



Date: Tuesday, 15 October 2019

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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## **NORTHERN PLANNING COMMITTEE**

### **SCHEDULE OF ADDITIONAL LETTERS**

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

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<b>NORTHERN PLANNING COMMITTEE</b>		
<b>SCHEDULE OF ADDITIONAL LETTERS</b>		
<b>Date: 15<sup>th</sup> October 2019</b>		
<p>NOTE: This schedule reports only additional letters received before 5pm on the day before committee.</p> <p>Any items received on the day of Committee will be reported verbally to the meeting</p>		
<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
5	19/03861/FUL – Pauls Moss	Members of the public
<p>Twenty five further letters of objections have been received. Issues raised mainly focus on concerns with regards to loss of internal fittings within Pauls Moss House, the scale and mass of the proposed development and detrimental impacts on amenity and privacy of the dwellings located at Pauls Moss Court, to which residents of which will lose access to open space. Concerns have also been raised with regards to the methodology used by the applicants in relation to the impact assessments on Pauls Moss Court housing. Also concerns in relation to traffic and vehicle movements in relation to Pauls Moss Court and the area known as Dodington.</p> <p>Concerns have been raised with regards to Officer consistency in relation to the previous application for development on site.</p> <p>Also raised are concerns with regards to Environmental Networks and connection of the site to the surrounding areas and especially Queens Park. Reference is also made with regards to the site's proximity to Brown Moss and other sites of wildlife interest. Concerns are raised with regard to impacts on hedgehogs on site.</p> <p>Also received are two petitions one signed by 1651 persons objecting to the proposal and the other by 90 persons. Both are in relation to saving Pauls Moss.</p> <p>The petition organiser has requested that reference is made to the following:</p> <p><i>'Pauls Moss house interior heritage has been recommended to be chucked in the bin to make way for a cafe. We are tired of Whitchurch's heritage being treated this way. The Wrekin Housing Trust have obtained the building by default and do not treasure it as we do. Save Pauls Moss have provided a workable solution for the House which retains the original features. This has been done by a highly experienced architect sympathetic to heritage. Losing heritage for a cafe is not justifiable especially when it is our community's CIL money paying for it. The site is also massively overdeveloped. The people of Pauls Moss Court will have their lives changed forever for Wrekin's profit. The transport report, public open space allocation, loss of mature trees, parking allocation, access from Dodington and Rosemary Lane especially alongside current driveways, and mass and scale of the build in the Conservation Area are all inadequate, badly designed and inappropriate. The Save Pauls Moss design which incorporates the brief in a way that the community accepts has never been discussed and evaluated by the applicants and for all of these reasons we demand a phased development which begins with the medical centre while the rest of the design is revised as</i></p>		

*appropriate.'*

#### Officer comments

The matters raised in the late letters of representation and also referred to as part of the petition raise no further issues of planning concern. It is considered that the applicants amenity impact assessment is acceptable and confirms Officers assessment in relation to residential amenity and privacy issues. Whilst it is acknowledged that the view from houses in Pauls Moss will change in a northerly direction, planning does not consider a right to a view. Use of the open space connected to Pauls Moss House is land that is part of the application site and not land connected to Pauls Moss Court. Traffic and vehicle movements along with internal fabric within Pauls Moss House have been discussed in the report.

As referred to in the report to Committee, whilst it is acknowledged some of the internal fittings within Pauls Moss House are of interest, however as referred to in the report they have no designation or planning protection. (Structure is not listed). It is understood the applicants intend retaining as many of these fittings as possible. It is considered prudent and appropriate to retain the internal hall ceilings and fittings and the applicants have indicated they intend to do so. It is understood internal doors have been filled with asbestos and as such are no longer considered fit for purpose on health grounds and as such their removal is considered acceptable.

Each application has to be considered on its merits in relation to planning policy. The balance this time in consideration of the significant changes in relation to the Conservation Area and the retention of Pauls Moss House tips the balance in favour of supporting the application. It is acknowledged that the development is significant in scale, however landscaping and open space provision is considered acceptable in relation to the application under consideration.

In response to the concerns with regards to Environmental Networks, this matter has been subject to consideration. The Council's Planning Ecologist has responded to the application raising no objections. The site is effectively a brown field site and whilst alongside Queens Park impacts in relation to this have been considered as well as to the surrounding area including Brown Moss and the site as a connecting corridor. The existing site is not considered ecologically rich 'Conditions' and 'informatives' have been recommended as attached in appendix 1 to the report and reference is made to hedgehogs which clearly have been considered during the application processing.

<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
5	19/03861/FUL – Pauls Moss	Member of the public.
Four further letters in support of the application have been received. Comments raised echo comments made in letters of support received and referred to in the Committee report.		
<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
5	19/03861/FUL – Pauls Moss	Applicants

		agent
<p>Further impact assessment plans, (3), have been received assessing impacts of the proposed development on the dwellings at Pauls Moss Court. The plans indicate existing building elevations on site as well as the proposed elevations. Consideration is in relation to impacts on the amenity and privacy of occupiers of dwellings in Pauls Moss Court as well as within the application site itself.</p> <p>Officer comments.</p> <p>The additional information received is appreciated in consideration of the development as proposed and recent objections received which are primary from residents of Pauls Moss Court and referred to above. Whilst this matter has been considered by Officers during the application processing, these plans provide further assurance with regards to impacts on residential amenity and privacy matters, which clearly is a planning issue of consideration. Whilst it is acknowledged that occupants of Pauls Moss Court will have a change in the view from the front of their dwellings, this is not a matter for planning consideration, it is the amenity and impacts on occupation of the dwellings that is a material consideration. In consideration of existing built form on site, distances in relation to the proposed development, and whilst overall development as proposed on site is considered significant in scale, it is not considered that the development will have a significant detrimental impact on the occupiers of any of the Pauls Moss Court or any other surrounding dwellings, that would be a material consideration on which basis to refuse this application.</p>		
<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
5	19/03861/FUL – Pauls Moss	Shropshire Clinical Commissioning Group
<p>A letter of support has been received from Shropshire CCG. The letter indicates that the new medical centre in Whitchurch is not affordable without the grant funding and the land which has been gifted by The Wrekin Housing Trust at no cost to the NHS. The delivery of this project is therefore critical to the sustainability of health care in Whitchurch and important to the long-term effects on physical and mental health and wellbeing of its population.</p>		
<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
5	19/03861/FUL – Pauls Moss	Applicants
<p>A revised archaeological evaluation has been received from the applicants.</p> <p>The Council's Archaeology Manager raises no objections and advises rewording of condition number 3 as attached in appendix one to read as follows:</p> <p><i>The programme of archaeological work for the development approved by this permission shall be carried out in complete accordance with the Written Scheme of Investigation by Henshaw &amp; Associates dated October 2019.</i></p> <p><i>Reason: The site is known to hold archaeological interest.</i></p>		

Officer comments

The advice as given by the Council's Archaeology Manager is noted and it is recommended that condition number 3 wording is amended to reflect the advice as given.

Item No.	Application No	Originator
6	18/00130/EIA - Kinton	Environment Agency

I refer to additional information received in support of the above application. We note that Roger Parry & Partners have now submitted a Manure Management Plan (July 2019).

Similar to other emissions, as part of the permit determination process, we do not require a MMP up front. However, Environmental Permit (EP) holders are required to subsequently operate under such a Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, in cases where this is done within the applicants land ownership such as this. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to regularly analyse the manure and the field soil to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. More information may be found in appendix 6 of the document titled "How to comply with your environmental permit for intensive farming."

<https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>

Any Plan would be required to accord with The Farming Rules for Water and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable.

In relation to subsequent control of the impacts to water from manure management, the Environment Agency is responsible for enforcing these rules which relate to The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018, which came into force on 2 April 2018.

It is an offence to break these rules and if they are breached we would take enforcement action in line with our published Enforcement and Sanctions guidance.

The above Regulations are implemented under The Farming Rules for Water. All farmers and land managers are required to follow a set of rules to minimise or prevent water pollution. The new rules cover assessing pollution risks before applying manures, storing manures, preventing erosion of soils, and managing livestock. The full information can be found at: <https://www.gov.uk/guidance/rules-for-farmers-and-land-managers-to-prevent-water-pollution>

Notwithstanding the above we note that the submitted plan is limited in its contingency measures and you may therefore seek greater clarity in this regard

including specific AD plants to be utilised.		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator</b>
6	18/00130/EIA Kinton	Natural England
<p>Summary of Natural England's Advice: Further information required to determine impacts on designated sites</p> <p>Natural England previously advised that additional information was required in order to determine impacts on designated sites. It does not appear that this information has been submitted and Natural England would therefore refer you to our previous letter dated 05 April 2018.</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator</b>
6	18/00130/EIA Kinton	Applicant's agent
<p>The applicant's agent has sent a letter dated 14<sup>th</sup> October 2019 to Members. Planning Officers will give a verbal update to Members on its content.</p>		
<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
7	19/02949/REM- Coleham	Conservation
<p>This application for consideration of reserved matters follows on from the granting of outline planning permission under application 17/01697/OUT for this residential development within the northerly extent of the Belle Vue Conservation Area, adjacent to the Seven Stars Public House, on the current site of a car park which was previously occupied by terraced houses by the mid to later 19th Century. I would refer you to our earlier comments under the outline application where revisions to the original scheme were made to address issues of verticality, massing and scale.</p> <p>With this reserved matters submission the planning case officer and I have considered three options submitted by the agent all of which in the main reflect the scale, massing, height, style and footprint of the indicative plan illustrated in the outline application, but which have differing detailing options at second and third floor levels at the junction with the Seven Stars PH. Of these options the preference is for Option 1 which of the three is a simpler design with an industrial reference and which it is felt would not visually overpower the public house or appear overly dominant within the street scene.</p> <p>Option 1 would however need to be updated to include the improved detailing shown on Option 8 such as the more minimal fitted balcony treatments and the improved external materials which are considered to have a more recessive finish in this context. A fully annotated materials and finishes plan for the Option 1 design should be included in the documents to be approved as part of this application and this should also include details of the street level plantings proposed to soften the frontage as illustrated in the outline application.</p> <p>With confirmation of these details overall it is considered that special regard has been made to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as revised in terms of the extent to which this proposal would</p>		

preserve or enhance the character or appearance of the Conservation Area along with due regard to the following local and national policies, guidance and legislation in terms of historic environment matters: CS6 Sustainable Design and Development and CS17 Environmental Networks of the Shropshire Core Strategy, Policies MD2 and MD13 of the SAMDev component of the Local Plan, the National Planning Policy Framework (NPPF) and relevant Planning Guidance and Historic England Guidance including GPA3 'The Setting of Heritage Assets'.

Item No.	Application No	Originator
7	19/02949/REM	Officer

The officer report at paragraph 6.1.12 refers to 3-D coloured visuals being provided. These have now been received and are include in the power-point presentation to committee. The Conservation officer has confirmed that Option 1 is the preferred option but with the detailing and materials as indicated in option 8. The latest 2-D drawings received have been included in the power-point presentation and reflect the detailing of option 8 but not the corner design of option 1. Amended drawings have been requested from the agent to reflect the Conservation Officer's comments.

Officers consider that subject to the submission of revised drawings (that reflect the Conservation officer's comments) the proposal would visually enhance and improve the appearance of the site and enhance the character and appearance of the locality and this part of the Belle Vue Conservation area. In determining this application special attention has been given to the desirability of preserving or enhancing the character or appearance of the Conservation area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Item No.	Application No	Originator
7	19/02949/REM	Member of the public

I have lived in Moreton Crescent for many years and am concerned that piledriving will be necessary, if this development goes ahead, because of the sandy soil near to the Reabrook.

Piledriving was used when the Cheshire Court development was built opposite the Seven Stars PH, causing some damage to structure of the terraced houses in Moreton crescent, also ornaments etc fell off mantelpieces and windowsills due to the vibration through the ground.

I am further concerned that when the road between the Seven Stars & the archway under the railway embankment becomes impassable to cars due to flooding, I.e. in front of the proposed development, then the occupants will not be able to use their car park under their apartments.

On street parking space is already at a premium due to the many terraced houses in the immediate area, whose owners have nowhere else to park.

When the forty or so owners of the new apartments cannot use their parking spaces due to flooding, which WILL happen again!, then this will just exacerbate the parking problem.

Incidentally, some years ago, Mansell did mention to me that a `Pay & Display` scheme where householders could display a parking permit to park on-street had been mooted, this scheme is used in areas of Lincoln with some success, but I have heard nothing more of it in Shrewsbury.

<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
7	19/02949/REM	Officer

Pile driving and any damage arising as a result is a civil and not a planning matter.

With regards to flooding the Environment Agency did not object to the application and flood risk was fully considered at the outline stage. Condition 16 attached to the outline permission requires a Flood Evacuation Management Plan (FEMP) to be submitted prior to occupation. The FEMP will include details for cars to be moved at times of flood risk and that the EA early warning system is signed up to.

Comments have not yet been received from Network Rail and they usually request that informative advice is added to any decision notice that outlines Network Rail's requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

Updated Highway comments have also not yet been received and these are required to ensure that appropriate highway conditions are imposed.

Officer recommendation is that delegated approval is granted to the Planning Service Manager subject to the receipt of revised drawings that reflect the Conservation Officers comments and the conditions as set out in appendix 1 attached to this report and any additional conditions or amendments as considered necessary by the Planning Service Manager following receipt of additional consultee comments.

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