



Committee and date

South Planning Committee

30 July 2019

Development Management Report

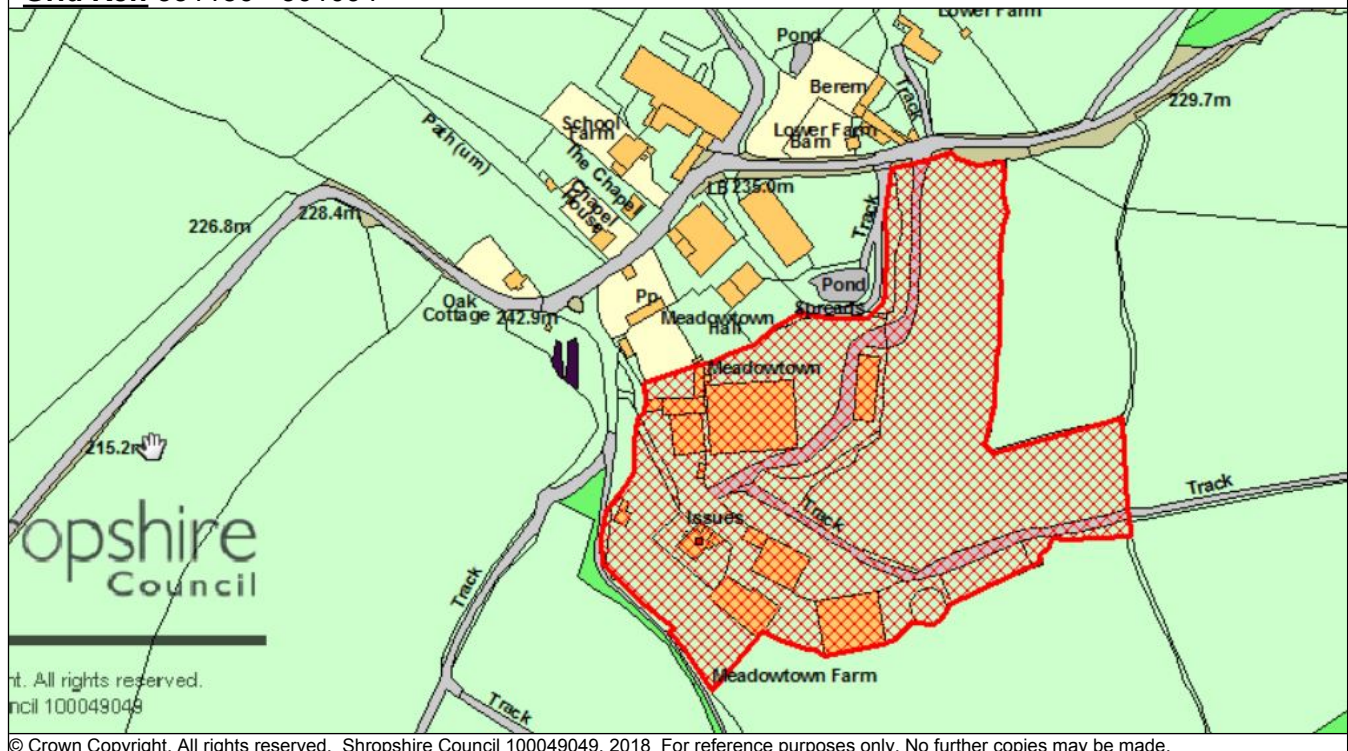
Responsible Officer: Tim Rogers

email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

Application Number: 18/03093/FUL	Parish:	Worthen With Shelve
Proposal: Conversion of two agricultural buildings into four holiday letting units, change of use of further agricultural building into stables, formation of manege, alterations to existing vehicular access and formation of parking areas		
Site Address: Meadowtown Farm Meadowtown Shrewsbury Shropshire SY5 0DZ		
Applicant: Mr & Mrs Dalley		
Case Officer: Trystan Williams	email: planningdmsw@shropshire.gov.uk	

Grid Ref: 331156 - 301094



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

REPORT

1.0 THE PROPOSAL

1.1 This application seeks full planning permission to convert two former agricultural buildings into four units of self-contained holiday accommodation, use another agricultural building for stabling horses, form car parking/turning areas alongside, adapt an existing field gate and reinstate a compacted hardcore driveway beyond, and form a 20 x 40-metre manège (outdoor riding arena) comprising a level 125mm dressed surface over membranes and a stone sub-base, enclosed with kick boards and 1.5-metre high post-and-rail fencing. Some parts of the three buildings concerned would be demolished.

1.2 Amended plans show the manège repositioned, changes to the parking arrangements, and a new southern entrance omitted. They also provide further details of the proposed alterations to the northern access. Furthermore, despite some earlier references to day visitors and off-site riding lessons, the applicants' agent has now confirmed that these are no longer included in the application, with the stables and manège to be used only by the applicants themselves and holidaymakers staying on-site. It should also be noted that interim versions of the plans proposed two vehicle passing places along the road to the northeast, but these have since been omitted following production of a 'Transport Statement'.

A previous similar application (17/04572/FUL) was withdrawn pending bat emergence surveys plus further access and transport details.

1.3

2.0 SITE LOCATION/DESCRIPTION

2.1 The site comprises a farmstead and two paddocks on the southern edge of Meadowtown, a hamlet 2½ miles southwest of Worthen in the Shropshire Hills Area of Outstanding Natural Beauty (AONB). It is bounded to the north by the Grade II-listed, 17th Century timber-framed Meadowtown Hall, plus unrelated agricultural buildings and land, to the west and southwest by a byway with a small overgrown quarry (now a Site of Special Scientific Interest (SSSI)) beyond, and to the east and southeast by larger fields owned by the applicant. Meanwhile siding the road opposite the northern entrance is a brick, stone and render residential barn conversion. The ground rises from north to south.

2.2 Besides the farmhouse the buildings are now largely redundant. Those in question are as follows:

- The 'Grain Barn', siding an existing entrance off the byway to the west, is a traditional linear stone building of 1½ storeys including a loft, but with two lower bays to the west and an open-sided wing to the rear. Much of its southern frontage has been rebuilt in concrete blockwork, albeit concealed behind an adjoining portal-framed hay barn which would be demolished. The roofs are now covered with corrugated sheets. It would be converted into one single-

storey holiday let.

- The ‘Milking Barn’ southeast of the house is an early-mid 20th Century brick-built former milking parlour with a lean-to along its northeast side, and again corrugated roof sheets. Its conversion into three holiday lets would involve foreshortening the building on its southwest side.
- East of the Milking Barn, the wider southern range of a relatively modern ‘double-pile’ portal-framed cowshed would be retained for stabling.

2.3 Three other buildings, again comparatively modern, would be unaffected. Initially it was proposed to site the manège between two of them, but instead the amended plans show it tucked into the narrow eastern ‘leg’ of the L-shaped paddock beyond the proposed driveway.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 In accordance with the Council’s adopted ‘Scheme of Delegation’, the application is referred to the planning committee because the officer recommendation of approval is contrary to an objection from the Parish Council, and Shropshire Council’s Local Member and planning committee chairman and vice chair feel that the full committee should consider the material planning considerations raised.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee comments

4.1.1 Shropshire Council Flood and Water Management – no objection:

Any permission granted should include an informative encouraging the use of sustainable surface water drainage systems.

4.1.2 Shropshire Hills AONB Partnership – comment:

No site-specific comments. However this indicates neither objection nor lack of objection to the application, and in reaching its decision the local planning authority must still satisfy its legal duty to take into account the purposes of the AONB designation, planning policies concerned with protecting the landscape, plus the statutory AONB Management Plan.

Shropshire Fire and Rescue Service – comment:

4.1.3 Since the premises would be used as guest accommodation they would fall within the scope of the Regulatory Reform (Fire Safety) Order, with which their proposed open-plan internal layouts may not comply. Improved escape arrangements and installing sprinkler systems are therefore recommended. Early consideration should also be given to access for emergency fire vehicles, although ultimately this issue will be addressed under the Building Regulations.

4.1.4 Shropshire Council Highways Development Control:

25/7/18 – objection:

The local road network could prove difficult to visitors owing to its narrowness, lack of passing places, convoluted routing, poor drainage and often poor surface.

4.1.5 The application contains insufficient details of proposed parking provision. The southern car park with access off the byway would have insufficient turning space, and it is unclear how two parking spaces behind the Grain Barn would be accessed.

4.1.6 The northern site entrance already exists, but will need improvement for domestic vehicles. 2.4 x 30-metre visibility splays are generally required where traffic speeds are likely to be in the region of 20mph, and their inside boundary treatments should be no higher than 900mm, or 600mm where adjacent to a footway or shared road space. The first six-metre stretch of the shared driveway should be at least 4.2 metres wide so that in- and out-bound vehicles can pass without obstructing the road. Additionally its gradient must not exceed 1 in 24, or 1 in 10 thereafter. Any gates must open inwards and be set back by at least 15 metres if the access would still be used by agricultural vehicles.

4.1.7 Sufficient space must be provided for temporary roadside bin storage, without obstructing the access, visibility splays or the highway.

4.1.8 7/9/18 – objection:

The further details now submitted are still insufficient. Vehicle movements associated with the holiday lets appear to have been underestimated, it seeming unlikely that guests would remain on site for the duration of their stay. Furthermore the agent's supporting statement references "day-time visitors", which suggests that other people besides resident guests would travel to and from the site to participate in daytime activities such as organised rides and riding lessons. Full details of total visitor numbers and vehicle types (e.g. cars, trailers and horseboxes) are therefore required, and provision of passing places may be necessary.

18/10/18 – objection:

The following are required:

- 4.1.9
- Clarification of the number of access points proposed, and their locations
 - Clarification of the number, locations and allocation of parking spaces on-site
 - Clarification of the extent/nature of the business, and a traffic assessment, as requested previously

4.1.10 The proposed parking provision may be inadequate bearing in mind that two- and three-bedroomed holiday lets could be shared by guests making separate journeys in different vehicles, and especially if day visitors would also use the livery facilities and participate in riding lessons. The parking spaces behind the Grain Barn could only be served by the existing access west of the site, but this may not be viable given the steep gradient. It is also unclear, following omission of the southern entrance and car park proposed originally, how the parking spaces now shown between the Milking Barn and the stables could actually be accessed. Certainly those directly alongside the Milking Barn would appear to block a direct emergency

access route to the stables.

Additionally, previous comments on refuse collection and the need for improvements to the northern access are reiterated.

- 4.1.11 Any permission granted should include informatives advising on the need to keep the adjacent roads clear of mud and surface/waste water from the site, and the requirement for a licence for any works on or abutting highway land.

28/5/19 – comment:

- 4.1.12 No objection subject to the development being carried out in accordance with the submitted details, and to relevant conditions and informatives.

A Transport Statement now clarifies that:

- 4.1.13
- there would be four holiday lets in total;
 - the manège would only be used by the applicants and occupiers of the holiday lets;
 - car parking provision would comprise two spaces per holiday let, two for the farmhouse and a further six alongside the manège;
- 4.1.14
- the northern entrance would be improved to serve the manège and the Milking Barn, whilst the Grain Barn and farmhouse would utilise the existing farm entrance to the west;
 - visitors would ride ponies and horses already accommodated on site; and
 - a small/medium-sized horsebox is already kept at the property and will be used by the applicants and their children to visit shows approximately every 3-4 weeks.

- 4.1.15 The Transport Statement also identifies three routes to the site. Highways officers have subsequently travelled them and noted that, whilst they are all narrow country lanes with limited passing places, they are lightly trafficked.

- 4.1.16 The route west through Rorrington to the B4386 is the poorest in terms of gradient, surface, mud, water run-off and visibility. The section immediately southwest of the site is such that vehicles would have to reverse some distance to enable passing. The Statement suggests the applicants should discourage visitors from using this route.

- 4.1.17 Overall the Statement has adequately demonstrated the local conditions and circumstances to the highway authority's satisfaction, and it is therefore considered that an objection on highway safety grounds cannot be sustained. Conditions should:
- ensure that the northern access is improved as per the amended plans, and its apron constructed in accordance with the Council's standard specification, before the development is brought into use; and

- remove ‘permitted development’ rights in order to avoid any fencing or other obstructions being placed within the visibility splays in the future.

Meanwhile informatives should be as recommended previously.

4.1.18 Worthen with Shelve Parish Council:

26/8/18 – objection:

- Works in connection with this scheme may have commenced already.
- Access would be via a single-track rural road with few passing places, and also along a byway to the west. There are no details of likely vehicle movements, but the number of parking spaces proposed, the possibility of horseboxes or vehicles with trailers accessing the site, and also access by construction vehicles, give rise to significant highway safety concerns.
- Although it is proposed to convert existing buildings, the level of activity at the site, and also the proposed manège, could harm the character and appearance of the AONB.
- A recent permission for a horse-walker at another property nearby (ref. 18/00872/FUL) was conditional upon it being for private rather than commercial use.

4.1.19 2/11/18 – objection:

- The passing places now proposed are insufficient given the general state of the roads and the amount of traffic which could potentially be generated (the estimates now provided by the applicant’s agent do not include trips made by holidaymakers during their stays, including on foot, cycle or horseback, or journeys by delivery vehicles). Certainly on occasions when these roads have been used as a diversion route the additional traffic has caused problems.
- Other points are as per the previous comments.

4.1.20 22/5/19 – objection:

Councillors stand by their previous comments. Additionally the number of parking spaces proposed indicates that the projected vehicle movements have been understated.

4.1.21 Shropshire Council Rights of Way – comment:

The adjacent byway would not appear to be affected directly. Nevertheless the applicant must ensure that it remains unaltered and unobstructed at all times, unless first agreed otherwise by the Rights of Way Team.

4.1.22 Shropshire Council Historic Environment (Conservation) – comment:

The 19th Century Grain Barn should be regarded as a non-designated heritage asset whose reuse is supported in principle, provided a structural survey is undertaken to confirm its capability of conversion. The external alterations proposed are mainly sympathetic, especially over-cladding the previously much-altered frontage with weatherboarding provided this is left to weather naturally. It is,

however, suggested that the amount of glazing on the lower section should be reduced, whilst the proposed wood burner flue should have a matt black finish.

4.1.23 The Milking Barn is a relatively modern structure, probably dating from the 1950s, and has limited historic and architectural significance. Furthermore, in its case the proposed weatherboarding and domestic-style windows look somewhat incongruous. It is therefore suggested that the conversion of this building be omitted from the scheme.

Shropshire Council Historic Environment (Archaeology) – comment:

4.1.24 The site lies on the edge of the historic, probably medieval, settlement of Meadowtown, north of a possible former motte site, and east of a complex of lynchet field boundaries and ridge and furrow earthworks. Its proximity to Grade II-listed Meadowtown Hall is also noted. Previously undisturbed ground therefore has some archaeological potential, so an archaeological inspection of groundworks should be secured by condition.

Shropshire Council Ecology:

8/8/18 – objection:

4.1.25 Although a licensed ecologist has completed a ‘Preliminary Ecological Appraisal’, further details of the proposed bat mitigation measures are required.

3/9/18 – comment:

4.1.26 The ecological consultant’s report has now been updated. It concludes that the Grain Barn contains occasional/transitional roosts of common pipistrelle and brown long-eared bats, probably associated with larger roosts/colonies off-site. This building’s conversion will therefore require a low impact class European Protected Species (EPS) licence from Natural England. The revised report proposes the following mitigation, compensation and enhancement measures, which would form part of the licence application:

- At least one bat box suitable for pipistrelles, and one tube suitable for brown long-eared bats, will be installed on another building or a mature tree before work begins.
- An Ecological Clerk of Works (ECW) will check for bats immediately before work begins, and remain present to oversee sensitive operations such as the removal of roofing.
- Any bats found will be placed in the pre-installed bat box.
- Any external lighting will be of the passive infra-red type, set on a short timer and orientated downwards, away from boundary vegetation.

4.1.27 Subject to conditions requiring a copy of the EPS licence, ensuring that the consultant’s recommendations are followed and the proposed bat boxes are actually installed, and also controlling external lighting, it is agreed that the favourable conservation status of bats in the local area is likely to be maintained. However an EPS ‘three tests’ matrix will need to be completed by the planning officer, in order to demonstrate that the development is necessary for reasons of

“overriding public interest” and that there is “no satisfactory alternative”. This should be included in the officer’s report and discussed/minuted at the committee meeting.

4.1.28 Two ponds were identified within 250 metres. One is a slurry pit unsuitable for great crested newts, but permission to survey the other was not forthcoming, so it must be assumed that great crested newts are present there. Thus, whilst the application site itself offers poor quality terrestrial habitat, the consultant has produced a method statement including the following:

- An ECW will brief site workers, carry out a pre-commencement walk-over, inspect potential refugia, and remain present to oversee clearance works.
- Any excavations will be backfilled immediately, and after checking by the ECW, or else covered with plywood or equipped with a ramp to provide any newts with a means of escape.
- All building materials will be stored on pallets, and where possible kept on hardstanding.
- Any environmentally hazardous materials will be stored within an area determined by the ECW.
- In the event of great crested newts being discovered on site, work will cease and the ECW will be contacted for further advice.

4.1.29 Although no setts were observed, a badger trail was noted along a section of the northern site boundary. Again, therefore, the ecological consultant has produced a method statement, which recommends the following:

- All work will cease at least one hour before sunset, and none will start until an hour after sunrise.
- Any temporary lighting will be directed away from badger paths.
- No badger path will be obstructed at any time.
- Any excavations will be filled in or covered over at the end of each working day, or else equipped with a means of escape.
- Any potential dangers to badgers will be reported to an appointed ecological consultant, who will then take measures to minimise the risk.
- Any temporary spoil heaps will be left un-compacted and will not be allowed to grass over, in order to discourage badgers from excavating new setts on site. Alternatively electric fencing will be used to prevent badger access.
- Any exposed pipework will be capped to prevent badgers from entering.

4.1.30 Adherence to these two method statements should be ensured through a condition requiring the ECW to submit a verification report to the Council before the development is first used.

4.1.31 No bird nests were observed in any of the buildings, although scattered trees and hedges around the site’s perimeter do offer some nesting opportunities. This vegetation should therefore remain wherever possible, and artificial nesting provision should be secured by condition. Meanwhile as a precaution, an informative should advise on the statutory protection afforded to any active nests.

4.1.32 No evidence of any other protected or priority species was observed on or close to the site, and in any event following the great crested newt and badger method statements would also help to safeguard other species. This should be reinforced with an informative advising on general measures to protect wildlife.

4.1.33 Additionally the consultant's report recommends a sensitive landscaping scheme in order to further enhance the site's ecological value, and again this should be secured by condition.

Natural England

4.1.34 The development is unlikely to affect the interest features of the Meadowtown Quarry SSSI, or others nearby.

4.1.35 The Shropshire Hills AONB Partnership should be consulted, and the Council's decision guided by paragraph 172 of the National Planning Policy Framework (NPPF), which affords such designated landscapes the highest level of protection.

4.1.36 Additionally the Council should consider potential impacts on protected or priority species and habitats, any locally designated wildlife or geological sites, ancient woodland and veteran trees, plus opportunities for environmental enhancements.

4.2 Public comments

4.2.1 Objections received from eleven separate properties make the following points:

- The application is not supported by any detailed business plan or market research.
- It is unclear that the applicants have the necessary expertise to run an equestrian business, or that there has been any application for a licence under relevant animal welfare legislation.
- It remains unclear whether the manège and stables would be used exclusively by the holiday lets' occupiers and the applicants, or by day visitors as well.
- The fact that permission No. 18/00872/FUL for a horse-walker at another property nearby was conditional upon that development being solely for private use establishes a precedent to refuse the current application, which by contrast is specifically for commercial, and much more extensive, equestrian facilities.
- It is unclear whether the manège would be inside a building or open-air. Either way it would be noisy and visually intrusive in its revised position.
- The development would cause light pollution in this area of dark skies.
- The development could increase littering.
- Additional traffic, people noise and general disturbance would detract from the area's tranquillity and residential amenity.
- The development could devalue neighbouring properties.

- The tall window shown on the Grain Barn's northwest elevation is actually much shallower at present, and deepening it would result in holidaymakers overlooking Meadowtown Hall's kitchen and living room windows 23 metres away, plus its garden. In fact the position of Meadowtown Hall is labelled incorrectly on the location and block plans. Car parking provision behind the Grain Barn would also disturb the neighbours.
- At no point has the applicant engaged with local residents about the scheme.
- The site is served by a winding single-track road with few passing places, a poor surface and poor drainage. This is unsuitable for further traffic, especially large vehicles like horseboxes, and drivers unfamiliar with the conditions.
- Various wholly inconsistent traffic projections have been supplied, and the latest figures are still grossly underestimated. Holidaymakers are unlikely to stay on site all week, especially as there are no local facilities, and in reality would probably make several trips per day. Additionally staff, deliveries, contractor's vehicles, any day visitors plus journeys made on horseback would increase traffic even further.
- The latest Transport Statement contains no evidence in support of its conclusions about traffic levels and speeds. Its random sample of road widths is meaningless as many narrower pinch-points have been ignored, and there are many unreported road traffic incidents along these lanes.
- The Statement itself admits that the road from Rorrington is unsuitable to serve this development, yet any attempt to restrict visitors to the alternative routes would be impossible to enforce. Furthermore, it would only exacerbate the hazardous effects of additional traffic on the allegedly preferred routes.
- The fact that this was once a dairy farm is irrelevant, as that use ceased some years ago and would probably have generated far less traffic anyway. Moreover traffic from other properties has increased in the meantime.
- The proposed passing places have now been omitted, and in any event they would only have assisted on the very short stretch of road in one direction alongside the applicant's own land.
- Already horses kept at this site are being ridden irresponsibly, for example by children without high visibility clothing or supervision.
- Although shown as existing, the northern access track has not actually been used in recent years and is now completely grassed over. It is directly opposite the entrance to two neighbouring houses omitted from the plans.
- The Camping and Caravanning Club's recently refused a small campsite at Meadowtown Farm owing to concerns over access, implying that this planning application should also be refused on highway safety grounds.
- The adjacent byway and its current users would be affected by increased vehicular and horse traffic.
- The application makes no provision for the safe storage of additional refuse on collection days.
- Additional noise and lighting would impact on nesting curlew, a rare horseshoe bat colony in the farmhouse, and other wildlife.

- The submitted ecological report only assumes the presence of great crested newts nearby, whereas in fact the species has been confirmed at neighbouring properties.
- Barn owls use the buildings proposed for conversion.
- The current drainage systems may have insufficient capacity for such a large development, and their overuse could pollute nearby watercourses.
- Drainage and other ground works have commenced already, in breach of the Archaeology Team’s recommendations. Additionally trees and hedges have also been removed and an entrance has been widened.
- If the development would have a private water supply this could affect the supply to other residents, as could disruptions or pollution caused by construction works.

5.0 THE MAIN ISSUES

- Principle of development
- Design and impacts on historic environment and wider landscape
- Impact on residential amenity
- Access and highway safety
- Ecology
- Drainage and water supply

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 Part 6 of the NPPF says local planning authorities should support sustainable rural tourism and leisure developments which respect the character of the countryside. Meanwhile the Council’s Core Strategy Policies CS13 and CS16 support schemes aimed at diversifying the rural economy for tourism, cultural and leisure uses which are appropriate in location, scale and nature, plus high quality visitor accommodation proposals in accessible locations served by a range of services and facilities. In rural areas it requires visitor accommodation to again be of an appropriate scale and character for the surroundings, and close to or within settlements or an established and viable tourism enterprise. It also emphasises the desirability of reusing existing buildings where this would accord with Policy CS5. The latter sets out a hierarchical approach to rural conversions, giving priority to small-scale economic/employment-generating development (specifically including tourism uses), affordable housing and “other uses appropriate to a countryside location”, but also allowing unfettered residential use where the building is a ‘heritage asset’.

6.1.2 Officers acknowledge that Meadowtown is small, quite remote and very rural in character, and that it lacks any services or facilities. Nevertheless it *is* a recognisable settlement, and moreover one which is designated part of a ‘Community Cluster’ under Policies MD1 and S2 of the Council’s Site Allocations and Management of Development (SAMDev) Plan. This implies that the location is broadly ‘sustainable’, and in fact even facilitates *permanent* new housing, as

opposed to the settlement being regarded as open countryside for planning purposes.

6.1.3 Additionally the current scheme involves converting and reusing existing former agricultural buildings of permanent and substantial construction as visitor accommodation and associated stabling. In principle this would accord with the Policy CS5 hierarchy even were the site outside the settlement, and despite only the Grain Barn being of heritage value. Although the manège would be entirely new it *would* actually be an open-air facility rather than a building, and the applicants' agent has now confirmed categorically to officers that both it and the stables would be exclusively for private use by occupiers of the holiday lets and the applicants themselves, and not available to the general public. Furthermore keeping and riding horses are land-based activities which require a rural, or at least semi-rural, location.

In these circumstances, with the location and nature of the development being fundamentally policy-compliant in any event, officers would not usually expect to see a detailed business plan. Meanwhile with reference to the public comments, the planning system is concerned solely with the use of the land and not aspects such the applicants' experience or compliance with separate animal welfare legislation.

6.1.4 Regarding the point about the Council preventing commercial use of a nearby horse-walker, officers do not find that case directly comparable since the site was outside any Cluster settlement, and the application had been made solely on the basis of personal use so no details of traffic or other potential impacts associated with commercial activity were submitted or considered in any detail. By contrast the current application has always proposed commercial facilities, so such a restriction would be incompatible. It would, however, be reasonable and necessary to impose conditions restricting occupancy of the accommodation and use of the equestrian facilities to holidaymakers, and also tying them to the farmhouse. Besides defining the consent in line with what has been applied for, this would maximise the benefits to the rural economy, ensure the availability of on-site management in the interests of sustainability, help manage the increase in traffic (discussed further below), and address the issue of the proposed units offering an insufficient standard of amenity for permanent residents given their situation amongst the commercial activity and remaining farm buildings, without separate curtilages or means of access.

6.2 **Design and impacts on historic environment and wider landscape**

6.2.1 Core Strategy Policy CS5 requires conversion schemes to contribute positively to the character of the building and its surroundings, whilst SAMDev Policy MD7a and Historic England guidelines normally expect traditional rural buildings to be converted in their present form without significant reconstruction or alteration. Both national and local policies require tourism schemes to preserve and enhance landscape quality and character, and expect all development affecting heritage assets to safeguard their significance, whilst Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 obliges the Council to pay special regard to the desirability of preserving the architectural or historic interest and

setting of listed buildings.

6.2.2 In this case there has now been submitted a structural appraisal confirming that the Grain Barn is capable of conversion without substantial rebuilding, and this can be reinforced by a condition preventing demolition. It is agreed with the Conservation Officer that weatherboarding over the concrete blockwork on the south elevation, and removing the hay barn in front, will enhance the building's appearance and setting, and better reveal its original form. It is also noted that the new fenestration would generally utilise existing or former openings, including the more extensive glazing on the front of the single-storey section, which would originally have been an open-fronted cart shed. Precise details of the new windows and doors, along with all other external materials and finishes, can again be secured by condition.

6.2.3 As mentioned already, the fact that the Milking Barn is newer and not a heritage asset does not preclude its retention and conversion into holiday accommodation. Officers have attempted to secure design improvements by leaving the brickwork exposed and at least retaining the current roof form as an overhanging canopy on the southwest side, but ultimately it is not considered that a refusal on design grounds could be substantiated. The aforementioned conditions would apply to this building also.

6.2.4 Besides demolition of the parallel northern range, no external changes are needed to convert the cowshed into stabling. Meanwhile the manège, despite being uncovered and now shown repositioned higher up the hillside away from the buildings, should in fact be reasonably discreet as it would largely be surrounded by established hedges, whose retention could be ensured as part of a standard landscaping condition.

6.2.5 Officers have visited the site several times and are unaware of any hedgerow removal or tree felling, other than clearance of an overgrown field entrance onto the byway, where a replacement gate has now been installed. However neither this nor minor drainage repairs around the farmhouse amount to development requiring planning permission. It is therefore still possible to address the Archaeology Team's comments by condition. Meanwhile the Conservation Officer raises no concerns regarding the setting of listed Meadowtown Hall, which should not be harmed bearing in mind the minimal alterations to the Grain Barn and the established boundary treatments in-between.

A condition controlling external lighting, though intended primarily to avoid disturbing bats, would also help to minimise light pollution. Meanwhile any instances of littering would be a criminal offence rather than a planning matter. The issue of noise is discussed below.

6.2.6

6.3 Impact on residential amenity

6.3.1 Although one north-facing window on the Grain Barn would be deepened, because its accommodation would all be at ground floor level there should be no significant overlooking of Meadowtown Hall. A gap in the boundary wall would presumably be rebuilt, and assuming this is in the applicant's control it can be ensured as part of the landscaping condition.

6.3.2 The manège would be a reasonable distance from all of the neighbouring dwellings, and whilst some sound from horses and people using it would inevitably carry, this is unlikely to be so loud or continuous as to be anything like a statutory nuisance. It also seems unlikely that traffic noise would warrant refusing the application.

6.3.3 Government guidance is clear that effects on property values are not a planning consideration, and neither is there any statutory requirement for the applicants to have engaged in their own neighbour consultation.

6.4 Access and highway safety

6.4.1 As mentioned already, despite it having initially been intended to open the equestrian facilities to day visitors as well, the applicants' agent has now confirmed that they would be restricted to family members and holidaymakers residing on-site. This can be reinforced by condition, whilst further reassurance is provided by the latest block plan's omission of separate parking provision alongside the manège. Whilst this would not necessarily prevent individuals from riding horses out on the local road network, it should help to avoid the numbers of journeys (both vehicular and on horseback) which might be expected of a non-exclusive riding school or DIY livery, for example.

6.4.2 It is recognised that the local roads are relatively poor, and furthermore that the Council cannot ultimately prevent holidaymakers from using the poorest route (to/from Rorrington). Nevertheless it would be difficult to substantiate a refusal on these grounds, even without any passing places being proposed, given that the Highways Development Control Team fundamentally accepts the Transport Statement, that intensive agricultural activity could resume without planning permission, and also bearing in mind Meadowtown's designation as a Cluster settlement, where permanent new housing would be acceptable in principle and could potentially generate more traffic than holiday accommodation.

Regarding objectors' other points:

- 6.4.3 • The northern access, although overgrown, does still exist as a field gate, and the details for its upgrading are acceptable to the Highways Development Control Team notwithstanding its position opposite an entrance to other properties. Conditions could be used to ensure its improvement before other aspects of the development are brought into use, and to prevent installation of any gates closer to the road.
- The plan of the northern entrance also makes provision for temporary

refuse storage.

- The internal arrangement of the remaining parking spaces is now satisfactory.
- No new access would now be formed off the byway to the west/southwest, although the existing farmyard entrance off it would be used to access the Grain Barn.
- Officers have no details of the apparently rejected application to the Camping and Caravanning Club, or the assessment criteria used by that organisation. However this does not prevent determination of the current planning application, including its Transport Statement, against the relevant policies.

6.5 Ecology

6.5.1 The EC Habitats Directive 1992 requires strict protection of certain species and their habitats, including all UK bat species. Disturbance or destruction of breeding sites or resting places is allowed only in the interests of public health and safety, or for other imperative reasons of overriding public interest, and provided there is no satisfactory alternative and no detriment to maintaining the species' populations at a favourable conservation status within their natural range.

6.5.2 In this instance, as summarised above, the Grain Barn's conversion would disturb or destroy occasional, possibly satellite roosts of two different bat species. With appropriate mitigation this could likely be covered by a low impact class licence. Nevertheless officers have fully considered the implications for the site's conservation objectives in the EPS matrix attached as Appendix 2. It is concluded that the development would indeed meet the three 'tests' outlined above, subject to conditions similar to those suggested by the Ecology Team. These include one controlling external lighting, raised as a specific concern by objectors.

6.5.3 The objectors' evidence of great crested newts simply confirms the assumption by the applicants' consultant that the species is present nearby, so does not necessitate any changes to the proposed method statement. Adherence to the latter can be reinforced by the suggested Condition 10, but working on the usual basis that all conditions will be complied with in any event, it is not reasonable or necessary to secure a further, verification report by an ECW. This same condition would also serve to protect badgers and other forms of wildlife.

6.5.4 There was no evidence of barn owls nesting within any of the buildings, whilst the issue of nesting birds in general can be addressed through an informative and a condition securing bird boxes. Landscaping, meanwhile, would be controlled under the aforementioned Condition 3.

6.5.5 It is also noted that neither Natural England nor the Council's Ecology Team has any concerns regarding the nearby SSSI.

6.6 Other matters raised in representations

6.6.1 Surface water run-off is unlikely to increase significantly, and the Flood and Water Management Team advises that an informative encouraging the use of sustainable systems would suffice. Meanwhile the adequacy of the existing foul drainage system would be established at the Building Regulations stage.

6.6.2 Finally private water supplies and fire safety matters are also controlled under separate legislation which the planning system need not duplicate. Informatives can be included in these respects, however.

7.0 CONCLUSION

7.1 The development is acceptable in principle given the location within a Community Cluster settlement, and the fact that it would reuse existing redundant farm buildings. The design is satisfactory, and there are no undue or insurmountable concerns regarding the historic environment, landscape character, residential amenity, highway safety, drainage, water supply or fire safety. Furthermore, although two small transitional bat roosts would be disturbed, the three tests set out in the EPS matrix are satisfied. Overall, therefore, the application accords with the principal determining criteria of the relevant development plan policies and approval is recommended, subject to conditions to reinforce the critical aspects.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk management

8.1.1 There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than 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

8.2.1 Article 8 of the First Protocol of the European Convention on Human Rights gives the right to respect for private and family life, whilst 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.

8.2.2 Article 1 also requires that the desires of landowners must be balanced against the impact of development upon nationally important features and on residents.

8.2.3 This legislation has been taken into account in arriving at the above decision.

8.3 **Equalities**

8.3.1 The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 **FINANCIAL IMPLICATIONS**

9.1 There are likely financial implications if the decision and/or imposition of conditions are challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10.0 **BACKGROUND**

Relevant Planning Policies:

Central Government Guidance:

National Planning Policy Framework

Shropshire Local Development Framework:

Core Strategy Policies:

CS1 - Strategic Approach

CS4 - Community Hubs and Community Clusters

CS5 - Countryside and Greenbelt

CS6 - Sustainable Design and Development Principles

CS7 - Communications and Transport

CS9 - Infrastructure Contributions

CS11 - Type and Affordability of housing

CS13 - Economic Development, Enterprise and Employment

CS16 - Tourism, Culture and Leisure

CS17 - Environmental Networks

CS18 - Sustainable Water Management

SAMDev Plan Policies:

MD1 - Scale and Distribution of Development
MD2 - Sustainable Design
MD11 - Tourism Facilities and Visitor Accommodation
MD12 - Natural Environment
MD13 - Historic Environment
S2 – Bishop’s Castle Area Settlement Policy

Relevant Planning History:

17/04572/FUL Conversion of agricultural buildings into four holiday letting units with associated car parking and amenity space; formation of manège with associated car parking and stables (within existing barn); alterations to existing access road (withdrawn February 2018)

11.0 ADDITIONAL INFORMATION

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=PBAY4STDMJO00>

List of Background Papers:

Application documents available on Council website

Cabinet Member (Portfolio Holder):

Cllr G. Butler

Local Member:

Cllr Heather Kidd

Appendices:

Appendix 1 – Conditions and Informatives
Appendix 2 – EPS matrix

APPENDIX 1 – CONDITIONS AND INFORMATIVES

STANDARD CONDITIONS

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

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

2. The development shall be carried out in strict accordance with the approved, amended plans and drawings listed below.

Reason: To define the consent and ensure a satisfactory development in accordance with Policies CS5, CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy.

CONDITIONS THAT REQUIRE APPROVAL BEFORE DEVELOPMENT COMMENCES

3. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include:
 - Positions of all existing trees and hedgerows on the site and along its boundaries
 - Identification and measures for the protection of existing trees and hedgerows which are to be retained
 - Details/schedules of proposed planting
 - Full details of the alignment, height and construction of any walls, fences, retaining structures or other boundary treatments/means of enclosure
 - Details/samples of hard surfacing materials
 - Timetables for implementation

The landscaping works shall be completed in accordance with the approved details. Thereafter all fences, walls, hardstandings and other hard landscaping features shall be retained in accordance with the approved details, whilst any trees or plants which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the external appearance of the development is satisfactory, safeguard the visual amenity of the Shropshire Hills Area of Outstanding Natural Beauty, help maintain the residential amenities of the area, and maintain/enhance the site's ecological value, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy. This information is required prior to commencement of the development since it relates to matters which need to be confirmed before subsequent phases proceed in order to ensure a sustainable development.

CONDITIONS THAT REQUIRE APPROVAL DURING CONSTRUCTION/PRIOR TO OCCUPATION OF THE DEVELOPMENT

4. The applicant/owner/developer shall notify Shropshire Council's Historic Environment Team in writing not less than three weeks prior to the commencement of ground works associated with the development hereby permitted. A representative of that team shall thereafter be afforded reasonable access onto the site during the course of the development in order to monitor the ground works and record any archaeological evidence as appropriate.

Reason: To ensure that any evidence associated with known archaeological sites nearby is recorded satisfactorily in accordance with Policy CS17 of the Shropshire Local Development Framework Adopted Core Strategy. This notification is required prior to commencement of the development since it relates to matters which need to be confirmed before subsequent phases proceed, in order to ensure a sustainable development.

5. No works associated with the conversion of the building labelled 'Grain Barn' on the approved block plan, including demolition or clearance of the adjoining structures, shall commence until there has been submitted to and acknowledged/approved in writing by the local planning authority:
- a) a European Protected Species (EPS) Mitigation Licence from Natural England, in respect of bats; or
 - b) a statement from an appropriately qualified and experienced ecologist explaining why such a licence is not required, and setting out any additional mitigation measures as appropriate.

Thereafter all works on site shall be carried out in strict accordance with the stipulations of the EPS Mitigation Licence or method statement.

Reason: The proposed development would disturb a bat roost which is protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Species and Habitats Regulations 2017. As such an EPS licence from Natural England is required before this aspect of the development can proceed.

6. No works associated with the conversion of the building labelled 'Grain Barn' on the approved block plan, including demolition or clearance of the adjoining structures, shall commence until there have been submitted to and approved in writing by the local planning authority precise details of bat boxes/tubes to be provided at the site. These shall be broadly as recommended in Section 3.7 of the submitted 'Preliminary Ecological Appraisal Report' by Pearce Environment Ltd., referenced 040118MM, dated June 2018 and received by the local planning authority on 10th August 2018. They shall thereafter be retained for the lifetime of the development.

Reason: To maintain and enhance roosting opportunities for bats, in accordance with Policy CS17 of the Shropshire Local Development Framework Adopted Core Strategy. This information is required prior to commencement of the development since certain of the bat boxes need to be in situ and available for use throughout the duration of the construction works, as advised in the Bat Roost Assessment report, in order to safeguard protected species.

7. Except for demolition works, no above-ground development shall commence until samples/precise details of all external materials/finishes have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details and retained thereafter.

Reason: To ensure that the external appearance of the development is satisfactory, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy.

8. Prior to the installation of any external windows or doors, precise details of their materials, form and style, including details of glazing bars, mullions, sill mouldings and surface treatments/decorative finishes, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with approved details and retained thereafter.

Reason: To ensure that the external appearance of the development is satisfactory, and to safeguard the character and appearance of the historic farm building, in accordance with Policies CS5, CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy.

9. Prior to the first use or occupation of any part of the development, artificial nesting opportunities for wild birds shall be provided at the site in accordance with details which shall first be submitted to and approved in writing by the local planning authority. This provision shall include a minimum of four artificial 'nests' (either integrated into the building's fabric or external boxes) suitable for starlings (i.e. 42mm hole, starling-specific design), sparrows (32mm hole, terrace design), swifts (swift 'bricks' or boxes) and/or other small birds (32mm hole, standard design). These shall be retained thereafter for the lifetime of the development.

Reason: To maintain/enhance nesting opportunities for wild birds, in accordance with Policy CS17 of the Shropshire Local Development Framework Adopted Core Strategy.

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

10. The development (including demolition and site clearance works) shall, subject to the provisions and requirements of Conditions 5 and 6 above, be carried out and completed in strict accordance with the bat, great crested newt and badger mitigation/enhancement measures recommended in Section 3.7 and Appendix 4 of the submitted 'Preliminary Ecological Appraisal Report' by Pearce Environment Ltd., referenced 040118MM, dated June 2018 and received by the local planning authority on 10th August 2018.

Reason: To safeguard protected and priority species in accordance with Policy CS17 of the Shropshire Local Development Framework Adopted Core Strategy.

11. Prior to the first use of any part of the development, the northern access to the site shall be upgraded and parking/turning areas provided in accordance with the approved plans and the details agreed under Condition 3 above. These areas shall thereafter be retained for their intended purposes and, in the case of the access visibility splays, maintained clear of any obstruction above 900mm in height.

Reason: In the interests of highway safety, in accordance with Policies CS6 and CS7 of the Shropshire Local Development Framework Adopted Core Strategy.

12. Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order), no new entrance gates or other means of enclosing the vehicular accesses to the site shall be erected or installed within five metres of the edge of the adjacent highway carriageway without the prior written consent of the local planning authority. Any gates shall be hung so as to open inwards, away from the highway.

Reason: In the interests of highway safety, in accordance with Policies CS6 and CS7 of the Shropshire Local Development Framework Adopted Core Strategy.

13. No parts of the existing buildings shown to be retained on the submitted plans and drawings shall be demolished or rebuilt.

Reason: To ensure that the buildings are converted in their present form. Substantial demolition and rebuilding may be contrary to Policies CS5, CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy, and Policies MD7a and MD13 of the Shropshire Council Site Allocations and Management of Development Plan.

14. All external sections of flue included in the development shall be treated with a matt black finish, which shall be retained for the lifetime of the development.

Reason: To safeguard the character and appearance of the traditional farm buildings, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy.

15. No new or additional external lighting shall be installed or provided on the site other than in strict accordance with a detailed scheme which shall first be submitted to and approved in writing by the local planning authority. This shall be designed so as to take into account the guidance contained in the Bat Conservation Trust document 'Bats and Lighting in the UK'.

Reason: To minimise disturbance to bats, and to help safeguard the visual and residential amenities of the area, in accordance with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy.

16. The buildings labelled 'Grain Barn' and 'Milking Barn' on the approved block plan shall only be occupied by holidaymakers whose main residence is elsewhere. The owner/operator of the holiday accommodation enterprise shall maintain an up-to-date register of occupiers and their main home addresses, and shall make this information available to the local planning authority at any reasonable time.

Reason: To define the consent and avoid the establishment of new permanent dwelling units without further consideration of relevant planning issues, in accordance with Policies CS5, CS6, CS11 and CS16 of the Shropshire Local Development Framework Adopted Core Strategy.

17. The existing dwelling on the site, labelled 'Farm House' on the approved block plan, shall provide the requisite supervision and management of the holiday accommodation enterprise hereby permitted. As such it shall not be sold separately or otherwise severed from the holiday accommodation without the prior written consent of the Local Planning Authority.

Reason: In the interests of sustainable tourism development, and to help safeguard the residential amenities of the area, in accordance with Policies CS5, CS11 and CS16 of the Shropshire Local Development Framework Adopted Core Strategy.

18. The stables and manege included in the development hereby permitted shall only be used by occupiers of the existing dwelling on the site or by holidaymakers resident at the site.

Reason: To define the consent, and in the interests of highway safety, in accordance with Policies CS6 and CS7 of the Shropshire Local Development Framework Adopted Core Strategy.

INFORMATIVES

1. Your attention is drawn specifically to the conditions above which require the Local Planning Authority's prior approval of further details. In accordance with Article 27 of the Town and Country Planning (Development Management Procedure) Order 2015 a fee (currently £116) is payable to the Local Planning Authority for each request to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority.

Where conditions require the submission of details for approval before development commences or proceeds, at least 21 days' notice is required in order to allow proper consideration to be given.

Failure to discharge conditions at the relevant stages will result in a contravention of the terms of this permission. Any commencement of works may be unlawful and the Local Planning Authority may consequently take enforcement action.

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

Before carrying out any such works the developer must obtain a licence from Shropshire Council's Street Works Team. For further details see <https://www.shropshire.gov.uk/street-works/street-works-application-forms/>.

Please note that Shropshire Council requires at least three months' notice of the developer's intention to commence any works affecting the public highway, in order to allow time for the granting of the appropriate licence/permit and/or agreement of a specification and approved contractor for the works.

3. The applicant/developer is responsible for keeping the highway free from mud or other material arising from construction works.
4. If the new vehicular access and/or parking/turning areas hereby permitted would slope towards the public highway, surface water run-off should be intercepted and disposed of appropriately. It is not permissible for surface water to drain onto the public highway or into highway drains.
5. In order to control/attenuate surface water at source and avoid increasing the risk of flooding at the site or elsewhere, the incorporation of sustainable drainage systems (SuDS) such as soakaways designed in accordance with BRE Digest 365, water butts, rainwater harvesting, permeable paving, attenuation and grey water recycling should be considered.
6. If the development would be served by a private water supply, the quality of the water will need to meet the microbiological and chemical standards of the Private Water Supplies (England) Regulations 2016. Additionally it should be demonstrated that there is a sufficient and sustainable supply available to meet the needs of future residents.

Regulation 13(2) of the 2016 Regulations stipulates that a water supply must not be brought into use unless the local authority is satisfied that it does not constitute a potential danger to human health. You must therefore provide sufficient information to allow the local authority to consider this, including sampling results. It is advised that Shropshire Council is appointed to carry out the sampling in order to ensure this is done in a way which satisfies the legislative requirements.

For further information see <https://shropshire.gov.uk/environmental-health/environmental-protection-and-prevention/private-water-supplies/>.

7. This planning permission does not authorise the obstruction, realignment, reduction in width, resurfacing or other alteration of any public right of way, temporarily or otherwise. Before carrying out any such operation you should consult Shropshire Council's Outdoor Recreation Team and obtain any closure order or further consents which may be required.
8. This consent does not convey any right of vehicular access over any public right of way, and it is a road traffic offence to drive a motor vehicle on a public footpath, bridleway or restricted byway without lawful authority. Any person intending to use a right of way for vehicular access should first satisfy themselves that such a right exists, if necessary by taking legal advice.
9. This development may be liable to a payment under the Community Infrastructure Levy (CIL) which was introduced by Shropshire Council with effect from 1st January 2012. For further information please contact the Council's CIL team (cil@shropshire.gov.uk).

10. The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, containing eggs or chicks or on which fledged chicks are still dependent. If possible all demolition, clearance and/or conversion work associated with the approved scheme should be carried out outside the nesting season, which runs from March to September inclusive. If it is necessary for work to commence during the nesting season a pre-commencement inspection of buildings and vegetation for active nests should be carried out. If vegetation is not obviously clear of nests an experienced ecologist should be called in to carry out the check. Only if no active nests are present should work be allowed to commence.
11. Widespread reptiles (adder, slow worm, common lizard and grass snake) are protected against killing, injury and trade by the Wildlife and Countryside Act 1981 (as amended). Widespread amphibians (common toad, common frog, smooth newt and palmate newt) are also protected from trade, whilst the European hedgehog is a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act 2006. Reasonable precautions should be taken during the course of development works to ensure that these species are not harmed.
- If piles of rubble, logs, bricks, other loose materials or other potential wildlife refuges would be disturbed, this should be carried out by hand during the active season (March to October) when the weather is warm.
 - Any grass should be kept short prior to and during construction, in to avoid creating wildlife habitats which would then need to be disturbed.
 - All storage of building materials, rubble, bricks and/or soil should be either on pallets or in skips or other suitable containers, in order to avoid use as refuges by wildlife which could then become trapped.
 - Wherever possible any trenches formed as part of the construction work should be excavated and closed during the same day in order to prevent wildlife becoming trapped. If it is necessary to leave a trench open overnight it should be sealed with a close-fitting plywood cover or provided with a means of escape in the form of a shallow-sloping earth ramp, board or plank. Any open pipework should be capped overnight, and all open trenches or pipework should be inspected for trapped animals at the start of each working day.
 - Any reptiles or amphibians discovered should be allowed to disperse naturally. If large numbers are present, advice should be sought from an appropriately qualified and experienced ecologist.
 - Should a hibernating hedgehog be found, it should be covered over with a cardboard box and advice should be sought from either an appropriately qualified and experienced ecologist or the British Hedgehog Preservation Society (tel. 01584 890 801).
12. In arriving at this decision the Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework Paragraph 38.

**APPENDIX 2 –
EUROPEAN PROTECTED SPECIES: CONSIDERATION OF THE ‘THREE TESTS’**

Application name and reference number:

18/03093/FUL

Meadowtown Farm, Meadowtown, Shrewsbury, Shropshire, SY5 0DZ

Conversion of two agricultural buildings into four holiday letting units, change of use of further agricultural building into stables, formation of manege, alterations to existing vehicular access and formation of parking areas

Date of consideration of three tests:

3rd September 2018/12th July 2019

Consideration of three tests carried out by:

Sophie Milburn, Assistant Biodiversity Officer
Trystan Williams, Planning Officer

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

The scheme includes converting a dilapidated agricultural building known as the Grain Barn into holiday accommodation. This is of public benefit in that this building is a heritage asset of vernacular interest, and contributes positively to the local landscape. The NPPF recognises that retaining heritage assets in viable use is often the best way to secure their long-term conservation. Conservation has wider social, cultural, economic and environmental benefits, including preserving non-renewable resources for future generations to enjoy, making the most efficient use of existing fabric so as to reduce the consumption of building materials, energy and land through new-build, making a positive contribution to local character and sense of place, and contributing to our knowledge and understanding of our past.

2 Is there ‘no satisfactory alternative’?

The most likely alternative would be for the barn to remain unconverted and unused, it no longer being suited to modern farming practices even if agricultural activity were to resume at this site. This would likely result in its further deterioration, which would diminish its significance as a heritage asset and possibly also its value as bat roosting habitat. Furthermore it would not be an efficient use of the existing resource, and downplays the role of economic and social progress in helping to achieve sustainable development.

Another option might be conversion for other uses. However there is no evidence that this would be feasible or indeed any less disruptive to roosting bats.

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

Surveys have established that the Grain Barn contains occasional/transitional roosts of common pipistrelle and brown long-eared bats, probably associated with larger roosts/colonies off-site. Since its conversion would disturb or destroy the roost site(s), this aspect of the scheme will need to occur under a low impact class European Protected Species (EPS) licence from Natural England. However subject to conditions ensuring that this licence is indeed obtained, reinforcing the requirement for appropriate mitigation, compensation and enhancement measures, and controlling external lighting, the development will not be detrimental to the maintenance of bat populations at a favourable conservation status within their natural range.