

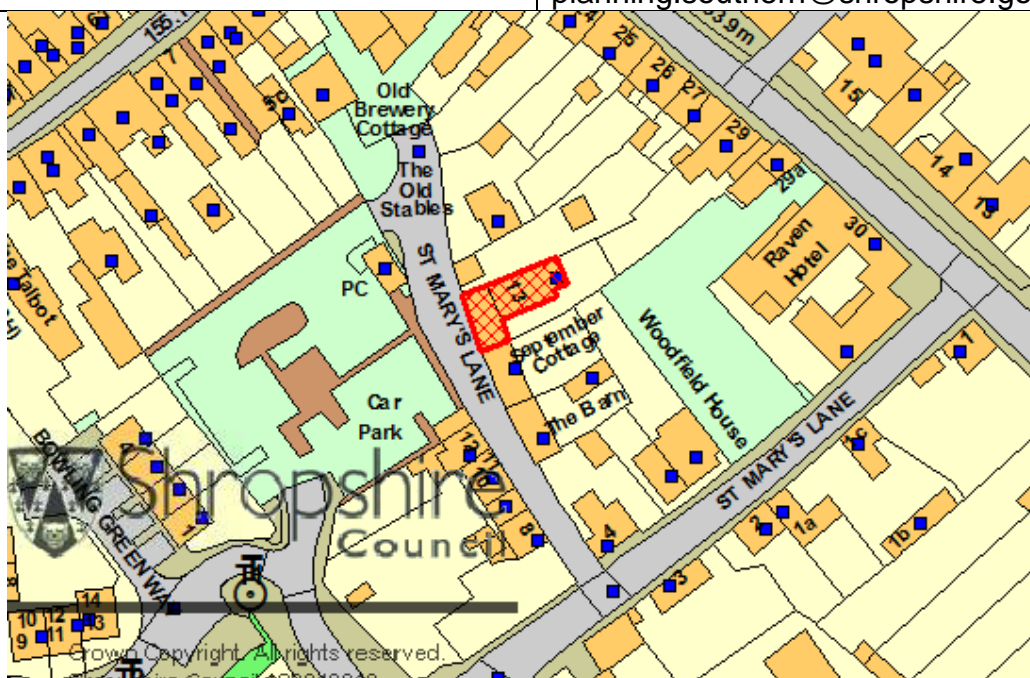
## Development Management Report

Responsible Officer: Tim Rogers

email: [tim.rogers@shropshire.gov.uk](mailto:tim.rogers@shropshire.gov.uk) Tel: 01743 258773 Fax: 01743 252619

### Summary of Application

<b><u>Application Number:</u></b> 20/03576/COU	<b><u>Parish:</u></b>	Much Wenlock
<b><u>Proposal:</u></b> Application under Section 73A of the Town and Country Planning Act 1990 for the change of use from use as hotel bedrooms in connection with the Raven Hotel to six commercial units		
<b><u>Site Address:</u></b> 13 St Marys Lane Much Wenlock TF13 6HD		
<b><u>Applicant:</u></b> Miss S Campbell		
<b><u>Case Officer:</u></b> Sara Jones	<b><u>email :</u></b> <a href="mailto:planning.southern@shropshire.gov.uk">planning.southern@shropshire.gov.uk</a>	



**Grid Ref:** 362381 - 299853

© Crown Copyright. All rights reserved. Shropshire Council 100049049. 2019 For reference purposes only. No further copies may be made.

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

## REPORT

### 1.0 THE PROPOSAL

- 1.1 This retrospective application proposes the change of use of a building the lawful use of which is for hotel accommodation in association with the Raven Hotel. The applicant seeks to let the building to 5 businesses and to use one of the rooms for staff accommodation on a temporary basis eventually also letting this room for a further business to use.
- 1.2 The scheme proposes no alterations to the building and would utilise the existing car parking and vehicular access associated with the Raven Hotel.
- 1.3 In support of the application the applicant has made the following comments: -

*The Forge, for many years now has been owned by The Raven Hotel.... It has been used as overflow rooms when the hotel is busy. Since the huge amount of hospitality development within Telford and Wrekin we have seen a dramatic downturn in both business and leisure guests and as such the Forge has become redundant and stands empty all year with the exception of a couple of weekends in December when we host large shoot parties.*

*These developments obviously put a huge strain on the business financially as the overheads associated with the running of the place keep rolling in. In 2020 when the hotel was forced to close due to Covid we took the opportunity to reassess with the owner. We had recently also lost the manager of the hotel to a riding accident too and as such the business needed some big changes and plans for the future in order to continue to trade. The business had been operating on approximately 25% occupancy for years. It's currently 10% due to Covid. The hotels future and the employment of approximately 25 members of staff (all local to Wenlock) depend on driving this business forward and diversifying with the tools we have to hand in very tough times.*

*As such, we contacted Shropshire Council in early April to ask if we could let the rooms out by the month, instead of by the night. This was verbally agreed not to be an issue although now in retrospect we see that the question was not well phrased by us ( due to a lack of education on the subject) and the scale of what we were actually asking was missed, hence this retrospective application being made now.*

*Following what we thought to be a verbal approval from Shropshire Council we emptied the bedroom furniture from the six 'units', redecorated and advertised them on social media to let to small local businesses who would compliment the services we already offer here at the hotel. The rent would just cover our costs. We hope that having these businesses in such close proximity to The Raven Hotel will attract more clientele for us. Increasing the footfall to both the Hotel, bar, restaurant and also the Artisan marketplace too. The business cannot survive on the turnover it currently achieves, hence we needed to take action fast! We now offer 'Botox weekends' and 'wedding packages' as a direct result of these business interactions. Within hours we had successfully found three local businesses who were*

*interested. An Aesthetics clinic, a wedding dress company and a cleaning business. These businesses will be interactive with both The Raven Hotel and each other.*

- 1.4 The applicant has also queried the use of the building by an "Aesthetics Clinic" and questioned whether this could be considered as falling within D1 of the Use Classes Order.
- 1.5 A block plan has been submitted which illustrates the existing parking arrangements for the Hotel and whilst the parking spaces are not currently demarcated it shows that it has capacity to accommodate some 28 spaces. The applicant proposes to dedicate the space adjacent the mutual boundary with No.29 Barrow Street (identified as spaces 1 - 8 inclusive) for the proposed commercial units leaving the remaining 20 spaces within the existing car park for the Hotel use. It is also noted that there is a yard area immediately adjacent the building, subject of this application which could potentially be used for vehicle parking if required.

## 2.0 **SITE LOCATION/DESCRIPTION**

- 2.1 The building subject of this application is located in the Much Wenlock Conservation Area and the centre of Much Wenlock. It forms the end property in a terrace of properties which adjoin the existing car park to the Raven Hotel to the east and St Marys Lane beyond which is the public car park to the west. The immediate surroundings have a mixed residential and commercial character as often found in the centre of historic market towns.

## 3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 3.1 This application requires determination by the Planning Committee as the Local Ward Member made a request for the application to be determined by the Planning Committee and the Chairman of the Planning Committee and Principal Planning Officer considered that the planning balance, supporting local business enterprise and safeguarding residential and local amenity considerations warrant determination by the Planning Committee.

## 4.0 **Community Representations**

- Consultee Comments

- 4.1 Much Wenlock Town Council - Much Wenlock Town Councillors object to the application as they consider that this is an inappropriate location from which to operate businesses.
- 4.2 SC Regulatory Services - If permission is granted, I would recommend that the following condition is applied in order to protect the amenity of the adjoining residential dwelling and neighbouring residential properties.

The commercial units shall only be used during the following hours Monday to Friday 8:00am till 6:00 pm. Saturday 8 am till 1pm and not at all on a Sunday or Bank Holiday.

- 4.3 SC Archaeology - No comment
- 4.4 SC Conservation - No objection.
- 4.5 - Public Comments  
Advertised 29.09.2020. Site notice displayed 17.11.2020.  
Six neighbour letters sent.
- 4.6 Five representations received objecting to the application on grounds which may be summarised as follows:-
- 4.7 Concern that the parking plan submitted fails to show the double access gates to serve the right of way to September Cottage and that when busy, vehicles accessing the proposed commercial uses may block this access.
- 4.8 Notes that there is a wall within the Hotel car park and the right of way to the gates of Woodfield House, which means that spaces 19 and 20 do not exist. 22 spaces is more realistic as no spaces are demarcated. 8 spaces are used by staff and customers of the Marketplace shop also use the parking.
- 4.9 Statement that all the businesses are local appears surprising as they all appear to come by car.
- 4.10 Overlooking - there are existing windows which overlook the neighbouring gardens. The lower half of one window which overlooks September Cottage has recently been applied with a discreet film but this is below head height and is not an adequate solution as during warm weather the windows are likely to be opened as it is a casement window.
- 4.11 The building was previously in residential use and overtime moved to hotel rooms. The hotel bedrooms have infrequently been occupied. The use as proposed which could see these rooms used on a permanent basis would substantially diminish the privacy afforded to the occupiers of September Cottage.
- 4.12 Note that Item 19 of the Application , "Hours of Opening" that the boxed ticked is "Not Relevant". Considers that their hours of activity should be limited.
- 4.13 Although the application states that the rooms in the Forge will only be used from 9 am to 5 pm, with occasional use outside these hours. There have been lights on in the rooms as late as 10.30 pm.
- 4.14 Acknowledge that the existing businesses have not given the occupiers of September Cottage any cause for concern and that the applicant have given verbal assurances but raise concern about potential future commercial uses, and potential change in ownership of the Hotel. Questions what limitations could be put on any future businesses which may occupy the building.
- 4.15 Statement that the three current businesses are interactive with the running of the Hotel is misleading. They are independent businesses purely run for the benefit of

their owners.

- 4.16 The proposal would not add to the well being of the commercial area of Much Wenlock where there are several empty shops that could accommodate such enterprises.
- 4.17 13 St Mary's Lane does not have a front entrance and there have been instances when cars have caused difficulties by looking for a shop without a number or front door and found themselves turning in a difficult and confined area. Causing further inconvenience by having to enquire with local residents as to the actual location.
- 4.18 Financial viability of the Hotel is questioned - "running for years at 25% capacity" with 25 members of staff". No confidence that the enterprise is sustainable.
- 4.19 The Much Wenlock Civic Society objects to the change of use from hotel bedrooms to be used solely as part of the Raven Hotel to six commercial units. This condition was specifically applied to protect the amenity of the neighbouring residential buildings. It was previously in residential use and due to the close proximity of residential buildings if it is not profitable to use as hotel bedrooms then the applicant should perhaps look to changing it back to residential use. This could be achieved with minor alterations, subject to planning, and it has the benefit of existing off street parking included.
- 4.20 During the course of the application two companies that were trading from the ground floor have vacated the premises and that one reason given was that access from Barrow Street via the Raven Hotel car park proved inefficient.
- 4.21 Two representation received in support of the application, which may be summarised as follows :-
- 4.22 Considers that there are no other commercial units within the town available to rent and the existing medical beauty treatments business would have no alternative accommodation within the Town.
- 4.23 Prior to the Forge being a residential property it was a commercial property and therefore the planning application is requesting the building to return back to its commercial origins.
- 4.24 The fact that there are residential properties surrounding this is testament to the town allowing residential development within the vicinity of original commercial properties.
- 4.25 Comments that as all residential properties back onto a pub car park the local proximity of a commercial property does not appear to have deterred the current residents from purchasing their houses.
- 4.26 There have been three business occupying the building FaceBox Aesthetics, Charlie s Angels and The Wenlock wedding boutique. Charlie s angels is the only business that has vacated to a more suitable premises for a cleaning operation. 2 businesses that are very much interested in occupying the other rooms

which quite rightly have not been agreed to until the matter is resolved. Both of which would be very part time and far less disruptive than a fully occupied hotel with a minimum of 12 occupants coming and going all hours.

## 5.0 THE MAIN ISSUES

Principle of development  
Residential Amenity  
Historic Environment  
Access/Parking

## 6.0 OFFICER APPRAISAL

### 6.1 Principle of development

6.1.1 Core Strategy Policy CS13 'Economic Development, Enterprise and Employment', supports enterprise and seeks to deliver sustainable economic growth and prosperous communities. This is reiterated in policy MD4 of the SAMDev Plan which indicates that employment land and development will be delivered by permitting proposals that are sustainable. The National Planning Policy Framework (NPPF) allows for a presumption in favour of sustainable development and Chapter 6 looks to build a strong and prosperous economy. It also noted, that paragraph 81 (d) of the NPPF makes reference planning policies being flexible enough to accommodate needs not anticipated in the Development Plan, to allow for a rapid response to changes in economic circumstances.

6.1.2 Much Wenlock is identified in the Settlement framework (Schedule MD1.1 of the adopted SAMDev Plan) as a Market Town within which sustainable development will be supported having regards to the relevant policies, in this case policy CS3 and to the principles and development guidelines set out in settlement policy S13 and policy MD4.

6.1.3 SAMDev policy S13 confirms that proposals for new development in the Much Wenlock Neighbourhood Plan area should refer to the Neighbourhood Plan and should take account of known infrastructure constraints and requirements, as identified within the Much Wenlock Place Plan and LDF Implementation Plan. Policy MD4 sets out the approach to supply/deliver and the development management of employment land.

6.1.4 Policy MD4 states that employment land and development will be delivered by permitting proposals that are sustainable development and:

- i. are on committed or allocated sites (portfolio sites) identified in Policies S1 – S18 and on the Policies Map; **or**
- ii. are other suitable development sites; **and**
- iii. comprise Class B or sui generis uses which include industrial or commercial employment opportunities;
- iv. are operations which are compatible with adjoining uses;
- v. satisfy the relevant settlement policy and accompanying development guidelines.

6.1.5 The Much Wenlock Neighbourhood Plan (MWNP) was adopted in July 2014 and

sets out the development strategy for the town and parish of Much Wenlock. The Neighbourhood Plan is in conformity with the NPPF and Shropshire's Core Strategy and was prepared alongside SAMDev. Having been successfully examined and supported by the community through a referendum the Neighbourhood Plan is now part of the formal development plan for Shropshire alongside the Core Strategy and SAMDev documents.

6.1.6 Objective 2 (The economy and jobs - EJ) of the MWNP seeks to support new business premises in suitable locations and to protect the vitality of the town centre (amongst other aims). Policy EJ2 seeks to protect existing employment sites from uses other than employment purposes unless it can be demonstrated that the on-going use of the premises is no longer viable (on the basis of the criteria set out in Appendix 1 of the Plan) or the alternative proposal would provide demonstrable employment benefits to the local community and contribute to its long term sustainability. Furthermore policy EJ3 supports new business development on land already in commercial use subject to the following criteria:-

- ☐ - the scale and nature of the proposals would not have significant harmful impacts on the amenities of adjoining activities; and
- ☐ - the scale and nature of the proposals would not have unacceptable conflicts with agriculture and other land-use activities; and
- ☐ - the proposal would not have unacceptable impacts on the local road network.

6.1.7 Furthermore, policy EJ4 supports the provision of any new or additional retail floor space in the retail core of Much Wenlock (High Street/Barrow Street) provided that it complements local provision and enhances the towns unique shopping offer and its role as a Key Centre. Outside the retail core this policy supports retail floor space if it also is compatible with the size and scale of the existing town centre and does not impact adversely on the road network.

6.1.8 The supporting text of the MWNP identifies that Much Wenlock has a relatively buoyant local economy with a long-established business base and that residents and businesses alike are keen to promote economic prosperity and encourage growth in local employment, particularly for young people. It also explains that the Plan is designed to achieve this by helping existing employers to stay and grow, enabling the town to act as an employment centre for the outlying settlements and encouraging new businesses to invest and create a wide range of new jobs for local people. It also explains that the aim is to manage significant inward development pressure (housing and employment opportunities) to diversify and strengthen the local economy and to ensure that Much Wenlock does not simply become a commuting settlement.

6.1.9 The site lies within the centre of Much Wenlock being between Barrow Street and the Town Centre Car Park. Whilst it lies outside the retail core, as identified in the MWNP it is already in commercial use as hotel bedrooms and is sustainably located.

6.1.10 The nature and scale of the units proposed are unlikely to add significantly to the existing problems of heavy traffic identified in the MWNP and would be compatible with the existing character of this Market Town, acknowledged in the MWNP as

being dominated by self employment and assist in encouraging new employment opportunities, whilst repurposing and existing building and supporting an existing local business to generate additional income stream.

- 6.1.11 Having regards to the above it is considered that the proposal would meet in principle the aims of the relevant planning policy as identified above.

**6.2 Residential Amenity**

- 6.2.1 As noted above one of the main determining issues in this case is whether the proposed uses would be compatible with the existing adjoining uses compared with the existing authorised use. Policy CS6 of the Core Strategy refers to the need to safeguard residential and local amenity and recognises the importance of ensuring that developments do not have unacceptable consequences for neighbours.

- 6.2.2 The building, subject of this application is physically attached at the southern side with a terrace of three properties which are in residential use and indeed it is understood to have been in use as a dwelling house prior to it gaining planning permission to be used for bedroom accommodation in association with the Raven Hotel. Immediately to the north of the building the site adjoins the vehicular access and garage/ garden to 27 Barrow Street and beyond that to a detached dwelling house, known as The Old Stables.

- 6.2.3 Access to the building is via the yard area which serves the building and then through the existing car park to the Raven Hotel to the east. The building has frontage onto St Marys Lane beyond which is the public car park to the west, however no access to the building can be obtained from this elevation. The immediate surroundings have a mixed residential and commercial character as often found in the centre of historic market towns and whilst the same level of residential amenity cannot be expected compared to someone living in a wholly residential area, nevertheless, it is still important to consider any impact upon existing residential properties in the locality.

- 6.2.4 No alterations are proposed to the building as part of the change of use proposed. There are long established existing first floor window openings to the north, south and east elevations.

- 6.2.5 Representations have been received raising concerns about the potential adverse impact of the proposed change of use. In particular concern has been raised that as there are existing windows which overlook the neighbouring gardens the proposed change of use would lead to an unacceptable loss of privacy. Representations also note that the lower half of one window which overlooks September Cottage has recently been applied with a discreet film, however representations state that this is below head height and neighbours are concerned that this is not an adequate solution as, during warm weather, the windows are likely to be opened.

- 6.2.6 In addition concern has been raised that the proposed use would lead to increased noise and disturbance than currently experienced, but acknowledge that the lawful use of the building as hotel bedrooms has been infrequent.



- 6.2.7 The use of the building as proposed for mixed businesses would give rise to a pattern of behaviour which differs from the pattern of use of the residential properties in the street and to the authorised use as hotel bedrooms. However, the first floor windows in the building are long established and the authorised use of the building as hotel bedrooms allows for use all year round. In respect of the windows on the north elevation which abut the mutual boundary with the rear garden /vehicular access and garage to 27 Barrow Street and a dwelling, The Old Stables, beyond, the first floor windows are secondary windows/serve bathroom facilitates and could be conditioned to be obscure glazed/glazing film applied, and fixed which would ensure that adequate privacy is maintained. The existing ground floor windows on this elevation are high level and indeed look out onto the access / parking area which is readily visible from St Marys Lane. With respect to the first floor windows on the south elevation which have views across the rear of September Cottage these are set back from the mutual boundary and it is considered that a restriction on the use of the building to working hours would safeguard privacy during the more sensitive evening times and would be sufficient to balance business and residential interests in this case.
- 6.2.8 The Unit 1 (first floor) and Unit 4 (ground floor) which utilise the same access doorway from the yard, is occupied by an "Aesthetics Clinic". This use would come under the same use as a beauticians, and as such would fall into sui generis use, that is a use which is in its own category, unlike retail and commercial premises which fall into the new E Use Class. Furthermore, it is considered that the number of visitors/clients to the premises would be small and in the case of the beauticians by appointment.
- 6.2.9 With respect to this it is considered that appropriately worded conditions could be attached to any grant of planning permission to ensure that the type of uses occupying the proposed units were compatible with the immediately adjoining residential uses, such as retail and financial/professional services, and that the hours of occupation/business were limited appropriately.
- 6.3 **Historic Environment**
- 6.3.1 The proposal affects a non-designated heritage asset (as defined under Annex 2 of the NPPF) and it is understood that part of the building was a former forge / blacksmiths. The walling to 13 St Mary's Lane also adjoins the curtilage of Raven Hotel and 29 Barrow Street which are grade II listed buildings and the site also lies within the Much Wenlock Conservation Area.
- 6.3.2 Core Strategy policy CS17 seeks to protect and enhance the diversity, high quality and local character of Shropshire's built and historic environment. Furthermore, SAMDev policy MD13 requires that wherever possible, proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings. The policy also encourages proposals which deliver positive benefits to heritage assets. These are consistent with the guidance set out in National Planning Policy Framework (NPPF) with respect to the Historic Environment and the duty to have special regard to the desirability of preserving or enhancing the special interest of listed buildings and their settings in exercising statutory functions (under section 66 of the T&CP Listed Buildings and Conservation Areas Act 1990).

6.3.3 The NPPF requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution of heritage assets can make it sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness.

6.3.4 In this case it is noted that the scheme proposes no alterations to the building and the SC Conservation raises no objection to the proposed reuse.

#### 6.4 **Access/Parking**

6.4.1 Core Strategy Policy CS6 requires all development to be safe and accessible to all and have appropriate parking. It also seeks to ensure that proposals likely to generate significant levels of traffic are 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 seeks to achieve safe development and where the local road network and access to the site is capable of safely accommodating the type and scale of traffic likely to be generated.

6.4.2 The NPPF, at section 9, seeks to promote sustainable transport. At paragraph 108 – 109 it states that decisions should take account of whether safe and suitable access to the site can be achieved for all people and that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

6.4.3 The Council has not set local parking standards for residential and non-residential development. However at paragraph 3.15 of the SAMDev Plan, which is part of the explanation to Policy MD2 (Sustainable Design), it states that developments must be designed so as to not result in an unacceptable adverse impact on local infrastructure, and gives as an example that adequate on-site parking should be incorporated within a development site to ensure that cars do not overspill onto surrounding roads and thereby negatively impacting on the local road network.

6.4.4 The MWNP seeks to ensure (Objective 4) that new development has sufficient car parking to meet the current and future needs as mentioned above and to resist development proposals which would result in the loss of off-street car parking.

6.4.5 In this case the proposal is considered to be sustainably located, and given the nature and scale of the units proposed, it is considered that the scale and type of the traffic which would be generated is unlikely to add significantly to the existing problems of heavy traffic within the Town.

6.4.6 The information submitted with the application indicates that whilst the parking spaces are not currently demarcated the existing Raven Hotel car park has capacity to accommodate some 28 spaces. The applicant proposes to dedicate the space adjacent the mutual boundary with No.29 Barrow Street (identified as spaces 1 - 8 inclusive) for the proposed commercial units, leaving the remaining 20 spaces within the existing car park for the Hotel use. It is also noted that there is a

yard area immediately adjacent the building, subject of this application, which could potentially be used for vehicle parking if required.

- 6.4.7 Representations have been received which question the practical number of spaces which could be achieved, in the light of the existing rights of way to properties which bound the car park and also the position of a remnant of walling. Nevertheless it is evident that the existing car park, could provide parking for the Hotel together with the proposed use without necessarily obstructing the existing rights of way, and that whilst customers of the Market Place also use this car park these spaces would be used for a short period of time. It is estimated that the car park could provide between 22-28 spaces. The applicant states that the Forge would have approximately 8 dedicated spaces, which would leave the remaining 14-20 spaces for the Hotel use. The Hotel would be left with some 14 bedrooms the occupants of which are likely to be utilising the spaces at a time when the Forge and indeed the Market place would not (i.e. evening/overnight). As such it is considered that the pattern of usage of the car parking spaces is complimentary and would be sufficient in this case and unlikely to lead to unacceptable displacement parking on the surrounding roads in the Town.

6.5 **Other Issues Raised**

- 6.5.1 Representations have been received expressing the opinion that the building should be returned to a dwellinghouse. Whilst this is merely an opinion and not a determining issue, the applicant has responded to this comment that the property was in fact offered for sale for most of 2019 into 2020 but there was no interest hence the decision to offer the building for the use as proposed.

7.0 **CONCLUSION**

- 7.1 It is considered that the nature and scale of the units proposed are unlikely to add significantly to the existing problems of heavy traffic identified in the MWNP and would be compatible with the existing character of the Town. The proposal would also assist in encouraging new employment opportunities, whilst repurposing an existing building, which helps to safeguard the future of this non-designated heritage asset in the Conservation area and supporting an existing local business to generate an additional income stream. Furthermore, the proposal would not result in a significant loss of amenity for the occupiers of nearby properties compared with the existing authorised use as hotel bedrooms, providing conditions controlling the hours of operation and the use are imposed. It is recommended that planning permission be granted subject to appropriate conditions.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

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

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The

courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

## 8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

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

## 8.3 Equalities

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

## 9.0 Financial Implications

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

## 10. Background

Relevant Planning Policies

Central Government Guidance:

National Planning Policy Framework

National Planning Practice Guidance

Shropshire Core Strategy policies:

CS3 Market Towns and other Key Settlements

CS6 Sustainable Design and Development Principles

CS13 Economic Development, Enterprise and Employment

CS17 Environmental Networks

CS18 Sustainable Water Management

SAMDev Plan policies:

MD2 Sustainable Design

MD4 Managing Employment Development

MD12 Natural Environment

MD13 Historic Environment

S13 Much Wenlock

Much Wenlock Neighbourhood Plan

RELEVANT PLANNING HISTORY:

BR/APP/FUL/06/0364 Use of dwelling for six letting bedrooms in connection with adjacent raven hotel GRANT 3rd July 2006

## 11. Additional Information

View details online: <https://pa.shropshire.gov.uk/online-applications/simpleSearchResults.do?action=firstPage&searchType=Application>

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) Councillor Gwilym Butler
---

Local Member Cllr David Turner
-----------------------------------

Appendices
------------

APPENDIX 1 - Conditions

## APPENDIX 1

### **Conditions**

1. Within 2 months of the date of this permission details of how the first-floor windows in the North elevation shall be fixed to be non-opening and obscure glazed/glazing film applied, shall be submitted to the Local Planning Authority (LPA) for approval in writing. The approved measures shall be installed in accordance with a timetable approved by the LPA and shall thereafter be retained.

Reason: To preserve the amenity and privacy of adjoining properties.

2. The building shall be used solely for commercial uses falling within Class E (a-retail), (c-financial and professional services) and (g)(i - office) of the Town and Country Planning (Use Classes) (Amendment) (England ) Regulations 2020, with the exception of units 1 and 4 which shall be used as an Aesthetics Clinic (sui generis use) and the first floor of the remaining building which shall be used for commercial office uses falling within Class E (c -financial and professional services ) and (g)(i- office) of the Town and Country Planning (Use Classes) (Amendment) (England ) Regulations 2020 only.

Reason: To safeguard the amenities of nearby residential properties.

3. The commercial units and aesthetics clinic hereby approved shall not be used outside the hours of Monday to Friday 8:00am till 6:00 pm, Saturday 8:00 am till 1:00pm and not at all on a Sunday or Bank Holidays.

Reason: To safeguard the amenities of the nearby residential properties.

### **Informatives**

1. In determining this application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework

National Planning Practice Guidance

Shropshire Core Strategy policies:

CS3 Market Towns and other Key Settlements

CS6 Sustainable Design and Development Principles

CS13 Economic Development, Enterprise and Employment

CS17 Environmental Networks

CS18 Sustainable Water Management

SAMDev policies:

MD2 Sustainable Design

MD4 Managing Employment Development

MD12 Natural Environment

MD13 Historic Environment

S13 Much Wenlock  
Much Wenlock Neighbourhood Plan

2. In arriving at this decision Shropshire 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.

3. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from [www.planningportal.gov.uk](http://www.planningportal.gov.uk) or from the Local Planning Authority. The fee required is £116 per request, and £34 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.