacity to cope with any new development.
- CS11 Type and affordability of Housing;
- Policy C17: Environmental Networks endeavours to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.

SAMDev Plan:

- MD1 – Scale and Distribution of Development allocates sufficient land in the period up to 2026 to enable the delivery of the amount and distribution of housing development set out in Policies CS1 and CS2 and in the SAMDev site allocation policies including S10 (Ludlow).
- MD2 – Sustainable Design is concerned, amongst other things, with respecting locally distinctive or valued character, including the historic context.
- MD3 – Delivery of Housing Development;
- Policy MD8: Infrastructure Provision specifies that new development will only take place where there is sufficient existing infrastructure capacity or where development includes measures to address a specific capacity shortfall which it has created.
- MD12: The Natural Environment indicates that proposals that are likely to have a significant adverse effect, directly, indirectly or cumulatively on a range of matters, including visual amenity or landscape character and local distinctiveness, will only be permitted if there is no satisfactory alternative and the social and economic benefits of the proposal outweigh the harm.
- MD13: The Historic Environment
- S10: Ludlow Area

Relevant Planning History:

- SS/1/00/11196/F - Conversion of barns to a dwelling. Refused 06.09.2000;
- SS/1/00/11753/F - Conversion of barn to dwelling and formation of vehicular and pedestrian accesses. 08.02.2001.

11. ADDITIONAL INFORMATION

[View details online:](#)

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Nv567QTDIAF00>

List of Background Papers: Planning application form for application reference 15/04158/OUT

and accompanying design and access statement and plans

Cabinet Member (Portfolio Holder)

Cllr M. Price

Local Member: Cllr. Vivienne Parry

Appendices: APPENDIX 1 - Conditions

APPENDIX 1

Conditions

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 and drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. Prior to the first use or occupation of any part of the development hereby permitted a scheme confirming details for surface and foul water drainage systems shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in complete accordance with the approved plans and particulars prior to the first occupation of the development and shall be maintained thereafter in the absence of any further specific permission in writing from Authority.

Reason: To ensure that the development is provided with satisfactory means of drainage and sewerage to avoid increasing the risk of flooding or pollution.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES / PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

4. Prior to first occupation / use of the building, details for the provision of bat boxes shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 2 external bat boxes or integrated bat bricks suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site. The boxes shall be sited in accordance with the latest

guidance (currently http://www.bats.org.uk/pages/bat_boxes.html) and thereafter retained for the lifetime of the development.

Reason: To ensure the provision of roosting opportunities for bats, in accordance with MD12, CS17 and section 118 of the NPPF.

5. Prior to first occupation / use of the building, details for the provision of bird boxes shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 2 swallow nesting cups shall be erected on the site. The boxes shall be sited in accordance with the latest guidance and thereafter retained for the lifetime of the development.

Reason: To ensure the provision of nesting opportunities for wild birds, in accordance with MD12, CS17 and section 118 of the NPPF.

6. 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 development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Artificial lighting and wildlife: Interim Guidance: Recommendations to help minimise the impact artificial lighting (2014).

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

7. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include:
 - i. Details of any means of enclosures
 - ii. Details/schedules of any proposed planting scheme
 - iii. Timetables for implementation

The works shall be completed in accordance with the approved details and, in the case of any means of enclosures, maintained thereafter in the absence of any further specific permission in writing from the Local Planning Authority. In the case of soft landscaping, any trees or plants which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To safeguard the setting of the converted barn and preserve the visual amenities of area. This information is required prior to commencement of the development since it relates to matters which need to be confirmed before subsequent phases proceed in order to ensure a sustainable development.

8. Prior to the commencement of the relevant work details of all external windows and doors and any other external joinery, including details of the colour/finish 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 non-designated Heritage Asset.

9. No development shall commence until a scheme confirming details for the construction of the access track from the site to the existing hardcore farm track has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to preserve the rural appearance of the area and shall be implemented in accordance with the approved details.

Reason: To safeguard visual amenities within the AONB.

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

9. Any 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 local Heritage Asset.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the following development shall not be undertaken without express planning permission first being obtained from the Local Planning Authority:-

- Extensions;
- Additions or alterations to the roof, including dormer windows and rooflights;
- Erection of porches;
- Insertion of any new window or door openings;
- Satellite antennas;
- Chimneys and Flues;
- Free standing buildings within the curtilage;
- New fences, gates or walls

Reason: To maintain the scale, appearance and character of the development and to safeguard the character and setting of the converted barn and visual amenities of area and comply with policy MD7b of the Site Allocations and Management of Development (SAMDev) Plan.

Informative Notes:

Drainage

- i. *On the Surface Water Flood Map, the site is at risk of surface water flooding. The applicant should ensure that the finished floor levels are set above any known flood level and must not be lower than the floor level of the existing building in order to minimise the risk of surface water flooding.*
- ii. *The applicant should consider employing measures such as the following to ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner:*
 - *Surface water soakaways (Designed in accordance with BRE Digest 365)*
 - *Attenuation ponds*
 - *Water Butts*
 - *Rainwater harvesting system*
 - *Permeable surfacing on any new access, driveway, parking area/ paved area*
 - *Attenuation*
 - *Greywater recycling system*
- iii. *The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.*

Ecology:

- iv. *Construction and wildlife:* *All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife. Where possible trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a closefitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.*
- v. *Nesting Birds:* *The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent. All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of birds nests then an 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.*

Right of Way:

- vi. *The definitive line of the public right of way which runs along the existing access track from the public highway, continuing along part of the proposed new access track must remain open and unobstructed with safe access for the public*

at all times. This is unless the applicant has first obtained a formal temporary diversion order to facilitate the proposed access track extension.