

Committee and date

South Planning Committee

13 September 2016

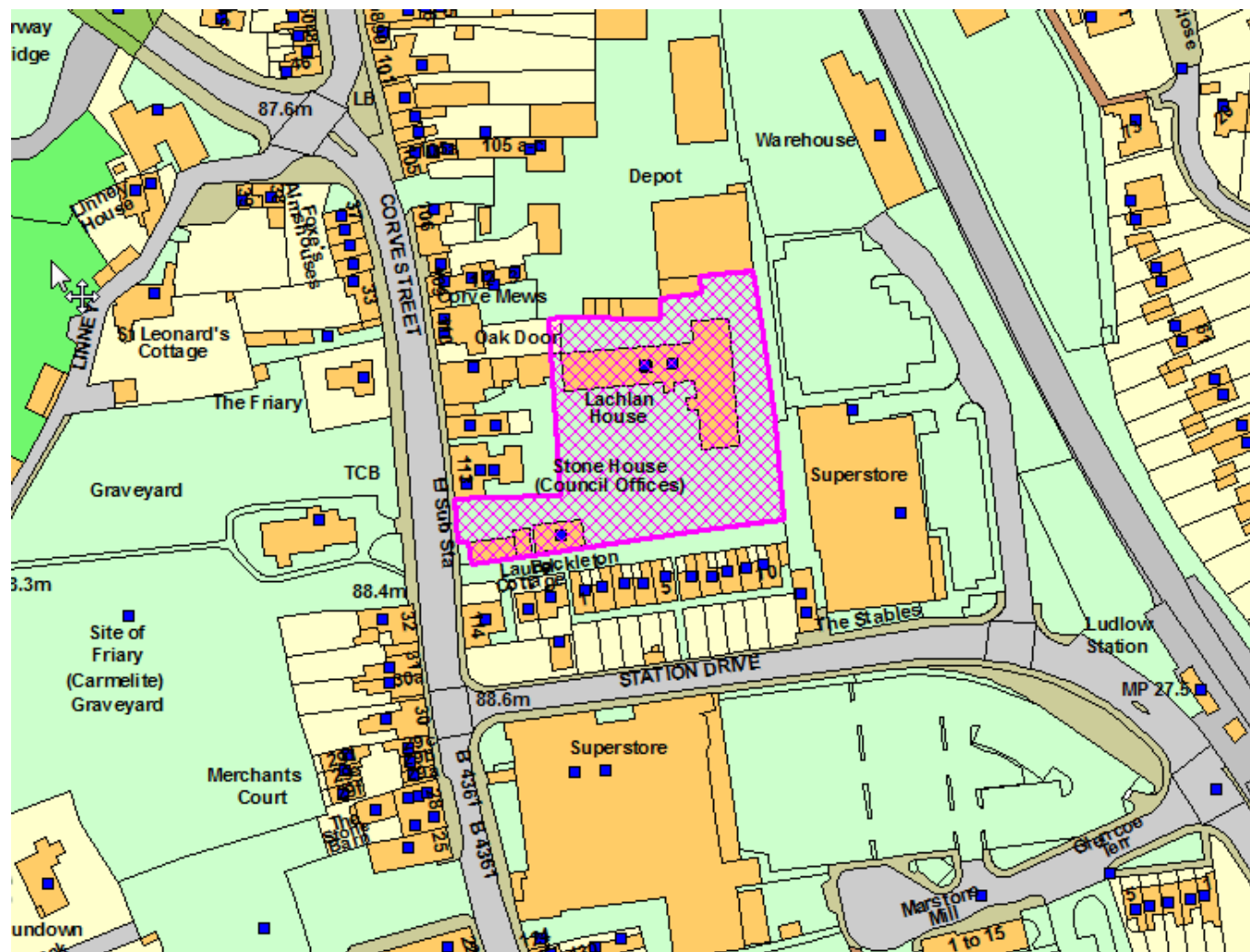
Development Management Report

Responsible Officer: George Candler, Director of Place & Enterprise

Summary of Application

<u>Application Number:</u> 16/02033/FUL	<u>Parish:</u> Ludlow Town Council
<u>Proposal:</u> Demolition of office building and partial demolition of stable block; erection of (part) three storey building comprising 44 retirement apartments; conversion of, and extension to, stable block to provide four dwellings; access, car parking and landscaping.	
<u>Site Address:</u> The Stone House, Corve Street, Ludlow	
<u>Applicant:</u> Churchill Retirement Living	
<u>Case Officer:</u> Mark Lynch	<u>email:</u> planningdmsw@shropshire.gov.uk

Grid Ref: E351181 N275108



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Recommendation: - Grant full planning permission subject to the completion of a Section 106 Agreement to secure the four dwellings contained in the stable conversion as affordable dwellings and subject to the conditions set out in Appendix 1.

REPORT

1 THE PROPOSAL

- 1.1 This is a full planning application for the demolition of the existing vacant office building on the site that was previously occupied by South Shropshire District Council and the redevelopment of the site as a retirement complex.

- 1.2 The development will comprise a new part two and part three storey building that is 'L-shaped' located close to the northern and eastern boundaries of the site. The front of the building will face a communal amenity area which will contain a number of trees and areas of lawn. The edges of the amenity area will contain a two rows of parking spaces.
- 1.3 The site contains a stable block adjacent to the site entrance onto Corve Street and this will be retained and extended. It will be used to provide four one bedroomed residences which will be transferred to a Register Provider as affordable housing units.
- 1.4 The main building has been designed to have a variation in its roof-scape, with reduced two storey elements close to the western end of the building where it is in closer proximity to the listed buildings along Corve Street. The eastern wing of the building will be three storeys in height in the north-eastern corner. From that point, the building steps through two and half storeys to two storeys, utilising space in the roof to create additional living accommodation. Materials proposed are influenced by existing materials used locally. These include red brick, painted brickwork, slates and plain tiled roofs. The design of the building includes steeply pitched roofs, pitched roof dormer windows with each building segment separated by raised gabled divisions.
- 1.5 The stable block will be retained and converted to form four affordable dwellings. At present, it is a one and a half storey structure with two flat roofed front dormer windows and a single storey side extension that projects forward of the original building. This existing extension will be removed and replaced with a longer extension stretching along the southern boundary. Both the retained building and the proposed extension will share common architectural features and materials. The existing dormers will be changed to have pitched roofs and the extension will also incorporate a pair of front-facing dormers. The roof will also include a number of modest sized roof lights to the front and back roof slopes. The resultant building will be subdivided so that it accommodates four one bedroom starter homes.
- 1.6 The development proposes 48 dwellings comprising 44 self-contained retirement apartments and 4 affordable dwellings. The apartments will be a mix of one and two bedrooms (26 and 18 respectively).
- 1.7 The main structure is a wide building being 18m deep. This is necessary to accommodate the number of apartments whilst reducing the overall building height to a level commensurate with the character of the local area. This produces a roof profile with a 'W' shape incorporating a double ridgeline separated by a central valley.
- 1.8 The site will be accessed via the existing access onto Corve Street, which leads into a parking area and landscaped area in front of the main building. The edges of the site will be landscaped through a combination of retaining existing planting and introduction of new planting. The existing right of way enjoyed by 111 Corve Street will also be retained.

- 1.9 The Planning Statement explains Churchill Retirement Living has specialised in the provision of purpose built apartments specifically designed for the elderly, since 1998 and have similar new developments located throughout England. The accommodation is specifically designed to meet the needs of independent retired people, and provides self-contained apartments for sale contained within a single block.
- 1.10 The apartments are sold with a lease containing an age restriction which ensures that only people of 60 years or over, or those over this age with a partner of at least 55, can live in the development. The accommodation will be managed by Millstream Management Services Ltd, an in house Company which specialises in the management of retirement developments.
- 1.11 The proposed development includes a range of communal facilities for the support of and enjoyment by the residents. The Planning Statement summarises these as follows:
- A Lodge Manager employed by the Management Company to provide assistance and security for the owners of the apartments and in charge of the day to management of the entire premises.
 - A video entry system which is linked to the owners' televisions in their apartments. This system allows complete security and instant recognition of the person who is calling at the main entrance door.
 - An Owners Lounge is provided for use by all residents and their guests within the building.
 - A communal lift is provided for use by all residents and visitors. The lift is fitted with an emergency call system and seat. The lift is wide enough to accommodate a wheelchair if necessary.
 - A high quality communal landscaped garden area is provided which is maintained by the Management Company.
 - A guest suite is provided for use by relatives of owners who wish to stay overnight.
 - A communal toilet is provided adjacent to the lift for use by relatives and visitors.
 - A communal bin store is provided for use by residents.
 - A communal car parking area is provided for use by those residents who have cars on a first come first served basis.
 - A safe and covered area for housing and recharging battery buggies is also provided.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is the former South Shropshire District Council offices, which closed in 2013. It is a regular shaped site enclosed by walls and fences. It is set behind the buildings fronting Corve Street and Station Drive and currently contains the two storey red brick and tiled former local authority office buildings. These include a low level two storey former stable block adjacent to the site entrance onto Corve Street.

- 2.2 The main existing building on the site is 'L-shaped' and is of functional and utilitarian appearance. The area to the front of the building is dominated by hard-surface parking and turning areas with modest areas of planting around the site edges. There are a number of trees in front of the building and around the boundaries with a large Ash adjacent to the entrance, which is protected by virtue of a Tree Preservation Order.
- 2.3 The site lies within the Ludlow Conservation Area and Corve Street contains a number of Grade II and Grade II* listed buildings. The majority of buildings along Corve Street are two storeys in height and include a mixture of mediaeval and Georgian buildings. There are a number of three storey buildings in the locality, the most prominent of which is no. 113 Corve Street to the immediate north of the site entrance. In its listing details, this building is described as a substantial Grade II* listed building, three storeys in height, rendered and painted off white on the front elevation with exposed stone sides and rear elevations. The building has an opulent stucco front dating from the mid-19th century, with a late 18th century core. The 3-window range consists of vertical sash windows in moulded architraves with modillion pediments on enriched consoles and large Corinthian pilasters. The rear wing has a half-hipped roof with lantern, a rear gable and coped parapet. There is also a stone stack with brick above the roof level. Stone House was used in the mid-20th century as part of the former South Shropshire District Council offices. Following a period of vacancy from the 1990s, the house was converted to residential use in 2011.
- 2.4 To the north of the site is a yard associated with a commercial haulage use known as Lloyds of Ludlow. The two sites are separated from one another by a high stone wall and two single storey buildings.
- 2.5 The land to the east is elevated above the application site and contains the recently completed Aldi retail store building and its associated car parking and delivery areas. Beyond this site runs the Shrewsbury railway line.
- 2.6 To the south beyond the redbrick boundary wall is a row of two storey redbrick cottages that face Station Drive. The domestic curtilages to the rear of these dwellings are short and face the application site across an access drive that runs the length of the terrace.
- 2.7 There is a three storey red brick building close to the corner of Corve Street and Station Drive beyond which is a car sales premises. Directly opposite on the other side of the intersection is the Ludlow Tesco store.
- 3.0 REASON FOR COMMITTEE/DELEGATED DETERMINATION OF APPLICATION
- 3.1 The application is reported to the planning committee because of the scale and nature of the proposal, the degree of public concern, local elected Member interest and because the local authority is the current owner of the site.

4.0 **Community Representations** **- Consultee Comments – comment.**

4.1.1 Ludlow Town Council – Comment on the **original** scheme:

Objection - Members agreed that whilst the new scheme is an improvement they still felt that the overall architectural approach is not fitting with the current street scene. The development is still too dense, parking and access is still an issue therefore Ludlow Town Council is unable to support the scheme in its current design.

Comment on the **revised** scheme:

- i) Members felt that their original concerns had not been addressed by the developer
- ii) Members reiterate their original concerns
- iii) Further to the restatement of their original concerns members also felt that the developer failed to appreciate the importance of emergency vehicle access to a retirement development

4.1.2 SC Drainage – comment on the **original** scheme:

The proposed drainage details, plan and calculations should be conditioned if planning permission is granted.

1. The surface water drainage proposals are acceptable in principle, however, the following drainage calculations/ information should be submitted for approval:

- i. The Environment Agency has updated the guidance on Climate Change in March 2016 and should be used for residential development in the Severn catchment.
- ii. Confirmation is required that Urban Creep has been taken into account in the drainage calculations.
- iii. Information on the proposed maintenance regime for the Cellular Storage tank should be provided.

Reason: To ensure that the proposed surface water drainage systems for the site are fully compliant with regulations and are of robust design.

2. No drainage details for the access road have been provided. Highway gullies are typically designed to accept flows up to the 5 year rainfall event only, with exceedance flows being generated beyond this return period. Confirmation is required that the gullies will be able to convey the 100 year plus 35% storm to the proposed surface water drainage system.

Alternatively, a contoured plan of the finished road levels should be provided together with confirmation that the design has fulfilled the requirements of Shropshire Councils Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to 7.12 where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site or contribute to surface water flooding of any area outside of the development site. Exceedance flow path should

be provided to ensure that any such flows are managed on site. The discharge of any such flows across the adjacent land would not be permitted and would mean that the surface water drainage system is not being used.

3. Informative: The Applicant should consider the use of rain gardens for the roofs and access road in the green/ amenity space available on site.

Comments on the **Revised** scheme:

The amended site plan does not alter our Drainage Comments dated 24 May 2016, which remain as before.

4.1.3 SC Ecology – Comments on the **original** scheme:

Recommendation: Additional information is required in relation to bats. In the absence of this additional information (detailed below) I recommend refusal since it is not possible to conclude that the proposal will not cause an offence under the Conservation of Habitats and Species Regulations (2010).

Comments on the **revised** scheme:

A Preliminary Bat Roost Assessment was carried out on this site in September 2015 by Red Kite. This was followed by a dawn re-entry survey in July 2016 by Star Ecology.

Bats

There are 4 buildings on the site, a mature lime tree and semi-mature trees.

Buildings B (Office), C (Meeting Room) and D (Stable Block) and the mature lime tree were considered to have low bat roosting potential. Red Kite recommended an activity survey on these features to confirm likely presence/absence.

Building A (Lachlan House) and the remaining trees on the site were considered to have negligible potential to support roosting bats and no further survey work was required.

On 25th July, a dawn re-entry survey was carried out. Static bat detectors were also positioned to the north and the south of Building D. No emergences were recorded, nor was any foraging or commuting activity recorded.

Contractors should be vigilant during the demolition work. If a bat is found at any stage then works must cease and a suitably qualified ecologist contacted for advice.

To enhance the roosting opportunities for bats, bat boxes/bricks should be erected on (or incorporated into) the new building/s.

New lighting on the site should be sensitive to bats and follow the Bat Conservation Trust's guidance.

Birds

Red Kite did not record any evidence of nesting birds during their bat survey.

The buildings and trees provide potential nesting opportunities for birds. Demolition works and tree removal should ideally take place between October and February to avoid harming nesting birds. If this is not possible then a pre-commencement check must be carried out and if any active nests are present, works must cease until the young birds have fledged.

There are swift nests 55m and 100m from Stone House and another dozen within 250m.

Swifts are an Amber listed bird of conservation concern and Ludlow is a stronghold for the species.

This development represents a major opportunity to provide nesting sites for swifts. SC Ecology recommends that a minimum of 20 swift bricks are incorporated into the new building. There are lots of placement opportunities on the west elevation (as there are lots of gables and not many windows) and some opportunities on the north elevation.

Information on the types of swift bricks available can be found here: https://www.rspb.org.uk/Images/swift-bricks_tcm9-397697.pdf. Information on siting swift bricks can be found here: <http://www.swift-conservation.org/index.htm>.

The Ludlow Swift Group have offered guidance and I recommend that the developer for this site liaises with the group.

Conditions and informatives

The following conditions and informatives are recommended for inclusion on the decision notice:

Provision of swift bricks

A minimum of 20 artificial swift nests of integrated 'brick' design shall be incorporated into the building(s) during construction. The type and location of the boxes shall be submitted to and agreed in writing with the Local Planning Authority before commencement of the development, and the scheme shall then be undertaken in accordance with the agreed details.

Reason: To ensure the provision of nesting opportunities for swifts.

Erection of bat roosting boxes

Prior to the first occupation of the buildings hereby permitted, a total of 2 woodcrete bat boxes (suitable for nursery or summer roosting for small crevice dwelling bat species) shall be erected on the site. The type and location of the boxes shall be submitted to and agreed in writing with the Local Planning Authority and the scheme shall then be undertaken in accordance with the agreed details.

Reason: To ensure the provision of roosting opportunities for bats.

Lighting plan

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 *Bats and Lighting in the U.K.* guidance.

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

Informative: Ecology – Bats

All bat species found in the U.K. are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences.

During all building renovation, demolition and extension works there is a very small risk of encountering bats which can occasionally be found roosting in unexpected locations. Contractors should be aware of the small residual risk of encountering bats and should be vigilant when working in roof spaces and removing roof tiles etc.

If a bat should be discovered on site then development works must halt and a licensed ecologist and Natural England (0845 601 4523) contacted for advice on how to proceed. The Local Planning Authority should also be informed.

Informative: Ecology – Nesting wild birds

The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one that is being built, containing eggs or chicks, or on which fledged chicks are still dependent. It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal, scrub removal and/or conversion, renovation and demolition work in buildings should be carried out outside of the bird nesting season which runs from March to September inclusive.

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 or buildings cannot be clearly seen to be clear of 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.

If during construction birds gain access to any of the buildings and begin nesting, work must cease until the young birds have fledged.

4.1.4 SC Housing Officer – Comment:

Policy CS 11 of the Core Strategy requires all open market residential development to contribute to the provision of affordable housing. The details for such contributions are embedded in the SPD Type and Affordability of Housing. The housing target rate for the site area is 15%. The ability for the Council to require 15% on this development is reduced due to the Written Ministerial Statement which introduces a vacant building credit to be used in the calculation of the affordable housing provision.

The onsite provision is reduced from 7 dwellings to 4 as a result of this change. The onsite affordable housing provision should comprise the four dwellings in the former stable block. There should be a requirement for these four dwellings to be transferred to a Registered Provider and remain as rented tenure in perpetuity.

These affordable dwellings should be allocated in accordance with the Councils adopted allocation policy and let through the Choice Based Letting Scheme. A S106 Agreement is required to safeguard the tenure and allocation of the affordable dwellings, in addition to the provision of an affordable housing contribution (to account for the percentage left over from the onsite contribution).

4.1.5 SC Public Protection – Comment on the **original** scheme:

Noise:

Having considered the noise assessment mitigation is required. As a result I propose the following condition:

At facades corresponding to Loc1 using 4/12/4mm double-glazing and hit & miss trickle ventilators within living rooms and 10/12/6mm double glazing and acoustically treated trickle ventilators within bedrooms. At Loc2 using 4/12/4mm double glazing and hit & miss trickle ventilators within living rooms and bedrooms. Loc1 and Loc2 are specified within noise report ref LH0601162NR submitted with this application.

Reason: to protect the health and wellbeing of future residents.

Contaminated Land:

Public Protection has not identified the site as potentially contaminated land and this was reflected in the Pre-App in that we did not consider further assessment was necessary.

However, the Phase 1 Study recommends that an intrusive investigation is undertaken to clarify potential risks to the identified receptors and assess the results of made ground soils at the site.

Having reviewed the available reports I do not disagree with the above recommendation and therefore I recommend the following condition if permission is granted:

- a) No development, with the exception of demolition works where this is for the reason of making areas of the site available for site investigation, shall take place until a Site Investigation Report has been undertaken to assess the nature and extent of any contamination on the site. The Site Investigation Report shall be undertaken by a competent person and conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. The Report is to be submitted to and approved in writing by the Local Planning Authority.
- b) In the event of the Site Investigation Report finding the site to be contaminated a further report detailing a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- c) The works detailed as being necessary to make safe the contamination shall be carried out in accordance with the approved Remediation Strategy.
- d) In the event that further contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.
- e) Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the contamination identified has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

Comment on the **revised** scheme:

I have no additional comments or conditions to recommend having considered changes to the site plan and floor plans recently submitted. Conditions in relation to contaminated land and noise are still recommended as previously stated.

4.1.6 SC Archaeology – Comment on the **original** scheme:

The proposed development site lies within the Medieval Town of Ludlow (PRN 06293) as defined by the Central Marches Historic Towns Survey and within a group of tenement plots (PRN 06185) of possible Medieval date. Previous evaluations and trial trenching at the Tesco supermarket site 75m to the south, revealed archaeological deposits and remains at relatively shallow levels.

A Heritage Statement has been submitted with the application. The application site appears to be an amalgamation of three burgage plots of 12th century origin, with potential for medieval and later domestic occupation and industrial activity on site. Stone House appears to have been constructed in the 17th century on the three existing plots, possibly on the site of properties that were damaged during the Civil War. By the late 19th century historic Ordnance Survey maps indicate the area to the rear of Stone House was used as an orchard and garden with three small structures/outbuildings depicted by 1902; outbuilding foundations have been recorded to the rear of Stone House. The statement also notes the potential for 18th and 19th century cellarage along Corve Street. The report concludes that the application site has medium evidential value to inform our understanding of past human activity.

The present Stone House site consist of a large open area of hard standing, with a historic stable and mid-20th century building along the southern boundary, and a substantial former Council office block constructed over two storeys, with a basement level. Within the basement is a Cold War nuclear bunker; it is understood that this will not be retained as part of the re-development of the site. Prior to the construction of the existing 20th century buildings, the site previously housed temporary council offices with two ranges along the southern boundary and an L-shaped range in the north-east corner. These buildings were demolished in the late 1980s and rebuilt in c.1989 to the form the present site. The successive phases of 20th century demolition and construction on site, together with the digging of subsequent service trenches, are therefore likely to have disturbed or partially truncated earlier below ground archaeological features or deposits which may have existed on the site.

In view of the above, the proposed development site is deemed to have moderate archaeological potential.

Recommendation:

Please note the Conservation Officer will provide comments on the impact of the proposed development on the built heritage, and on the character and appearance of the Conservation Area.

The recommendations made below therefore only relate to the archaeological interest of the proposed development site.

In view of the above, and in relation to Paragraph 141 of the NPPF and Policy MD13 of the SAMDev component of the Shropshire Local Plan, we recommend that a phased programme of archaeological work be made a condition of any

planning permission for the proposed development.

This should comprise a pre-commencement trial trenching exercise, and provision for further archaeological mitigation as appropriate. It should also comprise a historic building recording exercise to Level 2 standards as defined in Historic England's Understanding Historic Buildings A guide to good recording practice 2006, of the Cold War nuclear bunker prior to its demolition, and recording of the historic stable block prior to and during any alterations to historic fabric.

An appropriate condition of any such consent would be: -

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

Reason: The site is known to hold archaeological interest.

Comment on the **revised** scheme:

Previous comments remain unchanged.

4.1.7 SC Tree Officer – Comment on the **original** scheme:

Constraints: Conservation area, T1 protected by TPO SC/00244/15

The applicant has provided a satisfactory tree protection plan and arboricultural method statement (CBA10367.02A TPP & CBA1036_2016v2 AMS) the satisfactory delivery of the tree protection measures requires the applicant to maintain an arboricultural advisor throughout the development and we recommend that this be conditioned and the that the be TPP & AMS documents be sited in the case officers report as part of the approved plans and particulars.

Recommended conditions:

Tree protection notification

No works will commence until the Local Planning Authority has approved in writing that the Tree Protection Measures have been established in compliance with the final approved tree protection plan (Photographs of it in place might suffice)..

Reason: To ensure that the Tree protection is set up and maintained in accordance with the Tree Protection Plan.

Tree protection

The approved measures for the protection of the trees as identified in the agreed tree protection plan and arboricultural method statement (Ref. CBA10367.02A TPP) shall be implemented in full prior to the commencement of any development related activities on site, and they shall thereafter be maintained for the duration of the site works. The agreed arboricultural Method Statement (CBA1036_2016v2 AMS) shall be followed in full during the progression of the development. No

material variation will be made from the approved tree protection plan and method statement without the written agreement of the Planning Authority.

Reason: To safeguard retained trees and/or hedgerows on site and prevent damage during building works, and to protect the natural features and amenities of the local area that are important to the appearance of the development.

Tree protection (Site supervision)

Notwithstanding any details submitted on other approved plans and particulars, works or development shall not take place until a scheme of supervision for the arboricultural protection measures (tree protection plan) has been approved in writing by the local authority tree officer.

This scheme will be appropriate to the scale and duration of the works and may include details of:

- (a) Induction and personnel awareness of arboricultural matters.
- (b) Identification of individual responsibilities and key personnel.
- (c) Statement of delegated powers.
- (d) Timing and methods of site visiting and record keeping, including updates.
- (e) Procedures for dealing with variations and incidents.

Reason: To ensure satisfactory delivery of tree protection measures on site

Comment on the **revised** scheme:

With the exception of the reference to the amended site plan 30030LL.P002 these Tree Service comments remain the same as those submitted on 24th May 2016.

The applicant has provided a satisfactory tree protection plan and arboricultural method statement (CBA10367.02A TPP & CBA1036_2016v2 AMS). The satisfactory delivery of the tree protection measures requires the applicant to maintain an arboricultural advisor throughout the development and we recommend that this be conditioned and that the TPP & AMS documents be cited in the case officer's report as part of the approved plans and particulars.

The previously recommended conditions still stand.

4.1.8 SC Highways – Comment:

No Objection - Subject to the development being carried out in accordance with the approved details and the following conditions/informative. The proposed development is considered to be acceptable from a highway perspective, as the likely residential traffic activity is unlikely to exceed the previous activities of the site, when it was a former Council Office.

It is recommended that conditions relating to the following matters are attached to any permission granted:

1. Details of construction and drainage for the access
2. Parking and manoeuvring areas within the development site
3. Submission of a Construction Method Statement and Traffic Management Plan addressing the following matters:
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials

- storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of dust and dirt during construction
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
 - a construction traffic management and routing plan to minimise local disruption and conflict
4. Retention of parking and turning spaces for the approved purposes and use by the occupiers of and visitors to the site

Informatives

1. Works on, within or abutting the public highway
2. This planning permission does not authorise the applicant to:
 - construct any means of access over the publicly maintained highway (footway or verge) or
 - carry out any works within the publicly maintained highway, or
 - authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or
 - undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

The applicant should in the first instance contact Shropshire Councils Street works team.

Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together with a list of approved contractors, as required.

4.1.9 Historic England – Comment on the **original** scheme:

Historic England Advice

Historic England welcomes the retention of the 19th century stable block and reduction in the number of buildings proposed when compared to the recent application on this site. As we have previously highlighted, the re-development of this sensitive site within the setting of the Grade II* listed Stone House provides an opportunity to improve and enhance this historic environment. Corve Street is an extraordinary historic route in the town and a vital part of the wider significance of Ludlow and the conservation area. If you are minded to approve this application then we would recommend that careful attention is given to matters of layout, scale and massing and particularly the potential impact upon views into the site from the side of Stone House. Given its sensitive location and historic setting the success of any scheme here will depend considerably upon the use of quality and appropriate design, materials and finishes. We would recommend therefore that any such details are approved by your expert conservation advisers.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy

guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

Comment on the **revised** scheme:

Historic England Advice

Historic England recognises the further amendments made to the scheme to reduce the overall proposed scale, massing and proximity to the Grade II* listed Stone House and considers them to be further minor improvements. The additional analysis of close and long distance views is also helpful in illustrating the proposed building in the context of the wider conservation area and significant vistas therein. As we have previously highlighted, the redevelopment of this sensitive site provides an opportunity to enhance or better reveal the significance of this historic environment, as is required under paragraph 137 of the NPPF. Therefore, if you are minded to approve this application then we would recommend that close attention is given to matters of design, landscaping, materials and finishes for the approval of your expert conservation advisers so as to assure the high standard of development this important setting warrants.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

4.1.10 SC Conservation – Comment on the **original** scheme:

Background and planning history:

The proposal for the demolition of the existing modern office buildings on this site, and for the conversion of the historic stables building at the entrance has been refined as a result of long ongoing negotiation between the LPA and the applicant, taking into account feedback from Historic England, LCAAC and other consultees.

Constraints:

The site forms the former garden and orchard to the Grade II* listed property known as the Stone House, and adjacent rear burgage plots of the Grade II listed buildings along Corve Street. It is wholly within the Ludlow Conservation Area and is bounded on its southern edge by the row of terraced properties at Station Drive, which are non-designated heritage assets. The following designated assets are considered within this constraints analysis:

- Conservation Area
- Grade II* listed Stone House
- Grade II listed 114 Corve Street
- Friary Chapel and site to West of Corve Street

Methodology applied:

Consideration of the significance of on-site heritage assets and of the contribution that setting makes to their significance together with the impact of any proposed works to those assets and their settings, should be undertaken in line with 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) and any other relevant guidance documents to be notified by Historic England. This should be proportionate to significance, and include as a minimum:

- Desk based assessment
- Map regression analysis
- Site survey with photographic recording

It is noted that the heritage statement has been partially updated to take into account the revised proposals, and that further key views CGIs have been prepared.

Policy context:

The proposal is within the Ludlow Conservation Area and comprises an outbuilding and modern offices within the former garden of The Stone House, a Grade II* listed building. 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, MD2 governing sustainable design 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 and its accompanying guidance in NPPG. Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 apply. The Guidance documents Good Practice Advice Notes produced by Historic England governing assessments of significance, setting and views analysis should also be taken into consideration, as they provide the current context for heritage impact assessment, replacing previous planning practice guidance.

Design context:

The design of the proposed development has evolved to the current scheme for the provision of retirement apartments and a number of age restricted affordable town cottages in the converted stable building adjacent to Stone House. It is disappointing that the work over the past months on all sides has not been incorporated more into the refinements for the new build element, which still appears somewhat overbearing in the context of the historic urban grain and pattern of this part of the Conservation Area, although the removal of the southern row of cottages (to the rear of the properties that lie along Station Drive) has resulted in an opportunity to make a positive enhancement to that side of the site via landscaping and the appropriate restoration of the historic boundary features. The height of the proposed new buildings has been reduced to take into account impacts on the setting of the adjacent and nearby listed buildings, although the roof lines are not residential enough in nature to reflect appropriately the context of this setting and should still be amended to include chimneys as ventilation stacks to end and dividing gables between built elements. The impact on the footprint, making the building line push forward and become double gabled, has had a potentially negative effect on the setting of the rear gardens and elevations of adjacent listed buildings on Corve Street. This should be kept to an absolute minimum, or be mitigated through improvements to the access way between the properties, and the treatment of private space within the scheme for the benefit of these properties. The drawings submitted are unclear as to whether this is sufficient to ensure that the proposal does not further harm the integrity, character or setting of the listed buildings adjacent to the site.

Assessment results:

Through a process of negotiation and design reiteration the scheme, resubmitted and re-designed to provide apartments and associated communal living space for the over 55s, has reached a point at which the refinements necessary to integrate this development into the historic environment of the previously developed back land plot to the Grade II* listed Stone House and associated Grade II listed buildings along Corve Street, can be achieved through a series of pre-commencement conditions relating to the quality of all materials and finishes, which should incorporate sustainable natural materials as far as practically possible, including hard and soft landscaping material. This is to ensure that the development conforms to policies at a national and local level for the protection of the historic environment and the promotion of lifetime homes through high quality design and Building in Context.

The retention and re-use of the only extant historic building, The Stables, on the site is welcomed, and as this provides a well-defined, visible street frontage to the scheme, materials and finishes here should be traditional in the use of timber in all joinery and matching brick and natural slate for roofing, providing an appropriate frontage of this outbuilding as it connects and contextualises the site with the slate front elevation of the main west facing wing of the new buildings.

There are further opportunities to preserve and enhance the historic character of this former garden site, as referenced in my colleagues' archaeology response. Further enhancement should include the planting of the gardens with historic specimen fruit and shrubs, naming the site appropriately with reference to historic former owners, and the restoration of historic boundary features using traditional materials and methods. The date stone in the garden to the current office building should be reinstated within the scheme, and it has been agreed that gates and railings shall be retained.

Recommendation and conditions:

We require, as a result of this work, to be satisfied that the revised proposals can be deemed to enhance, have negligible or less than substantial harm on the significance of these assets, and that any residual impacts can be satisfactorily mitigated. Therefore we would recommend that conditions are applied for pre commencement approval, as follows:

External materials and finishes

- Horizontal banding should stop on painted units to enhance their vertical emphasis
- Lintels, sills and slates should be in natural materials
- Window and door openings should have sufficient recesses and not be fitted flush
- Details of all rainwater goods

Comment on the **revised** scheme:

No further comments.

4.1.11 Ludlow Conservation Advisory Committee – Comments on the **original** scheme:

New scheme, with presentation by the developers and architects. The proposal is now a development of retirement homes by Churchill. The stable block is to be converted to units and extended in equal and like style. While the building would in

fact be more bulky than the previous proposal, considerable care had been taken to reduce apparent scale by the disaggregation of forms and the arrangement of roofs. On the whole the Committee was approving of the proposal, although there were a number of detailed points that the architect agreed to revisit. These included the fenestration – reducing scale on higher floors, altering sizes and orientations in places and a stronger external expression of the communal spaces.

Comments on the **revised** scheme:

The Committee noted the revised plans which did not appear to have dealt with its criticisms of the proposals when presented to it informally. These included the fenestration - reducing scale on higher floors, increasing the window sizes in many places to make a better and more traditional balance between the proportions of fenestration and solid wall and a stronger external expression of the communal spaces which were masked in external by features expressive of internal arrangements on the upper floors. It was also felt that more could be done to reduce the apparent overall mass of the building. No objection to the stable block element.

4.1.13 Public Comments:

A total of eighteen letters of objection, one in support and one neutral have been received.

Objections: Comments on **original** drawings (four letters):

Traffic, Parking and Transport

- Access for fire engines is required at the rear of no's. 110 – 113 Corve Street.
- Access to the parking area at the rear of Corve Street will be constrained by the development.

Heritage

- The historic significance of nearby heritage buildings has been underplayed by the developer.
- The Heritage Statement contains inaccuracies – 112 Corve Street is a single dwelling and not two as mentioned.
- The building will encroach too closely on nearby listed buildings.

Amenity

- The stable block extension is too high and will block out light to and cause overlooking of our rear garden.
- The main building is too tall and will cause loss of amenity for neighbours.

Design, Scale and Appearance

- The building has an unattractive 'army barracks' style.
- The building is too large and should be limited to two storeys only.

- Materials are inappropriate for a conservation area.

Other Matters

- The Drainage Statement is incorrect. Existing foul and surface water sewers on the site course to sewers underneath 111 and 112 Corve Street. All drainage needs to be via new drains.
- Soakaways are inadvisable as there are cellars beneath 110 – 113 Corve Street.
- There is a conflict of interest as the Council owns the site and is being asked to grant planning permission for the development.

Comments on **revised** drawings (eleven letters – including four from two individuals):

- The building footprint has moved significantly further south and impinges even more on the back of 112 Corve Street obstructing access and overshadowing the rear of the property.
- The Council marked the ground to prevent any interference with or impediment to the right of way serving the rear of 112 Corve Street by painting yellow hatching. Any building or other cars parked on our right of way and in the yellow hatched area, would impede our ability to steer our car into the access to our property.
- The current car parking spaces (marked out white) by the Council start 6.4 metres from the boundary wall of 113 Corve Street. The edge of the yellow hatching from the rear of 111 Corve Street is a similar distance and in line with the existing white marked parking spaces (see attached photograph which also shows NO ENTRY, along this 6.4 metre width). This was the safe width that you felt necessary to prevent damage to cars and buildings. The proposed development plan scaled up allows only for a width of 4.5 metres.
- There are concerns regarding access for emergency vehicles to the rear of 110, 111 and 112 Corve Street and to the North side of the proposed development.
- The housing density remains unreasonable for this environment and context.
- The three storey parts are totally out of keeping with the buildings in the neighbourhood and its proximity to the existing buildings on Corve Street is unacceptable.
- With the exception of the Stone House (113 Corve St), all nearby residential properties on the east side of Corve St are two storeys. A three storey block of the height & mass proposed would detrimentally dominate the immediate surroundings.
- Many of the photographs are misleading, particularly in the panoramic views.
- The existence of listed buildings on Corve St has not been taken into account, nor their age and therefore potential vulnerability.
- The design and particularly the colours are inappropriate for such a development.
- Insufficient consideration has been taken of the existing houses.
- Increasing the footprint in itself is not a problem but this needs to be done in

a more central manner and not by impinging on existing properties.

- The scheme underestimates the requirement for parking spaces for the retirement units and therefore will result in an undesirable increase in on-street parking.
- There is a steep hill which residents would have to walk up to reach shops and services. This will encourage them to continue to drive. Local evidence suggests that topography rather than distance determines the way in which older people decide how to travel.
- The public transport provision locally is lacking. There are no bus service during the evenings. At other times the service is patchy and it is impossible to travel to locations that are quite close.
- Parking is insufficient at present even for a reduced number of apartments. The leases are for individuals who have reached the age of 60+ with partners of 55+. Each apartment could have more than one car, there will be visitors and there should be provision for disabled spaces. There should probably be 45 car spaces provided for my proposed reduced scheme not including the four for affordable housing.
- The site slopes from east to west which is not reflected in the elevational drawings.
- The amended Design and Access Statement seems to minimise the Tudor origins of Lower Corve Street. By minimising the historic nature of the local area, the proposal, possibly, hopes to draw attention away from the fact that the development, more visible than the current buildings, will do nothing to enhance the visual and architectural environment.
- The proposed development should be two storey only to fit in with the existing environment and limited to 30 apartments.
- It is a shame that the design does not reflect the character of the area especially the proximity of beautiful listed buildings but is a standard design for this type of development that is rolled out across the country.
- The increase in height over the existing office block would have a significant negative impact on the garden of 108 Corve St causing a loss of privacy through overlooking by the north facing second floor windows and loss of sunlight during the winter months.

Support:

Wrekin Housing Trust:

These supporting comments are made on behalf of The Wrekin Housing Trust and our role in helping to address the shortage of affordable housing in Ludlow.

We have been in discussion with Purcell Developments and (subject to planning permission) are proposing to acquire the four affordable homes that they are providing within the stable block element as part of their Section 106 planning obligation.

These are self-contained homes which would be made available by

Wrekin for general needs housing on an affordable rent basis. They would operate independently of the retirement apartments and be allocated to local people through the Council's Housing Register (Shropshire Home Point).

Others:

Letter from Mr. Philip Dunne MP for Ludlow forwarding comments by Dr R and Dr A Laishley of 112 Corve Street, Ludlow.

The Ludlow Swift Group:

The Ecological Appraisal concludes that the existing site has low to negligible ecological value and that the development offers the chance for a modest improvement. The improvement could in fact be significant for swifts, which are known to nest in this area of Ludlow and which are amber listed due to a significant decline in numbers in recent years. Most nest sites are in older houses but during renovations the birds are often excluded. This development in Corve Street is therefore an important opportunity to provide new nest sites in the form of bricks or boxes that can readily be incorporated into the structures and meet building regulations. We urge the council and the developers to include such sites for swifts (and indeed bats and garden birds that are also in the area and can easily access the buildings). Ludlow Swift Group is happy to offer advice on placement of new swift nest sites.

5.0 THE MAIN ISSUES

The main planning issues concern the following:

1. Principle of development.
2. Siting, scale and design of the development.
3. Visual impact, amenity and landscaping.
4. Traffic and Transport.
5. Heritage Impact
6. Drainage and Flood Risk.
7. Impact of the proposed development on the amenities of local residents.
8. Ecology.
9. Affordable Housing

10. Sustainable Development and the Planning Balance

6.0 OFFICER APPRAISAL

6.1 Principle of Development

- 6.1.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.
- 6.1.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the adopted Shropshire Core Strategy 2011 and the adopted Site Allocations and Management of Development Plan (SAMDev Plan) 2015.
- 6.1.3 The SAMDev Plan is the second part of the Local Development Framework for the county. The Core Strategy policies are complimented by the SAMDev Plan DPD, which provides additional detail to the over-arching policies contained in the Core Strategy. Following its adoption on 17th December 2015 previously saved policies of the South Shropshire District Local Plan have been superseded.
- 6.1.4 Other material planning considerations also have to be taken into account when assessing the proposals. One such material planning consideration is the National Planning Policy Framework (the Framework). In March 2012, the Framework replaced all previous PPG's and PPS's and confirmed the Coalition Government's commitment to a presumption in favour of sustainable growth and development. In terms of decision making, this means approving developments that accord with the development plan 'without delay' and, where the development plan contains either no relevant policies or where those policies are out of date, granting planning permission unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted'.
- 6.1.5 The Framework sets out a presumption in favour of sustainable development. There are three dimensions to this, namely: an economic role, a social role and an environmental role. These roles are mutually dependent. However, where specific policies in the Framework indicate development should be restricted, such as those relating to designated heritage assets, the "presumption in favour" is tempered. This will be considered in more detail under the Heritage Impact section of this report.
- 6.1.6 Policy CS1 of the Core Strategy establishes a settlement hierarchy with new development focussed in Shrewsbury, the Market Towns, other identified Key Centres and, in the rural areas, the Community Hubs and Community Clusters. These are considered to be the most sustainable places to deliver the overall strategy of managed growth. SAMDev Policy MD1 supports sustainable development within Shrewsbury, having regard to other policies contained in the

Core Strategy and the SAMDev Plan.

- 6.1.7 Ludlow is classified as a Market Town under Policy CS3 and is one of the most sustainable settlements in the county. It will be the focus for new development in South Shropshire over the lifetime of the development plan. Settlement Policy S10.1 (Ludlow Town Development Strategy) states that new housing development will be delivered primarily on the allocated housing sites east of the A49, set out in schedule S10.1a and identified on the Policies Map, alongside additional infill and windfall development within the town's development boundary. The site lies within the settlement development boundary for the town and its development for alternative uses is acceptable in principle.
- 6.1.8 Policy CS3 of the Core Strategy supports new housing development in appropriate locations in the market towns, including that which meets the needs of particular groups such as older people. Paragraph 4.31 of the explanatory text to that policy states that the ageing population is a particular issue in the county where 28.4% of the population is expected to be over the age of 65 by 2026. This represents a rise from 50,100 persons in Shropshire over the age of 65 in 2006 to 93,600 by 2026. The elderly are more dependent on local services and public transport than the population as a whole, giving added impetus the achievement of accessible centres that can provide a good range of services.
- 6.1.9 The provision of extra care housing in the county is key to meeting the housing needs of the district's older residents. An affordable housing element of 4 dwellings located within the existing stables and the proposed extension, which is considered appropriate by the Housing Officer. These units will be conveyed to a Registered Provider upon completion of the scheme.
- 6.1.10 The current Ludlow Town Plan identifies a number of priority areas and objectives which, in relation to elderly people, includes the provision of adequate and improved services for this expanding and ageing group.
- 6.1.11 According to the applicant's Planning Statement, the latest 2011 Census statistics show that currently approximately 1 in 6 people in the population of England and Wales are over 65 years of age. Furthermore the census also revealed that there are now nearly half a million people over the age of 90. What is most important to note from the Census information is that the over 65 year old age group is by far the quickest growing age group.
- 6.1.12 The National Planning Practice Guidance includes a section on housing for older people. It states that the need to provide housing for older people is *"critical given the projected increase in the number of households aged 65 and over accounts for more than half of the new households (Department for Communities and Local Government Household Projections 2013). Plan makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to move. This could free up houses that are under occupied. The age profile of the population can be drawn from Census data. Projections of population and households by age group should also be used. The future need for older persons housing broken down by tenure and type (e.g. sheltered, enhanced sheltered, extra care, registered care) should be assessed and can be obtained*

from a number of online tool kits provided by the sector. The assessment should set out the level of need for residential institutions (Use Class C2)."

- 6.1.13 The site currently contains a range of buildings last used as local authority administration offices, which falls into Use Class B1. Paragraph 51 of the Framework specifically mentions commercial buildings with a clear target to satisfy the growing demand for housing. Unless there is clear economic evidence there is a presumption in favour of redevelopment. Paragraph 51 of the Framework states: *"Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate."*
- 6.1.14 The development plan contains policies that are intended to protect certain employment uses and land so that settlements and communities have an appropriate balance of various uses and facilities. Office accommodation is included in the definition of employment land (Core Strategy Glossary). Policy CS13 states that managing a responsive and flexible supply of employment land and premises comprising a range and choice of sites in appropriate locations to meet the needs of business is an objective of the Plan. Policy CS14 establishes the identification and maintenance of a portfolio of employment land and premises within the county.
- 6.1.15 The SAMDev Plan contains Policies MD4 and MD9, which are concerned with protecting and managing the development of existing employment land and premises within, for example, market towns such as Ludlow. Settlement Policy S10.1 sets out the development strategy for Ludlow and explains that appropriate brownfield opportunities for employment use within the town will be supported and existing employment areas are to be safeguarded for employment use in accordance with Policy MD9. This ties in with the approach set out in CS14.
- 6.1.16 The application site is not allocated for employment development and nor is identified as a retained employment site. Policy MD9 still identifies it as an employment site and its use for an alternative purpose needs to be assessed against Table MD9.1. Protection is extended to sites not currently identified by MD9, including their redevelopment for other uses; and this will be proportionate to the significance of the employment area in the hierarchy in Table MD9.1. The site has the characteristics of a "key Shropshire site" and remains within Use Class B1 despite being currently unoccupied. Alternative uses for such premises or land are required to be assessed against five criteria set out in MD9. These are as follows:
- i. availability of other suitable development sites in the settlement or suitable sites on lower tier employment areas in the settlement or in rural locations;
 - ii. effect of the redevelopment on the quality, character and critical mass of the existing employment area: **and**
 - iii. impact on the range and choice of employment land and premises in terms of location, quality, type and size;

- iv. business case for the proposed use including location, accessibility, commercial environment, trade links to suppliers and access for customers and employees;
- v. potential for conflict with neighbouring uses on or adjacent to the proposed use especially the effect on key employers.
- 6.1.17 Considering the five tests above, the SAMDev Plan provides two specific site allocations for new employment land adjacent to the Ludlow Eco Park are set out in Schedule S10.1b and identified on the Policies Map. They are capable of accommodating a range of employment uses including B1 offices. It is considered that the loss of the offices on the application site will be compensated by the new allocations.
- 6.1.18 The protected employment area immediately to the north of the site will not be affected by this development proposal. However, there will be an effect on the range and choice of employment land and premises in terms of location, quality, type and size. That being the case, the SAMDev also explains that other forms of 'employment generating' uses should not be discounted. To be acceptable on existing employment areas, redevelopment proposals for other 'employment generating' uses preferably should provide products or services to other businesses or services to domestic properties (but not the sale of products) to remove the need for access for visiting members of the public. Importantly, it states that these alternative uses may include Use Classes A, D, C1, C2 or C2A and proposals for these or other uses are expected to satisfy the tests in this policy. The proposed development falls within Use Class C2 and, in principle, would be an acceptable use for the site.
- 6.1.19 The application site represents an appropriate site for the proposed sheltered residential accommodation. It is within close proximity to the town centre and all of its services. These are within walking distance as is the railway station, which reduces demand for on-site car parking. The development would be likely to add significantly to the vitality, vibrancy and viability of the area. For example, the scheme for 44 sheltered units would introduce to the town further residents who traditionally shop locally and daily which would add to the local patronage of the amenities, services and facilities within Ludlow Town Centre. The development will also be likely to benefit local businesses ranging from taxi firms to cleaning firms to gardening contractors.
- 6.1.20 It is unlikely that the proposed residential use will create potential conflict with neighbouring uses on or adjacent to the proposed use. The haulage yard to the north has some potential to cause nuisance for future residents arising from vehicular movements at unsociable hours. The Noise Report submitted with the application has adequately assessed potential sources of noise. The Public Protection Officer has considered this issue and has no objections provided the windows on the facades facing potential noise generators (including the retail store) are fitted with high specification acoustically designed double glazed windows, as recommended in the Noise Report.
- 6.1.21 In conclusion, it is considered that the redevelopment of the site for sheltered accommodation would not contravene Policies MD4 or MD9. It is also consistent

with the advice in the Framework referred to above in relation to reusing empty office buildings for residential purposes. It is considered, therefore, that the principle of redevelopment of this site for elderly residential accommodation is acceptable and that it accords in general with Policies CS1 and CS3 of the Core Strategy and MD1, MD3, MD4, MD9 and S10.1 of the SAMDev Plan.

6.2 **Siting, Scale and Design of the Development**

- 6.2.1 Section 7 of the Framework is concerned with promoting good design and re-affirms previous national guidance that permission should be refused for development of poor design. It advises planning policies and decisions should not seek to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. It is necessary for new development to function well, establish a strong sense of place, have a suitable balance between built form and space, respond to local character and history, create a safe and accessible environment and be visually attractive. It also states, however, that permission should not be refused for development because of concerns about incompatibility with an existing townscape (notwithstanding effects on designated heritage assets, which may justify a refusal), especially where that development promotes high levels of sustainability. It requires that new developments make a positive contribution to their surroundings. In terms of design and layout, the form of the proposed development has been described above in Section 1.
- 6.2.2 Policy CS6 of the Core Strategy is concerned with delivering high quality sustainable design in new developments that respect and enhance local distinctiveness. This is further bolstered by Policy MD2 of the SAMDev Plan. In summary, these policies expect new development to be sustainable in the use of resources, including during the construction phase and future operational costs, reduced reliance on private motor traffic, be respectful of its physical, landscape setting and context and to incorporate suitable mitigation in the form of materials and landscaping. The application site lies within a conservation area and is adjacent to a number of important listed buildings; all of which will exert an influence upon the design and appearance of the development. These particular matters are assessed in the 'Heritage Impact' section below.
- 6.2.3 The proposed development entails the removal of the existing former local authority building that is 'L-shaped' in layout and which is positioned in the north-eastern part of the site. The building was designed to accommodate administrative offices and its form follows that function. It contains little architectural quality. Although built as recently as 1989, it does little to contribute positively to the character or appearance of the conservation area or the setting of the adjacent listed buildings on Corve Street. The site is dominated by both the building and the extensive and relatively open hard surfaced areas devoted almost exclusively to car parking and turning space.
- 6.2.4 The scale of the proposed 'L-shaped' building will be larger than the existing in terms of footprint. However, the site is considered to be of sufficient size to accommodate the proposed building. In terms of design, the building will follow the form and layout of the existing building and its position on the site will also be similar. The two wings have slight variations in order to add some visual interest, notwithstanding the fact that the building accommodates apartments with

attendant communal floor space.

- 6.2.5 The western wing steps up from a two storey structure with a double pitched roof where it is closest to the rear of 111 Corve Street. This part of the building is lower than the existing office building and is set back a further 2m from the rear boundary line of the properties on Corve Street. It has a flat roofed two storey projection on the front the purpose of which is to accommodate kitchens for the ground and first floor apartments at the front of the building. The plans show the building set 2m closer to the northern boundary of the site compared to the existing building. The added width of the proposed building means it will also extend a further 4.5m (approximately) southwards overall. This creates a usable amenity area between the building and the northern boundary wall for future residents of the development.
- 6.2.6 The building steps up along the western wing to include a second floor set within the roof space. There are four front bays each topped with a pitched roof dormer. A similar flat roofed two storey projection is included offset to the right of the front elevation.
- 6.2.7 The next segment of the building is also three storeys in height and the ridge line drops slightly but the eaves level increases so that the roof is more compressed. This ridge line runs through the remainder of the building.
- 6.2.8 The south wing follows this ridge line before stepping down very slightly about halfway along its length. The southern part of this wing contains five pitched roof dormers and two of the flat roofed two storey projections.
- 6.2.9 The rear elevations of the building are more uniform in appearance and the massing is relieved by either flat roofed dormers or three storey pitched roof projections.
- 6.2.10 The main building will be constructed from red brick and plain tiles. Portions of the elevations will be painted brickwork in homage to several existing buildings along Corve Street. Slate is also proposed on part of the roof as a reflection of the character of Corve Street. The mix of materials will assist in relieving the overall mass of the building. All of these details will require further refinement and should be subject of conditions if planning permission is granted.
- 6.2.11 The amended design is considered to represent an appropriate form of development in this location. The site already accommodates a building of similar arrangement and design, so the replacement with something similar will not be out of keeping. The proposed development approximates the form and profile of the existing building, notwithstanding the fact that it is taller, wider and the two wings are longer. The variations in the elevations, fenestration and roof profile add visual interest compared with the existing building. The mix of building and roofing materials will also relieve the massing of the building adding a vibrancy that is missing in the present building. It provides an enclosed and protective environment which will be especially valuable to the residents likely to occupy it in the future. In line with paragraph 58 of the Framework, it is considered to function well and establishes a strong sense of place with a suitable balance between built

form and space.

- 6.2.12 In respect of the other components of sustainable design set out in Policies CS6 and MD2, the proposals include a sustainable drainage scheme, level access for users of the facilities, high levels of energy efficient construction methods (this will be addressed through the Building Regulations) and has been designed to be highly energy efficient. The new building is reasonably significant in terms of size although it is considered that the size of the proposed building is appropriate in this context. Subject to appropriate conditions relating to matters including materials, landscaping and drainage, it is considered that the siting, scale and design of the proposed development is in accordance with Policies CS6 and MD2.

6.3 Visual impact and landscaping

- 6.3.1 The site is located in the urban area of Ludlow, within the central conservation area. The Framework places high value on the importance of enhancement of the natural, built and historic environment, especially where heritage assets are concerned. It asserts that the aim should be to encourage the effective use of land by re-using land that has been previously developed where practical. Policies CS6 and MD2 state that development should be designed to take account of the local context and character and opportunities should be taken to promote a positive sense of place which will include appropriate levels of high quality landscaping within all new developments.

- 6.3.2 The design of the building and its relationship with the site and wider area have been considered above. From rising land to the east along Hillside, including the 'Victorian Conservation Area', it is currently possible to view elements of the vacant office buildings despite the recently developed Aldi food store. Given its location, it is likely that the proposed building will be also be visible in views from beyond the site to the east. The building will be partly screened from westward views by the recently completed supermarket building. It is also set at a level approximately 2m below that of the supermarket which assist with reducing its visual impact. The incorporation of traditional roofing materials and red brick on the rear elevations and retention of existing planting along the boundary line will further reduce its visual impact in views from the east.

- 6.3.3 From the south, the existing two storey terraced dwellings arranged along Station Drive will largely obscure the new development from public views.

- 6.3.4 The application site is set to the rear of Corve Street, the main thoroughfare into the town from the north. The street is mediaeval in its origins and is characterised by traditional two and three storey buildings set at the back of the footpath being at the front of historic burgage plots that run at right angles away from the road. The site is visible from Corve Street via the entrance that serves the existing office car park. There is a mature tree and a single storey former stable building located adjacent to the entrance opposite the Stone House. Notwithstanding these features there are views into the site from the retained entrance onto Corve Street, although these are constrained by the presence of the three storey Stone House to the left of the entrance and the protected tree and former stable block to the right-hand side. The proposed south wing of the main block will be visible from this

position, especially as it protrudes further into the field of view when compared with the present office building. However, the backdrop to this view is made up of the supermarket building and the housing development on the skyline at the summit of the hillside to the east. The view also contains a number of trees within the site and it is proposed that these are to be retained.

6.3.5 The site is proposed to be comprehensively landscaped, to include the retention of many existing trees along the southern and eastern boundaries and the planting of new trees around the northern and eastern boundaries. The trees immediately outside the front of the existing building will be removed. These silver birches have a limited lifespan and cannot be retained as part of the development due to the siting of the new building. The retention of existing trees and the planting of new trees along the southern boundary in particular would also assist in softening the impact of new development within the area and may be secured via a suitable set of planning conditions. The Council's Arboricultural Officer has confirmed that the degree of tree removal and compensatory planting is justified in this instance.

6.3.5 The protected tree adjacent to the site entrance is to be retained and protected during the development phase. The Council's Arboricultural Officer has been closely involved in the evolution of these proposals and has confirmed that the retention and protection measures are appropriate. These requirements should be secured through a number of recommended planning conditions.

6.3.6 It is considered that the combination of design, screening, materials and landscaping will result in a development that would not adversely affect local visual amenity. It would, therefore, be consistent with Policies CS6 and MD2 of the Development Plan.

6.4 **Highways and access issues**

6.4.1 The Framework promotes the use of sustainable transportation with an emphasis on alternatives to the private motorcar.

6.4.2 Policy CS6 requires development proposals that are likely to generate significant levels of traffic to 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. It requires new development to make appropriate levels of car parking provision to serve the development.

6.4.3 The focus of development within locations with good quality choices of how people are able to move around is a recognised method of achieving this. The site is located on the edge of the town centre close to bus stops on Corve Street. It is also within easy walking distance of the Ludlow railway station and shops and services that are available within the town centre. In particular, there are two supermarkets within very easy walking distance of the application site.

6.4.4 The proposals will provide 44 sheltered apartments within the main building to be occupied by persons over the age of 60 and partners over the age of 55. The car parking demand for retirement accommodation has historically been viewed as being significantly less than is required for other types of residential development,

due to the fact that as people age they are less inclined to travel using their own private car. The proposal includes 20 car parking spaces for the sheltered apartments. This equates to a parking space ratio of 0.46. This is more than the usual parking space ratio of 0.32 spaces per unit, which is normally provided by the applicant in other similar developments in equally accessible locations, and accepted by other local planning authorities. The proposal also includes 4 car parking spaces for the 4no. one bedroom dwelling houses.

- 6.4.5 The application site lies on the edge of the town centre in a sustainable and accessible location. Future residents will be able to access the services and shops on offer in Ludlow by a choice of transport means, besides relying upon the private motorcar.
- 6.4.6 The Highway Authority has considered the proposals and raises no objections. The level of car parking is regarded as being appropriate to the type and nature of development proposed. A number of planning conditions and informatives are recommended relating to construction and drainage for the access, parking and manoeuvring areas within the development site and the submission of a Construction Method Statement and Traffic Management Plan. These are considered to be reasonable and necessary to ensure that the development is acceptable in terms of highway safety.
- 6.4.7 The site remains accessed via the entrance and egress point onto Corve Street adjacent to the Stone House. No alterations to this access are proposed. The Highway Authority considers the access to be appropriate for the development proposed.
- 6.4.8 Ludlow Town Council has expressed concerns that the means of access is unsuitable for emergency vehicles, but the access also served the former local authority offices for approximately 25 years and was considered to be acceptable. It is not, therefore, considered to be of a sub-standard design or of an inappropriate layout to serve the proposed residential development.
- 6.4.9 The right of vehicular access to the rear of 110-113 Corve Street has been accommodated within the development. The owners of these properties have expressed concern that the access to the back of these properties would be impeded by the development. A set of amended drawings has been submitted that shows the building relocated 2m further north where it sits adjacent to this access so that it clears the access and provides increased manoeuvring space compared even to the existing arrangement.
- 6.4.10 In addition, the access way that leads to the rear of 110 – 113 Corve Street has been widened to c.5.15m, thereby enhancing the access along the back of Corve Street. This is considered to be a significant improvement and will benefit neighbouring properties.
- 6.4.11 The owners of the property are also concerned that access for emergency vehicles would be impeded. Emergency vehicles would be unable to access the rear of these properties at present as they would have to park on the site of the former Council offices. This arrangement would continue with space available

within the new development close to the back of these properties to accommodate emergency vehicles and a clear and wider access route provided along the back of the Corve Street properties.

6.4.12 The proposals are considered to be in accordance with the Framework's guidance and Policy CS6 of the Core Strategy.

6.5 **Heritage Impact**

6.5.1 The application site lies within the Ludlow Conservation Area and close to a number of listed buildings. These include the following:

- Ludlow Conservation Area
- Grade II* listed Stone House
- Grade II listed 114 Corve Street
- Friary Chapel and site to West of Corve Street

All of these are designated heritage assets. The row of terraced dwellings to the south on Station Drive are considered to be non-designated heritage assets. Section 12 of the Framework places high importance on the conservation and enjoyment of the historic environment. Both Historic England and the Conservation Officer have been consulted and their views are set out in detail in Section 5 of this report. The Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty in the exercise of planning functions so that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. This also extends to listed buildings and the local planning authority is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.5.2 Policy CS6 of the Core Strategy requires new development to protect, restore, conserve and enhance the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, having regard to national and local design guidance, landscape character assessments and ecological strategies, where appropriate. The supporting text explains that the quality and local distinctiveness of the county's townscapes are important assets and the new development is expected to complement and relate to its surroundings to maintain and enhance the quality of Shropshire's environment as an attractive, safe, accessible and sustainable place in which to live and work. Heritage assets require careful consideration and management where change is proposed.

6.5.3 Policy CS16 similarly sets out to promote and preserve the distinctive historic, heritage brand and values of Ludlow.

6.5.4 SAMDev Policies MD2 and MD13 reflect this approach to preserving and enhancing heritage assets, by ensuring that wherever possible, proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings. Support is provided for development proposals which deliver positive benefits to heritage assets, as identified within the Place Plans.

Support will be given in particular, to proposals which appropriately conserve, manage or enhance the significance of a heritage asset including its setting, especially where these improve the condition of those assets which are recognised as being at risk or in poor condition.

- 6.5.5 The proposals involve removal of a functional modern office building from the site. This has been assessed in the Heritage Impact Assessment and the building is considered to be of no historic or architectural merit and detracts from the setting and character of the Conservation Area and the setting of adjacent listed buildings. This approach has been endorsed by Historic England and the Council's Conservation Officer has also supported removal of these structures.
- 6.5.6 The fact that the site lies within a conservation area and is close to listed buildings does not mean that the site should not be developed; even where a degree of harm may arise. The Framework and the adopted development plan policies accept the principle of change within such sensitive locations. The test is to ensure that any change is appropriate to its setting and the degree of change minimises harm to the significance of the asset and maximises the opportunities for making positive contributions to local character and distinctiveness, including substantial public benefits that may outweigh the harm, where relevant. It is considered that the replacement of a modern building in this historic context with another building has potential to give rise to some harm to the significance of the heritage assets. In this instance, such harm is considered to be less than substantial as explained below. On the other hand, as recognised in the Framework, new development also has potential to enhance heritage assets, which is considered below.
- 6.5.7 As outlined in the Consultation Section above, the Conservation and Design Officer has been engaged in a process of negotiation and refinement of the design of the scheme from an early stage in its inception, which has resulted in the present amended scheme. It is considered that the proposals have reached a point where the development may be acceptably incorporated into the historic environment of the previously developed back land plot to the Grade II* listed Stone House and associated Grade II listed buildings along Corve Street. This is, however, dependent on implementation of a series of pre-commencement conditions relating to the quality of all materials and finishes, which should incorporate sustainable natural materials as far as practically possible, including hard and soft landscaping material. This is to ensure that the development conforms to policies at a national and local level for the protection of the historic environment and the promotion of sustainable development. The recommended conditions are appended to this report.
- 6.5.8 The retention and re-use of the only extant historic building on the site, the Stables, is welcomed by the Conservation Officer. As this provides a well-defined visible street frontage to the scheme, materials and finishes here should be traditional in nature and include the use of timber in all joinery and matching brick and natural slate for roofing providing, as advised by the Conservation Officer, "an appropriate frontage of this outbuilding as it connects and contextualises the site with the slate front elevation of the main west facing wing of the new buildings."

- 6.5.9 There are further opportunities to preserve and enhance the historic character of this site and its effects upon the setting of the conservation area, as referred to in the comments received from the Council's archaeologist. Further enhancement should include the planting of the gardens and amenity areas with appropriate shrubs and the restoration of historic boundary features using traditional materials and methods. The date stone in the garden to the current office building should be reinstated within the scheme, and it has been agreed that gates and railings shall be retained. All of these may be secured through appropriate planning conditions.
- 6.5.10 There are several important listed buildings that border the application site to the west along Corve Street. The impact of the scheme on these heritage assets is an essential consideration. The Stone House, which is Grade II* listed, is likely to be the only one of these buildings capable of being viewed in the same context as the application site from the public domain. There are private views available to occupiers of neighbouring listed buildings on Corve Street and the unlisted (non-designated heritage assets) dwellings on Station Drive, but none are likely to be as prominent in public views into the site.
- 6.5.11 The impact on the Stone House would be most apparent in views into the site from the site entrance. The new building will extend further into this line of sight compared with the existing building. The building will, however, be set a considerable distance into the site from the entrance point and it has been designed to step down in height. A gap to the southern boundary will be retained which preserves the impression of the historic burgage plot that existed on the site. Its design and appearance are considered to be an improvement compared to the existing office building and will contribute to the character and setting of the conservation area and the setting of the Stone House by creating a more interesting back drop to views into the site.
- 6.5.13 The buildings immediately to the north of the Stone House are listed Grade II. These are Nos. 111 and 112 Corve Street and are mediaeval in origin. These dwellings were substantially renovated in the late 1970's and their rear curtilages face the new development site. Both properties have two storey rear wings that project at right angles from the main building. The rear wing at 111 Corve Street stretches to the rear boundary line leaving a narrow gap between its end elevation and that of the existing two storey office building on the site. The wing at the rear of 112 does not extend as far into the curtilage.
- 6.5.14 The wing at 111 is the most likely to be affected by the development. The end elevation of this wing is blank and contains no openings. Its setting is already affected by the existing two storey building on the application site, which extends further south beyond the corner of this wing. The proposed development will increase the width of the gap between it and the new building by 2m, thereby improving the setting of this heritage asset. The new building will extend around 4.5m further south on the site compared with the existing building and it is of lower height. The additional encroachment southwards is not considered to adversely affect the setting of the asset to any significant degree. The improvement in the design and appearance of the new building compared to the existing is an additional element that weighs in its favour in this respect.

- 6.5.15 In respect of the effect on the setting of the designated heritage assets it is considered that the impact is less than substantial and relates primarily to the additional encroachment of built form within the setting of the listed buildings on Corve Street. The assessment of harm concerns principally the degree of additional encroachment as the site already accommodates a tall, substantial building of utilitarian appearance close to the listed building. The additional encroachment combined with a more appropriate design set back further from the assets and of a lower height leads to the conclusion that the harm caused is less than substantial.
- 6.5.16 Paragraph 134 of the Framework requires the local planning authority to weigh this “less than substantial harm” to the significance of the designated heritage assets in the planning balance against the public benefits that will ensue as a consequence of the development. This balancing exercise is considered in more detail below.
- 6.5.17 It is considered, therefore, that the proposed development will contribute to the preservation and enhancement of the conservation area, as required under S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Its effect upon the adjacent listed buildings has also been assessed as required by S66 of the Act and it is considered it will not cause unacceptable harm to the setting of the adjacent listed buildings.
- 6.5.18 In respect of archaeological interests on the site, the Council’s Archaeologist has advised that the site has moderate archaeological potential. His comments are set out above in the consultations section of the report. In summary, it is acknowledged that the present Stone House site consists of a large open area of hard standing, with a historic stable and mid-20th century building along the southern boundary, and a substantial former Council office block constructed over two storeys, with a basement level. Within the basement is a Cold War nuclear bunker; it is understood that this will not be retained as part of the re-development of the site. Prior to the construction of the existing 20th century buildings, the site previously housed temporary council offices with two ranges along the southern boundary and an L-shaped range in the north-east corner. These buildings were demolished in the late 1980s and rebuilt in c.1989 to the form the present site. The successive phases of 20th century demolition and construction on site, together with the digging of subsequent service trenches, are therefore likely to have disturbed or partially truncated earlier below ground archaeological features or deposits which may have existed on the site.
- 6.5.19 In view of the above, the archaeologist has recommended a condition requiring a phased programme of archaeological work to be carried out as part of the proposed development. There is, therefore, no objection to the proposed development on archaeological grounds.
- 6.6 **Drainage and Flood Risk**
- 6.6.1 The Framework is concerned with climate change and its effects. It is particularly concerned about locating new development in areas that are at low risk of flooding and are capable of being developed without contributing to flood risk elsewhere. A

key element of this is ensuring the development can be drained effectively.

- 6.6.2 Policy CS18 of the Core Strategy requires developments to integrate measures for sustainable water management to reduce flood risk, to avoid adverse impacts upon water quality and quantity and to provide opportunities for biodiversity, health and recreation enhancements. Policy MD2 of the SAMDev Plan encourages the incorporation of sustainable drainage techniques in new developments. Policy MD8 refers to the provision of water treatment infrastructure and the need to consider impacts on water quality and on the sewerage network.
- 6.6.3 The application is accompanied by a full Flood Risk Assessment which takes into account the presence of the course of the River Corve to the north and west. The application site lies in Flood Zone 1, which is the lowest risk category.
- 6.6.4 The proposed buildings and access and parking areas will be located 26m above the 1 in 1000 year flood event levels, according to the Environment Agency Flood Map for the area.
- 6.6.5 Groundwater information has been acquired from the British Geological Survey and the ground conditions are anticipated to be impermeable and not applicable for infiltration techniques. The groundwater level at the site is anticipated to be 30m below ground level. Flooding from groundwater is therefore considered to be low. The site is also at low risk from sewer and reservoir flooding with no public sewers present within 200m of the site boundary.
- 6.6.6 A high level surface water drainage strategy has been developed as part of the FRA. The strategy utilises Sustainable Drainage System techniques to control runoff rates and enhance the water quality of the surface water before discharge to the ordinary watercourse. It is proposed that the water stored in Stormcell B could also be used for irrigation of the gardens southwest of the main building.
- 6.6.7 The Council's Drainage Team has commented on the application and has raised no objection subject to a satisfactory method of foul and surface water drainage being submitted for approval. A set of appropriate planning conditions is recommended to ensure that the development is properly served by suitable drainage system. In addition, concerns have been raised by local residents about drainage runs at the rear of the Corve Street properties. Informatives are recommended drawing the developer's attention to these matters to ensure that they are safeguarded from damage during the development process. With these measures in place there is no objection to the proposal on drainage grounds.
- 6.6.8 Concerns have also been made by local residents about routing services beneath the properties on Corve Street. However, the applicant has confirmed that all services will utilise the existing routes that run beneath the existing access from Corve Street and there will be no impact on these properties arising from the proposals.
- 6.6.9 The proposed development is considered to be in accordance with the advice on flood risk contained within the Framework and policies CS18 and MD2 of the adopted Development Plan.

6.7 Impact of the proposed development on the amenities of local residents

- 6.7.1 The Framework is particularly concerned with the impact that new development may have on the amenities of local residents. Amongst the core land use planning principles that it embodies, those that affect this particular issue include the need to secure high quality design and a good standard of amenity for all existing and future occupants. Core Strategy Policy CS6 also requires new development to contribute to the health and well-being of communities, including safeguarding residential and local amenity.
- 6.7.2 The nearest residential properties likely to be affected by the proposed development are located to the south and west on Station Drive and Corve Street. Such effects are most likely to manifest themselves in terms of overlooking and overshadowing as a result of window positions, the siting of the building and the effects of height and massing.
- 6.7.3 Residential properties on Corve Street and Station Drive back onto the site so that their private sides face inwards towards the development. The dwellings on Station Drive are separated from the site by a lane that provides access to the dwellings. The boundary is marked in part by the rear elevations of the retained stable block and the proposed extension to it and in part by a 1.8m high brick wall. The previous withdrawn planning application (15/05509/FUL) for the demolition of existing office building and stables, and erection of 25 dwellings including three affordable units on the site, included a range of new two storey dwelling houses along the southern boundary of the site. These were considered to be especially harmful to the residential amenity of residents of the dwellings on Station Drive.
- 6.7.4 The current application has removed these dwellings and the relative impact between the two schemes is such that the current proposals are considered to be an improvement. The direct impact on Station Drive is diminished as a result.
- 6.7.5 The eastern wing of the proposed main building will be sited c. 8m further south than the existing office building. In so doing, it has the potential to adversely affect the amenities of Station Drive residents occupying the most easterly of the two terraced blocks, numbers 6-10. The distance separating the new building from the rear elevations of these dwellings varies between 17m/17.80m to the back of the single storey outrigger extensions on these dwellings, and 20.80m/21.30m to the main two storey rear elevations of the dwellings. Whilst there is no longer a set standard contained within the adopted Core Strategy and SAMDev Plan, in the past a common approach adopted by local planning authorities sought minimum separation distances between neighbouring buildings. For example, where the end elevation of one two storey building faced the main elevation of another on level ground the degree of separation should be a minimum of 13m. For buildings that exceed this height the separation distance should correspondingly be greater to account for the increase in height. This is determined to be the distance where the overbearing and overshadowing effects of a new building are considered to be reasonable. In this case, despite there no longer being a standard, the separation distance exceeds the minimum contained in previous policies and guidance and the new building is unlikely to exert an unacceptable impact in terms of overshadowing or overbearing effects on the amenities of Station Drive residents.

- 6.7.6 Furthermore, the building steps down towards this point from three to two storeys with rooms within the roof space. The amended drawings show a number of windows at first and second floor (in the roof space), which directly face the rear elevations of 6 – 10 Station Drive. It is difficult to relocate these windows as they serve principal habitable rooms in the apartments concerned. The solution is to obscure glaze these windows and control any degree of opening to prevent overlooking of the neighbouring dwellings. A condition is required to ensure that this remains the case in perpetuity. Notwithstanding this, many of the trees that line the southern site boundary at the back of 3-10 Station Drive, several of which are of substantial size, will be retained. These provide a marked degree of screening and their retention will be of benefit to existing and future residents.
- 6.7.7 The conversion and extension of the former stables building has potential to affect the pair of semi-detached dwelling houses immediately to the rear of that building. The conversion of the retained building will not increase the height of the building nor introduce any new openings to the back of the building. There will be no discernible difference to the structure when viewed from the two semi-detached dwellings. The proposed extension to the east replaces an existing building which extends further eastwards. The height of the extension will be lower than that of the retained stable building and is similar to that of the building to be replaced. No openings are proposed to the rear and it is considered that the building will not adversely affect residential amenity.
- 6.7.8 The proposed block plan also shows a modest buggy store and a plant room structure close to the southern boundary wall. No details of the design and appearance of these structures have been submitted as part of the application. Whilst it is unlikely that the buildings will be of substantial height, the plant room has potential to create a noise nuisance and further details should be required by condition before works on site commence. This will enable the local planning authority to influence its design in the interests of controlling any noise that emanates thereby protecting the amenities of existing residents on Station Drive.
- 6.7.9 The second group of dwellings likely to be affected by the main building lie to the west along Corve Street, namely 110 – 113. These are all listed buildings. The western wing of the new building is the part of the development most likely to have an impact on the amenities of these four properties. No 113 (the Stone House) has been extended in the past at the rear. This is a three storey rearward projection which currently overlooks the car park and turning area of the offices on the site. This relationship will not change materially as a result of the proposed development. It is considered, therefore, that the impact on occupiers of this property will remain much as it is at present.
- 6.7.10 No.112 Corve Street is attached to the Stone House immediately to the north. It also backs onto the development site and is occupied as a single dwelling house. It has a two storey outrigger extension facing the development site. There is a vehicular access at the back and a small outdoor amenity space which at present is an enclosed space due to the presence of other buildings to the north, south and north east and a 2m boundary wall at the rear. The existing trees along the rear boundary also contribute to this sense of enclosure. It is also overlooked by the two storey outrigger to the north at the rear of 111 Corve Street.

- 6.7.11 The outlook from the rear of 112 and its immediate neighbour at 111 is already affected by the presence of the office building. At this point, the existing office building is two storeys with a steeply pitched roof. Its height is 10.60m to the ridge line and 6.75m to the eaves whereas the new building, which will be a further 2m away from the Corve Street properties, will be 8.85m in height to the ridge line at this point. The new building will extend further south on the site compared with the existing building by approximately 4.5m. It will encroach upon the outlook from the back of this property more so than at present. However, the new building will be set further back from the rear boundary of 112 creating a gap of almost 18m and the overall height of the building is significantly lower than that of the existing building. The additional encroachment across part of the rear of 112 Corve Street is acknowledged. However, this is not considered to be unreasonable given the character and context of this tight-knit and relatively urban environment. It is unlikely that the new building will materially reduce the level of amenity currently enjoyed by the occupiers of these buildings.
- 6.7.12 The end elevation of this wing includes a number of windows. These provide natural light to corridors and en-suite bathrooms and any potential overlooking could easily be controlled through conditions requiring the windows to be permanently obscurely glazed.
- 6.7.13 The adjacent property at 111 Corve Street is within the same ownership as No.112. It has been extended at the rear in the form of an extensive two storey outrigger that projects all the way to the rear boundary. The end elevation of this extension is blank and contains no openings. The new building will be set slightly further back from this compared to the existing situation which is considered to be an improvement. The property has a very small outdoor amenity area which is unlikely to be significantly affected by the increased projection southwards of the new building. The main rear elevation of the property will be separated from the end elevation of the new building by a gap of more than 24m. The same conditions apply in respect of the obscure glazing that should be used in the new windows of the new building to prevent any actual or perceived overlooking of the rear of this property.
- 6.7.14 The proposed development is unlikely to have a direct impact in terms of visual intrusion or overlooking due to the degree of separation and intervening landscape features. Local residents are likely to be affected by potential noise and disturbance during the construction phase. This may be addressed through a suitable construction management condition controlling hours of deliveries and construction activity as well as keeping the accesses clear of construction vehicles and materials.
- 6.7.15 Other potential impacts may arise from future lighting on the site and a condition is also proposed that requires submission and implementation of an appropriate lighting scheme.
- 6.8 **Ecology**
- 6.8.1 The Conservation of Habitats and Species Regulations 2010 requires local authorities to give due weight to the presence of protected species on a development site. Planning permission may be granted provided there is no

detriment to the maintenance of the species population at favourable conservation status in their natural range. The Regulations advise that if any detriment would be caused by the proposed development, planning permission should only be granted provided:

- There is no satisfactory alternative; and
- The development is in the interests of public health and safety, or other imperative reasons of over-riding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

- 6.8.2 The Framework places high importance on protection of biodiversity interests and new development should minimize impacts on biodiversity. Planning permission should be refused where significant harm from a development cannot be avoided.
- 6.8.3 Policies CS12 and MD12 of the Core Strategy and SAMDev Plan respectively are concerned with the conservation and enhancement of the district's biodiversity resources. New development will be expected to contribute a net gain in biodiversity where appropriate. Any adverse impacts upon designated sites will be resisted unless they are unavoidable and can fully mitigated.
- 6.8.4 The development site occupies a brown field site within an urban setting. The site itself is of limited ecological importance, as explained in the Ecological Appraisal Report. The Council's Ecologist has agreed that the site's ecological importance is limited to potential bat foraging around the existing trees and recommends that any grant of planning permission includes a condition requiring provision of two bat boxes and 20 swift boxes.
- 6.8.5 The proposed development also involves the demolition of the main office building, the removal of an extension on the side of the stables block and the conversion of the retained stables into residential accommodation. Each of these buildings has potential to provide bat roosts. The Council's Ecologist has been engaged in negotiations with the applicant over concerns about the potential effects of the development upon bats. Following her recommendations, a comprehensive bat survey was carried out, as explained in the Consultations Section above. These have shown that the existing buildings do not support bat roosts and these conclusions have been accepted by the Ecologist who has no objections to the proposed development subject to the imposition of a number of suitable planning conditions.
- 6.8.6 As such, it is not considered that the proposed development will adversely affect European Protected Species or their habitats. The development is therefore considered to be in accordance with Policies CS6 and CS17 of the Core Strategy and MD12 of the SAMDev Plan.
- 6.10 **Affordable Housing and Developer Contributions**
- 6.10.1 The proposed development is subject to developer contributions towards infrastructure improvements; many of which will be delivered through the Community Infrastructure Levy. In respect of affordable housing contributions, the proposal generates a requirement of 4 units and an additional financial contribution. The applicant has agreed to these contributions and a draft S106

planning obligation has been submitted to the Council in respect of this. Four units will be for social rent and will be transferred to Wrekin Housing Trust, a register provider.

- 6.10.2 The Wrekin Housing Trust has commented on the application and is fully in support of it as it will assist them in their role in helping to address the shortage of affordable housing in Ludlow. In their comments set out above in this report they confirm that the four affordable units will be self-contained homes which would be made available by Wrekin for general needs housing on an affordable rent basis. They would operate independently of the retirement apartments and be allocated to local people through the Council's Housing Register (Shropshire Home Point).
- 6.10.3 The proposed development will make a small but important contribution to meeting local affordable housing needs and is, therefore, considered to be in accordance with Policy CS11 of the Core Strategy.
- 6.11 **Sustainable Development and the Planning Balance**
- 6.11.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The starting point must be the Development Plan and then other material considerations must be considered. The Framework reaffirms the primacy of an up to date Development Plan in the decision making process.
- 6.11.2 Policy CS3 defines Ludlow's broad role in delivering sustainable growth over the Plan period and provides strategic guidance on how and where new development should take place. It is clear that the policy envisages new housing development taking place within the limits of defined development boundaries and on allocated sites. The SAMDev plan reflects the strategic objectives of CS3 and defines a development boundary for the town and allocated sufficient sites to meet an agreed housing guideline set out in Policy S10 of c. 875 dwelling units to be delivered over the Plan period.
- 6.11.3 The appeal site lies within the development boundary and the redevelopment of the site for residential purposes is consistent with these policies. In respect of the three aspects of sustainable development set out in the Framework, the following benefits are identified.
- 6.11.4 The analysis carried out above in this report is based upon the definition of sustainable development set out in the Framework and encompasses matters of principle as well as matters of detail and development impact.
- 6.11.5 In respect of the three dimensions to sustainable development contained in the Framework, it is considered that the delivery of housing is a contributor to economic growth. The development represents a substantial investment in the town and will generate employment during the construction phase and during the occupation of the building following completion. Further on-going financial benefits will be generated in terms of expenditure by residents in local shops and on services as well as the continuing servicing and maintenance of the site. The

development will also qualify for the New Homes Bonus and Community Infrastructure Liability, thereby resulting in direct local economic benefits.

- 6.11.6 The proposals will fulfil a social role by delivering a mix of affordable and open market housing to meet current and future needs with a range of tenures. The development will replace a functional and utilitarian office building with a new building of more interesting and diverse appearance. As a residential use, the development is likely to have a more integrated relationship with its surroundings compared with the former use as an office building.
- 6.11.7 The site is adjacent to the town centre where future residents will have access to a variety of cultural, leisure and entertainment facilities. The development is considered to contribute to the government's aim of supporting strong, vibrant and healthy communities.
- 6.11.8 The proposed development will have an environmental impact in the form of a substantial new building. However, there will be several environmental benefits accruing from the scheme, including retention of existing trees on the site, implementation of a comprehensive landscaping plan, provision of nesting boxes for protected species, the removal of extensive swathes of hard surfaced parking and turning areas; all of which have a positive environmental effect.
- 6.11.9 The proposed building will be larger than the existing building that it will replace and its impact on the amenities of adjacent neighbours will be different. In terms of scale and size, the proposed building will be bigger and taller and by introducing a residential use the relationship with the surrounding development will change. The addition of windows above ground floor level especially on the ends of the building has the potential to generate adverse impacts. The increased height and larger floor area of the building means that the perception of encroachment on the amenities of existing residents is more pronounced. However, the site is of sufficient size that a larger building is capable of being accommodated without causing an unacceptable degree of impact.
- 6.11.10 The site is a previously developed parcel of land located within a tightly grained urban area where a degree of compromise is not unusual. The perception of overlooking is capable of resolution through the application of conditions to control the type of glazing used in those windows. The level of car parking and manoeuvring space is considered to be appropriate and the provision of affordable housing contributions on and off the site is a welcome benefit of the scheme.
- 6.11.11 The design is considered to be appropriate to the historic setting within the conservation area and in close proximity to a number of listed buildings. This is subject to the quality of construction materials and the colour finishes of the development; all of which will be subject to conditions.
- 6.11.12 The development is considered to represent sustainable development and is consistent with development plan policies and the guidance set out in the Framework.

7.0 CONCLUSION

- 7.1.1 The National Planning Policy Framework provides for a presumption in favour of sustainable development. The site is a previously developed site located within the settlement boundary for the town of Ludlow. New development in such areas is supported in principle by the Framework, the Core Strategy and the SAMDev Plan, subject to the environmental impact of the development being acceptable.
- 7.1.3 The Framework promotes the presumption in favour of sustainable development which involves seeking positive improvements in the quality of the built, natural and historic environment. There are three dimensions to sustainable development, namely the economic, social and environmental roles, that the Framework advocates should be sought jointly and simultaneously if sustainable development is to be achieved.
- 7.1.4 Having carefully considered the proposal against adopted planning policy and guidance, taking into account all other material considerations, on balance it is considered that the proposed development would not have an unreasonably unacceptable impact upon the wider environment and that any negative impacts identified could be overcome by the imposition of appropriately worded planning conditions. It will deliver economic, social and environmental benefits associated with new investment in the town, design and materials of high quality along with biodiversity enhancements.
- 7.1.5 Subject to appropriate conditions, the development is unlikely to adversely affect the amenities of local residents in terms of loss of privacy or through noise and disturbance. It can also be safely accessed.
- 7.1.6 It is, therefore, considered that the proposed development accords with the provisions of the Framework, the Core Strategy and the SAMDev Plan. The development proposed is therefore considered to preserve and/or enhance the character and appearance of the Ludlow Conservation Area and the setting of the nearby listed buildings.

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.

11. Background

National Planning Policy Framework:

The following paragraphs are considered to be relevant:

7, 14, 17, 28, 56, 58, 115, 118, 120, 123, 128, 134 and 141.

Shropshire Adopted Core Strategy:

Policies CS1, CS5, CS6, CS13, CS16, CS17 and CS18.

Shropshire Adopted SAMDev Plan:

Policies MD2, MD3, MD4, MD9, MD11, MD12, MD13 and S10.

RELEVANT PLANNING HISTORY:

15/05509/FUL Demolition of existing office building and stables, and erection of 25No dwellings including 3No affordable units - Stone House Corve Street Ludlow Shropshire SY8 1DG. Withdrawn.

11/02188/FUL 2011 Conversion of office building to form a single residential property, artist's gallery and studio – Stone House Corve Street Ludlow Shropshire SY8 1DG – Approved

11/03213/FUL 2011 Erection of a second floor extension to north elevation and creation of a walled garden – Stone House Corve Street Ludlow Shropshire SY8 1DG – Approved

SS/1/3185/P 1993 Erection of a public convenience – Council Offices Stone House Corve Street Ludlow Shropshire SY8 1DG – Approved

SS/1989/558/P 1989 Demolition of existing offices and erection of a two storey office block – Stone House Corve Street Ludlow Shropshire SY8 1DG – Approved

SS/1978/190/P 1978 Replacement of flat roofs with pitched roofs to two temporary office blocks – Rear of Stone House Corve Street Ludlow Shropshire SY8 1DG – Approved

SS/1/1978/D/ 1978 Refurbishment of part of the office accommodation – Stone House Corve Street Ludlow Shropshire SY8 1DG – Approved

SS/1976/555/P 1977 Proposed alterations – Stone House Corve Street SY8 1DG – Approved

SS/1975/479/P/ 1975 Erection of a single storey extension to Treasurer's Function and alterations to existing office accommodation – Stone House South Shropshire District Council Corve Street Ludlow Shropshire SY8 1DG – Approved

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=O6Z3LJTDM7J00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) Cllr M. Price
Local Member Cllr A. Boddington
Appendices APPENDIX 1 – Recommended Planning Conditions

APPENDIX 1 - Conditions**STANDARD CONDITION(S)**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:

- 30030LL: P002 Rev B Proposed Block Plan
- 30030LL: P003 Main Building Proposed Ground Floor Plan
- 30030LL: P004 Main Building Proposed First Floor Plan
- 30030LL: P005 Main Building Proposed Second Floor Plan
- 30030LL: P006 Main Building Proposed Roof Plan
- 30030LL: P007 Main Building Proposed Elevations (1)
- 30030LL: P008 Main Building Proposed Elevations (2)
- ZEB968/020 Stable Building Proposed Conversion Details
- ZEB968/021 A Stable Building Proposed Extension
- ZEB968/001 A Site Location Plan

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development (excluding demolition) shall take place until samples of materials to be used in the construction of the external surfaces of the development, including all facing bricks, mortar jointing/bonding, stonework, roofing materials, fascias, soffits, rainwater goods, windows, doors, paving and surfacing materials and colour finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: To ensure the materials are appropriate in the interests of visual amenity having regard to the location of the site within the Ludlow Conservation Area.

4. No development (excluding demolition) shall commence on site until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

Reason: In the interests of visual amenity and the character and appearance of the Ludlow Conservation Area.

5. No development (excluding demolition) shall commence on site until full details of the proposed buggy store and plant room shown on the approved site layout plan have been submitted for the written approval of the local planning authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the site.

Reason: In the interests of visual and residential amenity.

6. No development (excluding demolition) shall take place until details of the construction and drainage of the access, internal private roads, turning areas and parking spaces have been submitted to and approved by the Local Planning Authority. The agreed details shall be fully implemented before the development/use hereby approved is occupied/brought into use.

Reason: To ensure a satisfactory means of access to the highway.

7. The hereby approved development shall not commence until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-
- a). the method of demolition of existing buildings and structures on the site;
 - b). the method and duration of any pile driving operations (expected starting date and completion date);
 - c). the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
 - d). pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
 - e). the arrangements for prior notification about commencement of work to the occupiers of potentially affected properties;
 - f). the responsible person (e.g. site manager / office) who should be contacted in the event of complaint;
 - g). a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
 - h). details of installation and maintenance of wheel washing facilities. All construction vehicles shall have their wheels cleaned before leaving the site;
 - i). a scheme for recycling/disposal of waste resulting from the construction works;
 - j). the parking of vehicles of site operatives and visitors;
 - l). the loading and unloading of plant and materials;
 - m). the storage of plant and materials used in constructing the development; and
 - n). the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate; and
 - o). a demolition/construction traffic management and routing plan to minimise local disruption and conflict.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: In the interests of highway safety and local amenity.

8. No development (excluding demolition) shall commence until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments (including gates and railings) to be retained, repaired or erected. The boundary treatments shall be completed in the approved form before the development is first occupied and thereafter retained as approved.

Reason: In the interest of visual amenity and to ensure a suitable relationship with adjacent development.

9. Details of existing ground, proposed ground levels and the level of proposed floor slabs shall be submitted to and be approved in writing by the local planning authority before any development on the site first commences. The details so approved shall be implemented in full and shall not be altered without the further approval of the local planning authority.

Reason: To ensure that any change in ground level and the height of the buildings is acceptable given the nature of the site and the use of adjacent land.

10. Development (excluding demolition) shall not commence on site until full details of foul and surface water drainage have been submitted for the written approval of the local planning authority. The approved drainage scheme shall be implemented in full prior to the first occupation of the development.

Reason: In the interests of satisfactory drainage for the site and to prevent pollution of adjoining land including the adjacent Local Wildlife Site.

11. Development (excluding demolition) shall not commence until full details of all external plant and apparatus, including air conditioning and extraction equipment, to be used in the development have been submitted for the written approval of the local planning authority. The approved details shall be implemented and retained in the approved form before the approved development is first brought into use, unless the local planning authority agrees in writing to any variation in advance.

Reason: In the interests of visual and residential amenity and to ensure that the development is in keeping with the character and appearance of the surrounding Ludlow Conservation Area.

12. No development (excluding demolition) shall take place until a scheme of landscaping has been submitted and approved. The works shall be carried out as approved, prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the local planning authority, unless the local planning authority gives written consent to any variation. The submitted scheme shall include:

- a) Planting plans, including wildlife habitat and features
- b) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment)
- c) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate Native species used to be of local provenance (Shropshire or surrounding counties)
- d) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works
- e) Implementation timetables

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

13. The approved measures for the protection of the trees as identified in the agreed tree protection plan and Arboricultural Method Statement (Ref. CBA10367.02A TPP) shall be implemented in full prior to the commencement of any development related activities on site, and they shall thereafter be maintained for the duration of the site works. The agreed Arboricultural Method Statement shall be followed in full during the progression of the development. No material variation will be made from the approved tree protection plan and method statement without the written agreement of the Planning Authority.

Reason: To safeguard retained trees on the site and prevent damage during building works and to protect the natural features and amenities of the local area that are important to the appearance of the development.

14. Notwithstanding any details submitted on other approved plans and particulars, works or development shall not take place until a scheme of supervision for the arboricultural protection measures (tree protection plan) has been approved in writing by the local authority tree officer. This scheme will be appropriate to the scale and duration of the works and may include details of:

- (a) Induction and personnel awareness of arboricultural matters.
- (b) Identification of individual responsibilities and key personnel.
- (c) Statement of delegated powers.
- (d) Timing and methods of site visiting and record keeping, including updates.
- (e) Procedures for dealing with variations and incidents.

Reason: To ensure satisfactory delivery of tree protection measures on site.

15. No works will commence until the Local Planning Authority has confirmed in writing that the Tree Protection Measures have been established in compliance with the final approved tree protection plan.

Reason: To ensure that the Tree protection is set up and maintained in accordance with the Tree Protection Plan.

16. No development approved by this permission shall commence until the applicant, or their agents 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 Planning Authority prior to the commencement of works.

Reason: The site is in an area of potential archaeological significance.

17. a) No development, with the exception of demolition works where this is for the reason of making areas of the site available for site investigation, shall take place until a Site Investigation Report has been undertaken to assess the nature and extent of any contamination on the site. The Site Investigation Report shall be undertaken by a competent person and conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. The Report is to be submitted to and approved in writing by the Local Planning Authority.

b) In the event of the Site Investigation Report finding the site to be contaminated a further report detailing a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) The works detailed as being necessary to make safe the contamination shall be carried out in accordance with the approved Remediation Strategy.

d) In the event that further contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.

e) Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the contamination identified has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

18. No works shall commence on site until an appropriate programme of building recording (including architectural/historical analysis) has been carried out in respect of the nuclear bunker underneath the existing office building on the site. This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written

specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.

Reason: To secure the proper recording of the non-designated heritage feature.

19. A schedule of all features of architectural and historic interest (e.g. windows, doors, ornamental plaster, joinery, staircases, fireplaces) to be removed and stored pending reinstatement shall be agreed in writing by the Local Planning Authority prior to works commencing on the Stable building. 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 Stables building heritage asset.

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

20. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable approved in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

21. The car parking spaces and manoeuvring areas to be provided shall be kept available for the parking and turning of motor vehicles at all times. The car parking spaces shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.

Reason: To ensure an appropriate level of parking is provided for the lifetime of the development.

22. Prior to the first occupation of the buildings hereby permitted, a total of 2 woodcrete bat boxes (suitable for nursery or summer roosting for small crevice dwelling bat species) shall be erected on the site. The type and location of the boxes shall be submitted to and agreed in writing with the Local Planning Authority and the scheme shall then be undertaken in accordance with the agreed details prior to the first occupation of the building.

Reason: To ensure the provision of roosting opportunities for bats, which are European Protected Species.

23. A minimum of 20 artificial swift nests of integrated 'brick' design shall be incorporated into the building(s) during construction. The type and location of the boxes shall be submitted to and agreed in writing with the Local Planning Authority before commencement of the

development, and the scheme shall then be undertaken in accordance with the agreed details.

Reason: To ensure the provision of nesting opportunities for swifts.

24. 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 *Bats and Lighting in the U.K.* guidance.

Reason: To control potential light pollution in the interests of local visual amenity and to minimise disturbance to bats, a European Protected Species.

25. The new sheltered accommodation building shall be served by a single communal TV aerial and satellite reception system, full details of which (including siting) shall be submitted to the local planning authority for approval in writing before commencement of development. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to preserve and enhance the character of the surrounding Ludlow Conservation Area.

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

26. The access to the rear of 112 Corve Street shall be retained and no obstruction placed so that access and egress is impeded to the users of the access.

Reason: In the interests of highway safety.

27. At facades corresponding to Loc1 using 4/12/4mm double-glazing and hit & miss trickle ventilators within living rooms and 10/12/6mm double glazing and acoustically treated trickle ventilators within bedrooms. At Loc2 using 4/12/4mm double glazing and hit & miss trickle ventilators within living rooms and bedrooms. Loc1 and Loc2 are specified within noise report ref LH0601162NR submitted with this application.

Reason: to protect the health and wellbeing of future residents.

28. The sheltered housing development hereby approved shall only be occupied by persons where at least one member of the household is aged 60, with any partner at least 55 years of age ("the qualifying age"), save that such restriction shall not apply to the continued occupation of any of the apartments by a surviving spouse, partner or member of the household under the qualifying age after the death of the member of the household who was of the qualifying age.

Reason: The development is of a higher density and with a lower provision of car parking than would otherwise be appropriate for an unrestricted form of residential development.

29. Notwithstanding what is shown on the approved drawings, all windows on the western and southern ends of the hereby approved sheltered accommodation building shall be obscure-glazed and non-opening and shall be maintained as such in perpetuity.

Reason: To prevent overlooking of adjoining properties in the interests of residential amenity.

30. If hitherto unknown architectural evidence of historic character that would be affected by the works hereby permitted is discovered, an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be submitted for written approval by the Local Planning Authority.

Reason: To ensure architectural features are recorded during development.

Informatives

Bats Informative

All bat species found in the U.K. are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences.

During all building renovation, demolition and extension works there is a very small risk of encountering bats which can occasionally be found roosting in unexpected locations. Contractors should be aware of the small residual risk of encountering bats and should be vigilant when working in roof spaces and removing roof tiles etc.

If a bat should be discovered on site then development works must halt and a licensed ecologist and Natural England (0845 601 4523) contacted for advice on how to proceed. The Local Planning Authority should also be informed

Nesting Birds Informative

The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one that is being built, containing eggs or chicks, or on which fledged chicks are still dependent. It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy and egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal, scrub removal and/or conversion, renovation and demolition work in buildings should be carried out outside of the bird nesting season which runs from March to September inclusive.

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 or buildings cannot be clearly seen to be clear of 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.

If during construction birds gain access to any of the buildings and begin nesting, work must cease until the young birds have fledged.

Private Drains Informative

The developer is advised that there may be private drainage runs close to the western boundary of the site beneath the access at the rear of 110 – 113 Corve Street. Care should be taken to ensure that damage is not caused to these drains during works carried out on the site.

Works on, within or abutting the public highway Informative

This planning permission does not authorise the applicant to:

- construct any means of access over the publicly maintained highway (footway or verge) or
- carry out any works within the publicly maintained highway, or
- authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or
- undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

The applicant should in the first instance contact Shropshire Councils Street works team.

Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together with a list of approved contractors, as required.