

# DECISION NOTICE

Mr M Vaughan  
c/o ARH Architectural Design  
Fao: Mr A Hewitt  
206 Liverpool Road  
Whitchurch  
SY13 1UT

Date: 4th November 2022

Our Ref: 22/02887/LBC  
Your Ref: SHA135

Dear Mr M Vaughan c/o ARH Architectural Design

## DETERMINATION OF APPLICATION FOR LISTED BUILDING CONSENT

The Planning (Listed Buildings and Conservation Areas) Act 1990  
The Planning (Listed Buildings and Conservation Areas) Regulations 1990

<b>Location:</b>	Lowcross House, 4 Green End, Whitchurch, Shropshire
<b>Proposed Development:</b>	Works to Listed Building to facilitate a change of use and conversion of ground floor retail and to include insertion of additional window to rear elevation, partition walling, staircase and facilities and installation of new frontage
<b>Application No.</b>	22/02887/LBC
<b>Date Received:</b>	22nd June 2022
<b>Applicant:</b>	Mr M Vaughan

Shropshire Council hereby **GRANT LISTED BUILDING CONSENT** subject to the conditions and reasons listed below. Please note that the conditions must be met otherwise legal action may be taken to prevent the development from proceeding.

### STANDARD CONDITIONS

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

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (As amended)



2. All works shall be carried out in complete accordance with the terms of the application and approved plans, drawings and documents as listed in Schedule 1 below.

Reason: To ensure the satisfactory preservation of the Heritage Asset.

3. 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 architectural and historic interest and character of the Heritage Asset.

4. 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.

5. A schedule of building works shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. No work shall be carried out other than in accordance with the approved schedule. All existing original features shall be retained in situ unless it is specifically shown on the approved plans, drawings and documents as shown in Schedule 1 below that they are to be removed.

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

6. All existing features of architectural and historic interest (e.g. windows, doors, ornamental plaster, joinery, staircases, fireplaces) shall be retained in-situ and fully protected during the approved works.

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

7. All new partitions and other elements of construction shall be scribed around historic and architectural features including cornices, picture rails, chair rails,

skirtings, panelling, door and window linings and shall not cut through such features.

Reason: To ensure the satisfactory preservation of the Heritage Asset.

8. Prior to the commencement of the works outlined in this application details, drawings and sections relating to any works of upgrading floors, walls, ceilings or provision of fire separation shall be submitted to and approved in writing by the Local Planning Authority before any works commence. 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.

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

Description	Reference	Date Received
Proposed Elevations	SHA135/10, Rev. A	12.10.2022
Block Plan	SHA135 - 11	22.06.2022
Proposed Floorplans	SHA135 - 06	22.06.2022
Proposed Floorplans	SHA135 - 07	22.06.2022
Proposed Floorplans	SHA135 - 08	22.06.2022
Proposed Floorplans	SHA135 - 09	22.06.2022

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).

**22/02887/LBC**

A handwritten signature in blue ink that reads "T. Darke". The signature is written in a cursive, slightly slanted style.

Tracy Darke, Assistant Director of Economy & Place  
**Date of Decision: 4th November 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 (as amended).

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).