

DECISION NOTICE

Simon Kelly
c/o Geoff Rouane
Chartered Building Surveyor
33 Glandore Road
Weston Coyney
Stoke On Trent
ST3 5QW

Date: 26th January 2023

Our Ref: 22/04272/LBC
Your Ref: Bronhaul 6 High
Street, Grins...

Dear Simon Kelly c/o Geoff Rouane

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

Location:	Bronhaul, 6 High Street, Grinshill, Shrewsbury
Proposed Development:	Conversion of existing detached barn to self-contained ancillary accommodation and occasional holiday let use and refurbishment of distressed outbuilding affecting a Grade II Listed Building (re-submission)
Application No.	22/04272/LBC
Date Received:	20th September 2022
Applicant:	Simon Kelly

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. 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. All works to the site shall occur strictly in accordance with the mitigation and enhancement measures regarding bats and birds as provided in Sections 6 and 8 of the Ecological Impact Assessment (Susan Worsfold, August 2021).

Reason: To ensure the protection of and enhancements for bats, which are European Protected Species and birds which are protected under Section 1 of the 1981 Wildlife and Countryside Act (as amended).

4. Construction works shall not take place outside 07:30 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to maintain the amenities of the area.

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

5. Prior to the above ground works commencing samples and/or details of any replacement roofing materials and walling materials 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 safeguard the architectural and historic interest and character of the heritage asset and its setting and to ensure that the external appearance of the development is satisfactory

6. All routes for internal and external mechanical and electrical services and drainage shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on these aspects for the development. 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.

7. All gutters, downpipes, soil and vent pipes and other external plumbing shall be of cast iron or cast aluminium and shall thereafter be retained as such for the lifetime of the development.

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

8. Before the relevant parts of the work are commenced, details of roofing materials, including ridge materials and detailing, together with the method of ventilating the roof voids and the method of fixing these items, shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure satisfactory preservation of the Heritage Asset.

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

10. Before relevant works commence a drawing showing the proposed area(s) of repointing and repair/replacement stonework and/or brickwork, the mortar mix and the method of removing existing mortar. Please note that old mortar shall not be removed using any mechanical tool or angle grinder. An inconspicuous pointing sample provided on site following approval of the above items samples of stone and/or brick for use in repairs and new work shall be made available to and approved in writing by the Local Planning Authority before any works commence.

The development shall be carried out in accordance with the agreed details.

Reason: To safeguard the architectural and historic interest and character of the Listed Building.

11. Prior to the commencement of the relevant works a timber-by-timber inspection of the roof and floor timber structures, its components and joints shall be undertaken. This inspection shall inform a fully detailed scheme of repairs which shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the relevant works. The scheme shall include:
 - ' A method statement, having regard to the structural integrity of the timber structures
 - ' Details of timber elements at a scale of not less than 1:50 showing full details of the components to be repaired or replaced,

' the proposed methods of repair,

' Justification for any surface treatments to be applied ie insect or fungal.

Reason: To ensure the satisfactory preservation of the Listed Building.

12. 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.

13. 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.

14. All new partitions and other elements of construction shall be scribed around historic and architectural features. eg including cornices, picture rails, chair rails, skirting's, panelling, door and window linings, and shall not cut through such features.

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

15. Prior to first occupation / use of the buildings, the following bat and bird boxes shall be erected on the site:

- A minimum of 2 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.

- A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), swifts (swift bricks or boxes), house martins (house martin nesting cups), swallows (swallow nesting cups) and/or small birds (32mm hole, standard design).

The boxes shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with adopted development plan policies MD12 and CS17 and section 180 of the National Planning Policy Framework.

16. No external lighting shall impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The external lighting scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To minimise disturbance to bats, which are European Protected Species.

CONDITIONS THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

Schedule 1 - Approved plans, drawings, documents

Description	Reference	Date Received
Biodiversity Survey and Report	BRO250721	23.09.2022
Location Plan		20.09.2022
Block Plan		20.09.2022
Other Documents	Response notes to Conservation Officer Comments	16.01.2023
Combination	BB5C	16.01.2023
Combination	BB2k	16.01.2023

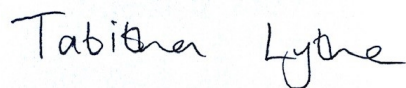
If your proposed project requires **Building Regulations Approval** or you are unsure whether it does please contact us on **01743 258710**, email buildingcontrol@shropshire.gov.uk or visit our website <https://www.shropshire.gov.uk/building-control/> for pre-application advice and a competitive fee.

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).

22/04272/LBC

A handwritten signature in black ink that reads "Tabitha Lythe". The signature is written in a cursive style with a large initial 'T' and 'L'.

Tabitha Lythe
Planning and Development Services Manager
Date of Decision: 26th January 2023

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. 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

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) and Planning Inspectorate (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).