

Development Management Report

Responsible Officer: Tim Rogers

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Summary of Application

Application Number: 13/04956/FUL	Parish:	Bridgnorth Town Council
Proposal: Erection of one dwelling and formation of access		
Site Address: The Habit 30 East Castle Street Bridgnorth Shropshire WV16 4AN		
Applicant: G C Rickards (Investments) Ltd		
Case Officer: Thomas Cannaby	email: planningdmse@shropshire.gov.uk	

Grid Ref: 371681 - 293029



Recommendation:- Grant Permission subject to the completion of a Section 106 Agreement relating to the affordable housing contribution and to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This application was placed on the committee agenda for the 24th June 2014 meeting. The Committee deferred decision on the application to request that the applicant supply a daylight analysis study to provide additional information to assess the impact of the development on the nearby residential properties in terms of loss of light. This information has now been provided and the report amended as appropriate (see 6.3.6 – 6.3.9 below).
- 1.2 The proposal is for the erection of a single dwelling on a plot of land to the rear of the former Habit public house in East Castle Street. A previous application (13/03529/FUL) was submitted for 3 dwellings on this site, but this was withdrawn following the consultation period and before any decision was made on the application.
- 1.3 The proposed dwelling would have an L-shaped footprint, with the longer elevations set parallel to the side elevation of 5 Bank Street and also across the rear of the property which would run in line with the rear of 5 Bank Street. The property would be a three storey dwelling to the front, and a two storey dwelling to the rear due the property being set into the ground and the change in ground levels between Bank Street and the internal ground levels of the site. The upper floor of the property would be located partially in the roof space, and would be lit by eaves level dormer windows.
- 1.4 In terms of scale the property would have an eaves level slightly below that of No.5 Bank Street, approximately in line with the eaves level of the dwelling opposite on Castle Terrace, and with a ridge height comparative to No. 5 Bank Street. The width of the dwelling would be approximately the same as the width of the two storey block of 5 Bank Street, with the property set back from the front elevation of No.5 and with the L-shaped footprint creating a staggered frontage that steps back the front elevation as it approaches the junction with Castle Terrace.
- 1.5 The site is bordered by a tall brick wall, with runs from the gateway leading to the Habit off Castle Terrace, around the site boundary to adjacent to No.5 Bank Street. The application would remove a more recent section of this wall to enable a frontage onto Bank Street to be created, but would retain the wall along Castle Terrace and partially along Bank Street.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is a plot of land located to the rear of the former Habit public house which has been granted consent to be converted into dwellings. The land is a car park/yard area, bordered by a tall brick built wall forming the boundary with Castle Terrace and Bank Street.

2.2 The site is at an elevated position in comparison to Bank Street, with the land inside the boundary wall being approximately 2m higher than the level of Bank Street.

2.3 The site is located within the development boundary of the town (as set out in the Bridgnorth District Local Plan saved policy S1), and also within the Conservation area.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The application is referred to committee for determination as the Town Council has expressed a view contrary to the Officer recommendation.

4.0 Community Representations

4.1 - Consultee Comments

4.1.1 Bridgnorth Town Council – Objects

Updated comments:

Members of Bridgnorth Town Council's Planning Committee re-examined this application in the light of additional information which had become available and RESOLVED: that Members submit a revised recommendation of refusal having taken into account new information received regarding the window in the side of 5 Bank Street, which was not shown on the plans submitted; the loss of right to ancient lights on the existing properties both on Castle Terrace and opposite the proposed development in Bank Street, which was now apparent from information not originally available to Members by way of correspondence and photographs; and that as a result it was felt that the aforementioned had a detrimental effect which would not enhance this Conservation Area and would therefore result in an over development.

Original comments: (Comments withdrawn).
Recommend approval

4.1.2 Shropshire Council Conservation Officer – Recommend approval subject to conditions

The Proposals would enhance and reveal the significance of the Conservation Area. As such it accords with policy 137 of the NPPF and Policy CS6 of the Shropshire Core Strategy.

4.1.3 Shropshire Council Archaeologist – no objection subject to conditions

Latest response following submission of archaeological investigation of site as detailed in archaeology section below.

4.1.4 Shropshire Council Ecologist – No comments on application

4.1.5 Shropshire Council Land Drainage – no objection, drainage details can be conditioned.

4.1.6 Shropshire Council Highways – No objections.
Comments on previous application (13/03529/FUL)

4.2 - Public Comments [summary of issues]:

4.2.1 9 Objection comments:

- Loss of light to nearby properties due to height and proximity of new building. Would impact properties on Castle Terrace and Bank Street.
- Building would be overly dominant towards neighbouring dwellings.
- Change in atmosphere and character of Castle Terrace.
- Lack of Parking (1 space)
- Concerns over highway safety at entrance onto Bank Street.
- Disruption caused by builders traffic and materials
- One new house would make little impact on housing stock in the area, however it would have a large impact on neighbouring properties.
- Building out of place in conservation area.
- Additional impact on overloaded drainage system, and impact of surface water run off seeping into the winding room of the funicular railway being exacerbated.
- May create precedent for more dwellings on rear gardens around the Castle Walk.

Following the report being placed on the June agenda, 2 additional representations in objection to the application were received:

- Strong objection to severe loss of entitlement to light/daylight to properties on Castle Terrace.
- Report does not adequately deal with issue of impact on overshadowing of neighbouring properties.
- A right to light has been established by occupation of the neighbouring properties.
- Application should be deferred and a light/daylight impact assessment should be requested before a decision is taken
- Principal and specific objection is that the building will deprive main bedroom of most vital light by blocking the only window to the bedroom.
- The plans show that the wall of the house will be directly in front of the window albeit with a few feet between the 2.
- If you could look at the plans and the east elevation you will see my property at the back of the drawing, there are 3 gable ends and mine is the final one. The dormer window of the proposed property completely blocks my window.
- The sun shines from the back of my property and never from the front. The proposed building would prevent any light coming from the back and the only possible light would come from the front, which in turn would now be significantly darkened by the proposed property. The position of the sun needs by law to be taken into consideration.
- The law, as I have been advised, states that I am entitled to ancient rights of light providing it has existed for more than 20 years.
- Building infringes on 45degree rule for development in front of windows.
- Issues is loss of light, not loss of view.
- The right to light is important and it is not only myself who will be affected. The properties immediately in front of me in Bank Street will lose huge

amounts of light, as will those on Castle Terrace.

- there are the other objection of a practical nature, which the residents have raised; parking, drainage, overdevelopment etc., making the application extremely contentious.

4.2.2 Comments in Support:

- Supports 1 residential unit
- Application has addressed many of the issues raised in objection to the previous scheme for 3 dwellings which was withdrawn, in particular there would no longer be a development fronting Castle Terrace, and causing access issues.
- No objection subject to:
 - o Prohibition of vehicular access from Castle Terrace
 - o Measures put in place to ensure continual access to Cliff Railway station during construction
 - o Measures taken to address surface water run off from site.

5.0 THE MAIN ISSUES

Principle of development
Siting, scale and design of structure
Impact on neighbour amenity
Highway safety and parking provision
Drainage
Archaeology

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 Bridgnorth is a market town under Core Strategy policy CS3 as a focus for development and Local Plan policy H3 identifies Bridgnorth as a settlement where general market housing may be permitted on appropriate sites and where it would reuse currently vacant land within the town development boundary. If permitted the proposed development would be subject to a contribution towards affordable housing, to be secured by a S.106 legal agreement, and a payment under the Community Infrastructure Levy as set out in policies CS9 and CS11 of the Core Strategy.

6.1.2 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 there is the obligation to have special regard to the desirability of preserving the character or appearance of Conservation Areas in carrying out statutory functions. Core Strategy policies CS6 and CS17 are consistent with this guidance, with CS6 requiring development to protect, restore and enhance the natural, built and historic environment and to be appropriate in scale, density, pattern and design taking into account the local context and character. CS17 states that development should protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.

6.2 Siting, scale and design of structure

- 6.2.1 A number of third party comments have raise questions on whether or not the design of the proposed dwelling is appropriate for the site in the conservation area. The Council's Conservation officer has been consulted on this proposal and has commented that the design would not have an adverse impact on the character or importance of the conservation area.
- 6.2.2 The building has a similar height and massing as that of the adjacent property No.5 Bank Street, and would be set back from the front elevation of Bank Street, with a staggered front elevation which would respond to the corner of the junction with Castle Terrace. Whilst the property would be a tall building, and create a somewhat enclosed street in this location, this would not be out of place with the townscape in the area which is characterised by narrow streets along both Bank Street and Castle Terrace.
- 6.2.3 When viewed from the vantage along Castle Walk, the site is largely screened from view until a viewer is close to the site, passing the Cliff Railway Station building, at which point the view of the site is largely taken up by the tall boundary wall which would be retained, with the new dwelling visible about this and presenting a gable end to the side. Views from further along the Castle Walk are restricted by a change in ground levels, the boundary walls that border the Castle Walk and also the presence of a modern styles outbuilding in one of the rear gardens.
- 6.2.4 It is considered that the proposed dwelling would reflect the character and setting of the conservation area through the design and style of the proposed dwelling, and the position of the property in the street scene which would reflect the narrow street patterns in the area whilst the staggered frontage would respond to the corner junction between Castle Terrace and Bank Street. The split level property with a frontage along Bank Street would relate well to existing development patterns in the area, and allow retention of the older sections of the distinctive boundary wall along the Castle Terrace boundary.

6.3 Impact on neighbour amenity

- 6.3.1 Core Strategy policy CS6 seeks to safeguard residential and local amenity. A number of comments have been received which raise the issue of the impact of the development on the amenities of nearby dwellings, in particular the impact on the properties on Bank Street and Castle Terrace. This is also an issue which the Town Council has raised, and appears to have been key in their reconsideration of the application and determination to alter their original recommendation from approval to objection.
- 6.3.2 The provision of a building on this site would inevitably have an impact on the amenities of surrounding properties, due to the proximity of the site to nearby dwellings. The question for the committee is whether this impact is unduly detrimental to the amenities of surrounding properties. The impact would consist of 3 main issues, the impact on the neighbouring property at No.5 Bank Street, the impact on the properties opposite the site on Bank Street, and the impact on the properties along Castle Terrace.

- 6.3.3 In terms of the neighbouring property, No.5 Bank Street, the impact on the general amenity of the dwelling would be limited as the proposed building would be set in line with the rear elevation of No.5 and with overlooking of the rear garden area no more than is typical between two adjacent dwellings. However, No.5 does have a side window set high up in the gable end facing the application site which apparently serves a bedroom at this property. The proposed dwelling would have a gap between the side elevation and No.5 but would be located in proximity to this window. The impact is somewhat mitigated by the setback of the proposed dwelling in relation to No.5 as this would take the highest point of the gable end back behind this window, however there would be an impact in loss of light to this window. Comments have also been made regarding loss of views across Low Town, however loss of a view is not a material planning consideration.
- 6.3.4 The properties on the opposite side of Bank Street are likely to be affected by the proposed development the most in terms of loss of amenity due to their position to the north of the development site and so have the most potential to have the proposed dwelling overshadow them. The impact would be less than the properties further along Bank Street already experience due to the existing properties, as the proposed dwelling would be set back from the existing building line, and have a staggered L-Shaped footprint creating a staggered ridgeline. Whilst the impact on the ground floor windows would be relatively less as the existing boundary wall already has an impact on these windows, the upper floor south facing windows of these properties would experience a notable overshadowing impact as a result of the proposed development, mainly in the mornings, as the afternoon and evening sunlight is already restricted by the position of No.5.
- 6.3.5 The properties along Castle Terrace would experience some loss of light in the afternoon, as their front elevations face out to the west, however the impact of this is less than that of the properties along Bank Street due to the relative position of the dwelling being offset to the west, and not directly to the south. These properties are also mainly dual facing, with aspects out to the east with views across the valley and Low Town, and so the impact of a loss of a degree of afternoon light to these dwellings would be comparatively less than that of the properties on Bank Street whose main windows face the application site.
- 6.3.6 Following the committee's request for additional information relating to the impact on the surrounding residential properties in terms of light levels, the applicant has submitted a report which set out the impact of the development. This information plots the path of the sun across the sky during the day, and also the variation in height above the horizon due to seasonal variation throughout the year, and provides data in a bar chart showing the hours of daylight reaching a given window both currently and should the development go ahead.
- 6.3.7 In addition to the bar chart daylight hours data, the report also sets out when in the day and at what times of year the proposed development would have an impact on light levels reaching a window by displaying shadow mask diagram. This shadow mask is a representation of what can be seen from the window viewed towards the sky through a fisheye lens. White areas correspond to the sky which is visible from the window, the grey areas indicate portions of the sky that are currently obstructed

by buildings, and the orange indicates areas the proposed building would block. The large grey semi-circle is light blocked by the room that the window lies in. The blue lines indicate the movement of the sun over the course of the year, e.g. to find the sun's location at 7 AM on April 1st, find the intersection between the '1st Apr' arc and the '7' loop to find its position in the sky (100° from North, at 10° high).

6.3.8 The table below sets out a summary of the reports findings into the impact of the proposed development on the nearby residential properties:

Property	Hours of sunlight (annual)		Notes
	Current	Proposed	
5 Bank Street	1401	976	Gable end side window. Light loss mainly before 8am from September to May.
6 Bank Street	2560	1890	Upper floor windows. Light loss mainly between 7-11am from October to April.
7 Bank Street	1607	1422	Ground floor window. Light loss mainly between 7-11am from October to April.
Beaumaris (G floor)	1561	1364	Light loss mainly around midday during winter.
Beaumaris (1 st floor)	2128	1929	
5 Castle Terrace (G floor)	1773	1635	Light loss mainly during winter afternoons.
5 Castle Terrace (1 st floor)	2363	2039	
7 Castle Terrace (G floor)	1697	1445	Light loss mainly at midday during spring and autumn.
7 Castle Terrace (1 st floor)	2664	2220	

6.3.9 The above table shows that the impact on the properties on Bank Street would be mainly in the mornings, whilst the impact on Castle Terrace would be later in the day from midday through to afternoon, due to the relative positions of the properties to the application site. The impact on ground floor windows is less, due to the existing boundary wall on site already restricting light levels to these windows, with first floor windows having a relatively greater reduction in light levels due to the development.

6.3.10 The impact of the proposed property on surrounding dwellings is a significant consideration for the committee in the determination of this application. The impact on the properties on the north side of Bank Street would be the most significant, with the impacts on the neighbouring dwelling and the properties along Castle Terrace being notable but of a lesser magnitude. It has been suggested a single storey dwelling may be more appropriate on this site, however this would not relate as well to the street scene or townscape as the current proposal.

6.4 Highway safety and parking provision

6.4.1 The only vehicular access to the proposed dwelling would be through the narrow masonry archway adjacent to The Habit. This access would provide 1 car parking space in addition to allowing access for servicing the property. Although the Council's Highways Officer has advised that intensified vehicle movements through this archway are not desirable, the anticipated low number of movements and

the restrictions on vehicle flows in this location are not likely to result in detrimental highway conditions.

- 6.4.2 The scheme provides 1 off-street parking space for the dwelling and due to the town centre location of the site, it may be considered as a sustainable location with nearby shops and transport links. There is some on-street parking in East Castle Street, beyond the archway access and this is time limited for non-residents and controlled by permit for residents. The Council's Highways Officers have advised that it is unlikely that the occupants of the proposed dwelling would qualify for a residents parking permit as they would not front onto East Castle Street.
- 6.4.3 This site is close to the Town Centre where there is access to public transport and public car parks. Government Guidance, previously set out in PPG13, stated that local authorities should not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls.
- 6.4.4 Given this guidance and the location of the dwelling near to the town centre, the provision of 1 off street car parking space to serve the dwelling is considered to be an adequate provision of parking for the proposed development.
- 6.4.5 A number of comments received on the application raise the issue of how the construction of the building, if permitted, along with construction traffic and storage of materials would impact on the amenities of the nearby properties, and also on the access to the nearby Cliff Railway Station on Castle Terrace. If the application were to be permitted, conditions to control the hours of work, along with a traffic management plan to control the types and times of construction traffic to and from the site could be attached to any decision notice issued in order to mitigate these impacts. As such impacts would be temporary and cease at the end of the construction period, this is not an issue which would warrant refusal of an application if the committee consider the proposal otherwise acceptable.

6.6 Drainage

- 6.6.1 Some concerns have been raised with regards to how surface water run off from the site would be dealt with and how this would impact nearby dwellings, in particularly the Cliff Railway station to the east. The site is already surfaced and the proposed dwelling would not increase the overall run off of the site and has potential to reduce run off. The Council's land drainage section have commented that the site can be adequately drained but that details of the specifics of this could be controlled by condition. Due to the archaeology concerns on the site, detailed below, it is difficult to finalise a drainage plan at this stage as any discoveries resulting from archaeological works may have implications on the drainage scheme proposed. As such it is considered appropriate it condition all drainage of the site for later approval if the committee determine to grant approval.

6.7 Archaeology

- 6.7.1 The proposed development site lies within the historic medieval core of the town of Bridgnorth (PRN 06044) as defined by the Central Marches Historic Towns Survey, within the extent of the outer bailey of Bridgnorth Castle (HER PRN 00371 Scheduled in part) and tenement plots within outer bailey of Bridgnorth Castle, (HER PRN 05630). It also occupies a group of tenement plots to east of East Castle Street (HER PRN 06032), lies adjacent to parts of the medieval street system (HER PRN 05647) and a short distance from the presumed line of the town defences (HER PRN 00374) and the site of the North Gate and Barbican of Bridgnorth Castle (HER PRN 00422).
- 6.7.2 Previous archaeological work this area has revealed remains thought to relate to the development of the castle or the earlier settlement. The site has marked differences in level in relation to the surrounding streets thus increasing its potential for buried archaeology and is bounded on its eastern extent by a red brick wall with crude stone courses at its lower levels which may relate to earlier settlement, and a section of which is to be cut through as part of the development.
- 6.7.3 An archaeological evaluation of the site has now been completed and a report submitted in support of this application (SLR Ref: 406.04694.00001). A single L shaped trench was excavated to an initial total length of 7m (north-south) and 6m (east-west) with a 1m extension to the west.
- 6.7.4 The report concludes that, despite the trial trenching being only a keyhole glimpse into the archaeological potential, the impact of the development is unlikely to impact on significant archaeology. As the evaluation does represent only a keyhole look at the potential archaeology and part of the analysis was based on hand-augered core samples that potential and significance though reduced, does remain.
- 6.7.5 In view of the above and in accordance with the National Planning Policy Framework (NPPF) Section 141, the Council's Archaeologist recommends that a programme of archaeological work be made a condition of any planning permission for the proposed development.

7.0 CONCLUSION

- 7.1 Bridgnorth is a settlement where general market housing may be permitted on appropriate sites. The proposed dwellings and associated works would not detract from the character or appearance of the conservation area, and the design is considered to reflect the character and form of the townscape in this location. The development would have an impact on the amenities of nearby dwellings, which in the case of the properties along the north side of Bank Street in particular would be significant, although comparable to the situation of properties further along Bank Street. Given the location of the site in the conservation area, and in a section of town where the urban form is close knit and defined by narrow streets and close facing properties, it is considered that, on balance, the merits of the proposal in terms of reflecting the design of nearby properties and the urban form of the area outweighs the harm caused as a result of the development on nearby dwellings. It is therefore recommended the Committee approve this application.

7.2 In considering this proposal the committee should seek to weigh up the relative merits of the proposal in terms of its design and form, against the negative impacts on nearby properties and determine if the Committee agrees with the above recommendation.

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 three months 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 1970.

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

National Planning Policies:

National Planning Policy Framework
National Planning Practice Guidance

Shropshire Core Strategy:

CS3 The Market Towns and other Key Centres
CS6 Sustainable Design and Development Principles
CS9 Infrastructure Contributions
CS11 Type and Affordability of Housing
CS17 Environmental Networks
CS18 Sustainable Water Management

Saved Local Plan Policies:

Bridgnorth District Local Plan
S1 Development boundaries
H3 Settlements appropriate for new house building
D6 Access and parking

Supplementary Planning Guidance:

Type and affordability of housing.

RELEVANT PLANNING HISTORY:

13/03530/FUL Conversion of former public house to 2 no. dwellings GRANT 31st
October 2013

13/04314/LBC Conversion of former public house to 2 dwellings GRANT 4th December
2013

BR/APP/LBC/00/0427 Retention of four floodlights on the front elevation REFUSE 27th
July 2000

BR/APP/FUL/00/0071 Construction of new access gates and new railings to replace existing wall to ramped access, reduction in height of store walls, installation of new door to replace existing window and two replacement windows GRANT 10th March 2000
 BR/APP/LBC/00/0067 Display of one wall mounted externally illuminated sign on the front elevation, one wall mounted externally illuminated sign and internally illuminated menu box on the rear entrance arch, and repainting of exterior of building GRANT 14th March 2000
 BR/APP/LBC/00/0062 Erection of two new gates, reduction in height of store walls and new railings to ramped access GRANT 10th March 2000
 BR/APP/ADV/00/0061 Display of one wall mounted externally illuminated sign on the front elevation, one wall mounted externally illuminated sign and internally illuminated menu box on the rear entrance arch GRANT 14th March 2000
 BR/APP/LBC/00/0060 Installation of two new windows and a new door GRANT 10th March 2000
 BR/87/0971 Erection of illuminated lantern sign GRANT 5th January 1988
 BR/87/0970 Erection of illuminated lantern sign GRANT 5th January 1988
 BR/87/0627 Display of illuminated signs GRANT 18th December 1987
 BR/94/0723 ERECTION OF DORMER WINDOWS GRANT 23rd December 1994
 BR/94/0713 RECONSTRUCTION OF DORMER WINDOWS GRANT 23rd December 1994
 BR/99/0313 INTERNAL AND EXTERNAL ALTERATIONS GRANT 10th June 1999
 BR/99/0312 INSTALLATION OF REPLACEMENT WINDOWS TO LOUNGE GRANT 10th June 1999

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Design and Access Statement
 Archaeological Report
 Solar Analysis

Cabinet Member (Portfolio Holder)

Cllr M. Price

Local Member(s)

Cllr John Hurst-Knight
 Cllr Les Winwood

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

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

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

2. The development shall be carried out strictly in accordance with the approved plans and drawings.

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

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No built development shall commence until details of all external materials, including hard surfacing, have been first submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the external appearance of the development is satisfactory, in the interests of the visual amenities of the conservation area..

4. No joinery works shall commence until precise details of all external windows and doors and any other external joinery have been submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of each joinery item which shall then be indexed on elevations on the approved drawings.

Reason: To safeguard the architectural and historic interest and character of the conservation area.

5. Prior to the occupation of any buildings on site details, including the extent of any demolition, of all walls and other boundary treatments shall have been submitted to and approved by the Local Planning Authority. The approved details shall be completed prior to the occupation of any of the buildings on the site and thereafter retained.

Reason: To provide adequate privacy and an acceptable external appearance.

6. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To ensure satisfactory drainage of the site and to avoid flooding.

7. No development approved by this permission shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Such a programme must be prepared and carried out under the supervision and with the agreement of an archaeologist approved in writing by the Local Planning Authority.

Reason: The site is known to be in an area of archaeological importance.

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. Number and type and visit time of vehicles to visit the site per day in connection with the construction works
 - ii. the parking of vehicles of site operatives and visitors
 - iii. loading and unloading of plant and materials
 - iv. storage of plant and materials used in constructing the development

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

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

9. The development hereby permitted shall not be brought into use until the car parking shown on the approved plans has been provided, properly laid out, hard surfaced and drained, and the space shall be maintained thereafter free of any impediment to its designated use.

Reason: To ensure the provision of adequate car parking, to avoid congestion on adjoining roads, and to protect the amenities of the area.

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

10. Demolition or construction works shall not take place outside of the following times:
 - Monday to Friday 07:30hrs to 18:00hrs
 - Saturday 08:00hrs to 13:00hrs
 - Not at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of the occupants of surrounding residential properties.

Informatives

1. Policies material to the determination of this application:
National Planning Policies:
NPPF
Shropshire Core Strategy:
CS3, CS6, CS17, CS18
Saved Local Plan Policies:
Bridgnorth District Local Plan - S1, H3, D6
Supplementary Planning Guidance:
Type and affordability of housing.
2. 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 187.
3. The applicant should consider employing measures such as the following:
Water Butts
Rainwater harvesting system
Permeable surfacing on any new driveway, parking area/ paved area
Greywater recycling system
4. Informative Consent is required from the service provider to connect into the foul main sewer.
5. 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 or from the Local Planning Authority. The fee required is £97 per request, and £28 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.

6. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.
7. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.
8. You are obliged to contact the Street Naming and Numbering Team with a view to securing a satisfactory system of naming and numbering for the unit(s) hereby approved. At the earliest possible opportunity you are requested to submit two

suggested street names and a layout plan, to a scale of 1:500, showing the proposed street names and location of street nameplates when required by Shropshire Council. Only this authority is empowered to give a name and number to streets and properties, and it is in your interest to make an application at the earliest possible opportunity. If you would like any further advice, please contact the Street Naming and Numbering Team at Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or email: snn@shropshire.gov.uk. Further information can be found on the Council's website at: <http://new.shropshire.gov.uk/planning/property-and-land/name-a-new-street-or-development/>, including a link to the Council's Street Naming and Numbering Policy document that contains information regarding the necessary procedures to be undertaken and what types of names and numbers are considered acceptable to the authority.