



Committee and date
Northern Planning Committee
19th November 2024

Development Management Report

Responsible Officer: Rachel Robinson, Director of Health Wellbeing and Prevention

Summary of Application

Application Number: 24/03420/FUL	Parish:	Shrewsbury Town Council
Proposal: Replace an existing outside toilet to create one suitable for disabled access		
Site Address: Visitor Centre And Premises At Conduit Head Nobold Lane Shrewsbury Shropshire		
Applicant: Mr Will Jones		
Case Officer: Nia Williams	email: nia.williams@shropshire.gov.uk	

Grid Ref: 347215 - 311111

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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 replace an existing outside toilet to create one suitable for disabled access, to support the buildings use as a training and meeting hall for the Shropshire Beekeepers' Association.

1.2 The site is owned by Shropshire Council, and leased by the Shropshire Beekeepers Association (a registered charitable organisation)

2.0 SITE LOCATION/DESCRIPTION

2.1 The site is accessed from Nobold Lane to the south. There is a field with radio mast and station to the north east, and a wood further to the north, a small light industrial area to the east, while to the north east the Radbrook-Mousecroft Lane Wildlife Site extends over 16 acres. The nearest residential dwellings are approximately 160m from the site.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The scheme is proposed on Council-owned land but is not in line with statutory functions and is therefore to be determined by Planning Committee as set out in part 8 of the Shropshire Council Constitution.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

4.1.1 **Shrewsbury Town Council** - The Town Council raise no objections to this application

4.1.2 **Drainage & SUDS** - This is a Minor Development and the site is not located within the SuDS Consultation Area. The LLFA will only provide standing advice on the development proposals to the LPA as an Informative Notes below:

The development is unlikely to significantly increase flood risk.

4.2 Public Comments

4.2.1 This application was publicised by way of a site notice published on 18th September 2024. No public comments have been received.

5.0 THE MAIN ISSUES

Principle of Development
Design, Scale and Character
Impact on Residential Amenity

6.0 OFFICER APPRAISAL

6.1 Principle of Development

6.1.1 The provision to replace an existing outside toilet to create one suitable for disabled access is acceptable in principle.

6.2 Design, Scale and Character

6.2.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. This is reiterated in policy MD2 of the SAMDev Plan which indicates the development should contribute and respect the locally distinctive or valued character and existing amenity value. The development should also safeguard residential and local amenity, ensure sustainable design and construction principles are incorporated within the new development.

6.2.2 The proposed scale, design and appearance of the extension will respect the existing character of the dwelling and will not result in any visual impact in the locality. The siting and scale of the proposed is therefore acceptable. The extension will have little impact as this will fall in line with the existing dwelling and the case officer has no concerns over the materials proposed as the extension will be built from materials that will complement the existing.

6.3 Impact on Residential Amenity

6.3.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity. Having regard to the proposed orientation and distance away from neighbouring properties the proposed extension will not result in any detrimental impact from causing an overbearing impact or loss of light.

7.0 CONCLUSION

7.1 The works are judged to be in scale and character with the original building and of no demonstrable harm in terms of visual impact. No significant harm is considered to arise to the local amenity and the application therefore accords with the principal determining criteria of the relevant development plan policies including CS6 and MD2 and approval is recommended.

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 - written representations, a hearing or inquiry.
- The decision is 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 a) promptly and b) in any

event not later than six weeks after the grounds to make the claim first arose 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 give 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

9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application - in so far 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

Core Strategy and Saved Policies:

CS6 - Sustainable Design and Development Principles

MD2 - Sustainable Design

CS17 - Environmental Networks

RELEVANT PLANNING HISTORY:

18/02910/FUL Creation of larger car parking area and the provision of lock up storage unit
GRANT 4th September 2018

SA/85/0632 Alterations to convert the site and existing buildings into a 'Visitors Centre'.
PERCON 30th August 1985

SA/85/0601 Alterations to convert the site and existing buildings into a 'Visitors Centre'.
PERCON 30th August 1985

SA/80/0709 General improvements of disused water tank building and wells. PERCON 28th
August 1980

SA/06/0726/F Change of use of land to civil engineering contractor's yard and erection of
workshop and storage buildings and construction of associated hardstandings WDN 30th
August 2006

18/02910/FUL Creation of larger car parking area and the provision of lock up storage unit
GRANT 4th September 2018

19/01798/DIS Discharge of condition 3 (Planting Plans) and 4 (Bat Boxes) attached to planning
permission 18/02910/FUL Creation of larger car parking area and the provision of lock up
storage unit DISAPP 6th June 2019

SA/85/0632 Alterations to convert the site and existing buildings into a 'Visitors Centre'.
PERCON 30th August 1985

SA/85/0601 Alterations to convert the site and existing buildings into a 'Visitors Centre'.
PERCON 30th August 1985

SA/80/0709 General improvements of disused water tank building and wells. PERCON 28th
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11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SJCQBXTDK6P00>

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 Chris Schofield
Local Member - Cllr Julia Evans
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, drawings and documents as listed in Schedule 1 below.

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

3. The external materials shall be as described on the submitted application form and to match in colour, form and texture those of the existing building where specified.

Reason: To ensure that the works harmonise with the existing development, and respect the residential context of the surrounding environment.

Informatives

1. Preference should be given to drainage measures which allow rainwater to soakaway naturally. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if infiltration techniques are not achievable.

Any proposed drainage system should follow the drainage hierarchy, with preference given to the use of soakaways. Soakaways should be designed in accordance with BRE Digest 365. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken if it can be demonstrated that infiltration techniques are not achievable.

If main foul sewer is not available for connection, British Water 'Flows and Loads: 4' should be used to determine the Population Equivalent (PE) for the proposed development and the sizing of the septic tank or package treatment plant and drainage fields should be designed to cater for the correct number of persons and in accordance with the Building Regulations H2.