

HiRu Renovations Limited  
c/o The Planning Group Ltd  
Mr Martin Parrish  
The Swallows  
Horton  
Wem  
Shrewsbury  
SY4 5ND

Date: 31st October 2022

Our Ref: 22/03783/VAR  
Your Ref: Hare & Hounds vary  
condition ...

Dear HiRu Renovations Limited c/o The Planning Group Ltd

## **DETERMINATION OF APPLICATION FOR VARIATION OF CONDITION**

|                              |   |
|------------------------------|---|
| <b>Location:</b>             | Hare And Hounds, Cruckton, Shrewsbury, Shropshire   |
| <b>Proposed Development:</b> | Variation of Condition No. 2 attached to planning permission 21/01756/FUL dated 15 October 2021 |
| <b>Application No.</b>       | 22/03783/VAR  |
| <b>Date Received:</b>        | 18th August 2022  |
| <b>Applicant:</b>            | HiRu Renovations Limited  |

Shropshire Council hereby **GRANT VARIATION OF CONDITION** as shown below. Please note that the conditions must be met otherwise legal action may be taken to prevent the development from proceeding.

### **Reason for Approval**

### **VARIATION OF CONDITIONS**

#### **STANDARD CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of 15th October 2024.

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



2. The development hereby approved shall only be carried out in complete accordance with the approved plans listed in Schedule 1 below and the remaining approved drawings granted under application 21/01756/FUL.

Reason: For the avoidance of doubt and to enable the Local Planning Authority to control the development.

3. No works shall take place to the building until a European Protected Species (EPS) Mitigation Licence with respect to bats has been obtained from Natural England and submitted with the approved method statement to the Local Planning Authority.

Reason: To ensure the protection of bats, which are European Protected Species.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the following development shall not be undertaken without express planning permission first being obtained from the Local Planning Authority:-

- o Extensions;
- o Additions or alterations to the roof, including dormer windows and rooflights;
- o Erection of porches;
- o Insertion of any new window or door openings;
- o Satellite antennas;
- o Chimneys and Flues;
- o Free standing buildings within the curtilage;
- o New fences, gates or walls

Reason: To maintain the scale, appearance and character of the development and to safeguard the setting of the converted barns and visual amenities of area and accord with SAMDev Plan Policy MD7b.

## **CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

5. Prior to above ground works commencing on the rear extensions hereby approved full details of both hard and soft landscape works, including boundary treatments, shall be submitted to and approved in writing by the local planning authority. The plan shall include:
  - a) Planting plans, creation of wildlife habitats and features and ecological enhancements [e.g. hibernacula, integrated bat and bird boxes, hedgehog-friendly gravel boards and amphibian-friendly gully pots].
  - b) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment).
  - c) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate.
  - d) Native species used are to be of local provenance (Shropshire or surrounding counties);
  - e) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works.
  - f) Implementation timetables.
  - g) hard landscaping materials.

h) boundary treatments.

The plan shall be carried out as approved. Any trees or shrubs which die or become seriously damaged or diseased within five years of completion of the development shall be replaced within 12 calendar months with trees of the same size and species.

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

6. Prior to the relevant works commencing on site details of the roofing materials and the materials to be used in the construction of the external walls, including the proposed method of external paint removal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the external appearance of the heritage asset is satisfactory.

7. Prior to the commencement of the relevant work details of all external windows and doors and any other external joinery shall be 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. All doors and windows shall be carried out in complete accordance with the agreed details

Reason: To safeguard the historic interest and character of the Heritage Asset.

8. Prior to their installation full details of the roof windows shall be submitted to and approved in writing by the Local Planning Authority. The installation of the windows shall be carried out in complete accordance with the approved details.

Reason: To safeguard the historic interest and character of the Heritage Asset.

9. Prior to their installation details of exterior soil and vent pipes, waste pipes, rainwater goods, boiler flues and ventilation terminals, meter boxes, exterior cabling and electrical fittings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

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

10. Prior to first occupation / use of the building, an appropriately qualified and experienced Ecological Clerk of Works (ECW) shall provide a report to the Local Planning Authority demonstrating implementation of the GCN RAMMS, as set out in section 6.6.2 of the Ecological Appraisal (Greenscape Environmental, September 2021).

Reason: To demonstrate compliance with the GCN RAMMS to ensure the protection of great crested newts, which are European Protected Species.

11. Prior to first occupation / use of the building, the makes, models and locations of bat boxes (and other roosting opportunities) shall be submitted to and approved in writing by the Local Planning Authority. Roosting opportunities shall be created in accordance with section 6.3 of the Ecological Appraisal (Greenscape Environmental, September 2021). The roosting opportunities shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the provision of roosting opportunities for bats, in accordance with MD12, CS17 and section 180 of the NPPF.

12. Prior to first occupation / use of the building, the makes, models and locations of bird boxes shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for sparrows (32mm hole, terrace design), starlings (42mm hole, starling specific), house martins (house martin nesting cups) and/or small birds (28mm or 32mm hole, standard design) shall be erected on the site. The boxes shall be sited in suitable locations, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the provision of nesting opportunities for wild birds, in accordance with MD12, CS17 and section 180 of the NPPF.

13. Prior to the development hereby permitted being first brought into use/occupied the existing accesses shall be permanently stopped up, in accordance with details to be agreed in writing with the Local Planning Authority. The parking area along the whole of the frontage of the existing buildings with the B4386 should also be removed.

Reason: To limit the number of accesses onto the highway in the interests of highway safety.

## **CONDITIONS THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

14. All works to the building shall occur strictly in accordance with section 6.3 of the Ecological Appraisal (Greenscape Environmental, September 2021).

Reason: To ensure the protection of and enhancements for bats, which are European Protected Species.

15. Prior to the development hereby permitted being first brought into use/occupied the new access layout and visibility splays shall be implemented in accordance with Drawing No.HIRU 006 Rev B and HIRU 007 Rev A.

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

16. The access apron shall be constructed in accordance with the Council's specification currently in force and shall be fully implemented prior to the development being brought into use.

Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking or re-enacting that order with or without modification), any fence or other means of enclosure at the road junction/access shall be set back to the sight lines shown on the approved plan Drawing No.HIRU 006 and HIRU 007 and those areas shall thereafter be kept free of any obstruction at all times.

Reason: In the interest of highway safety.

18. Any hedge or other boundary treatment fronting onto the B4386 is to be kept at a height of 0.9 metres at all times. Any hedge planting should be set one metre back from the rear of the visibility splays.

Reason: To ensure the provision of adequate visibility in the interests of pedestrian and highway safety.

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

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

20. If the new access is to be gated, any gates provided to close the proposed access shall be set a minimum distance of 15 metres from the carriageway edge and shall be made to open inwards only.

Reason: To ensure a satisfactory form of access is provided in the interests of highway safety.

### **Schedule 1 - Approved plans, drawings, documents**

| Description           | Reference    | Date Received |
|-----------------------|--------------|---------------|
| Proposed Elevations   | HIRUELE001   | 22.09.2022    |
| Proposed Elevations   | HIRUELE002   | 22.09.2022    |
| Floor Plan - Proposed | HIRUFLOOR001 | 22.09.2022    |

## INFORMATIVES

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.

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](mailto: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.

Where there are pre commencement conditions that require the submission of information for approval prior to development commencing at least 21 days notice is required to enable proper consideration to be given.

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.

The site is classed as brownfield, therefore a 50% betterment to the current surface water flows should be provided in accordance with Shropshire Council requirements. SUDs applicability for the site is Infiltration. The use of soakaways should be investigated in the first instance for surface water disposal. The betterment requirement will be assumed to have been achieved if all surface water is disposed of via soakaways. Percolation tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365 to cater for a 1 in 100 year return storm event plus an allowance of 35% for climate change. Alternatively, we accept soakaways to be designed for the 1 in 10 year storm event provided the applicant should submit details of flood routing to show what would happen in an 'exceedance event' above the 1 in 10 year storm event. Flood water should not be affecting other buildings or infrastructure. Full details, calculations and location of the percolation tests and the proposed soakaways should be submitted for approval.

Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway.

Should soakaways are not feasible, drainage details and calculations to limit the proposed discharge, for the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event as in accordance with the Non- Statutory Technical Standards for Sustainable Drainage Systems should be submitted for approval. The attenuation drainage system should be designed so that storm events of up to 1 in 100 year + 35% for climate change will not cause flooding of any property either within the proposed development or any other in the vicinity.

If non permeable surfacing is used on the new access, driveway and parking area or the new access slopes toward the highway, the applicant should submit for approval a drainage system to ensure that no surface water runoff from the new access run onto the highway.

On the Surface Water Flood Map, part of the site is at risk of surface water flooding. The applicant should ensure that the finished floor level is set above any known flood level or at least 300mm above the ground level.

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

The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details <https://www.shropshire.gov.uk/roads-and-highways/road-network-management/#>

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

Drainage arrangements shall be provided to ensure that surface water from the improved access, driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

The applicant's attention is drawn to the need to ensure that appropriate facilities are provided, for the storage and collection of household waste, (i.e. wheelie bins & recycling boxes). Specific consideration must be given to kerbside collection points, in order to ensure that all visibility splays, accesses, junctions, pedestrian crossings and all trafficked areas of highway (i.e. footways, cycleways & carriageways) are kept clear of any obstruction or impediment, at all times, in the interests of public and highway safety.

<https://shropshire.gov.uk/media/2241/supplementary-planning-guidance-domestic-waste-storage-and-collection.pdf>

If your proposed project requires **Building Regulations Approval** or you are unsure whether it does please contact us on **01743 258710**, email [buildingcontrol@shropshire.gov.uk](mailto:buildingcontrol@shropshire.gov.uk) or visit our website <https://www.shropshire.gov.uk/building-control/> for pre-application advice and a competitive fee.

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" which can be found using the following link:  
<http://www.shropshirefire.gov.uk/planning-applications>

If your project relates to a **Listed Building** please be aware that if, during the process of obtaining Building Regulation Approval or undertaking Fire Safety works amendments to the scheme as approved under the Listed Building Consent are requested, it is very likely that you will need to amend your approved drawings regardless of how minor the alteration may be. If this is the case, please contact the Case Officer and they will determine what action is required. Work should not be proceed until appropriate amendment/s have been approved in writing by the Council. We would advise that the carrying out of unauthorised work could represent a criminal offence under Section 9(1) of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended).

**22/03783/VAR**



Tracy Darke, Assistant Director of Economy & Place  
**Date of Decision: 21st October 2022**



## NOTES

### Conditions

You will see that your decision notice includes a number of conditions:

- You must comply with all of the conditions. If you are unclear about any of them, please contact the Planning Officer who dealt with the application.
- Some of the conditions may require you to submit further information to the Council for approval. Most conditions will need to be complied with before you start work on site.
- If you think any of the conditions are unreasonable you may appeal to the First Secretary of State, through the [Planning Inspectorate](#).
- Please also ensure that you comply with the requirements of any Legal Agreement that may accompany the planning permission.

### Informatives

Your decision notice includes a number of informatives. This gives you some extra guidance and advice which will help the development process. Please note your Decision Notice gives permission only under the Town and Country Planning Acts. You may need other approvals, for example under the Building Regulations, or Party Wall Act, or permission from your neighbour to go onto his/her land.

### Amendments

If you need to alter your approved drawings please send full details to us regardless of how small the alteration is. Your case officer will determine whether this can be agreed through a simplified exchange of correspondence or whether a revised application needs to be submitted. Further guidance can be found at [www.shropshire.gov.uk/planning](http://www.shropshire.gov.uk/planning). You should not commence work until the amendment has been approved in writing by the Council. This is **particularly important** if the project involves a **Listed Building** and work should not be proceeded until appropriate amendment/s have been approved in writing by the Council. We would advise that the carrying out of unauthorised work could represent a criminal offence under Section 9(1) of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended).

### Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then the applicant can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

An appeal must be made within six months of the date of this notice, or 12-weeks if the scheme is for that of "household" development, or minor commercial application, or within 8 weeks in the case of advertisement appeals. The appeal must be made on a form which can be obtained from the Planning Inspectorate at Customs Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online through the Planning Portal website at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)

Where an enforcement notice has been served on the same, or substantially the same, development as in the application within 2 years of the date the application was made, the period for receiving an appeal is 28 days of the date on the decision notice or the date by which the LPA should have decided the application. Where an enforcement notice was served after

the decision notice was issued or after the end of the period the LPA has to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 week deadline).

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

**If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority ([appeals@shropshire.gov.uk](mailto:appeals@shropshire.gov.uk)) and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.**

### **Purchase Notices**

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council requiring the Council to purchase the interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).