



Date: Wednesday, 27 May 2020

Time: 2.00 pm

Venue: THIS IS A VIRTUAL MEETING - PLEASE USE THE LINK ON THE AGENDA TO LISTEN TO THE MEETING

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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>NORTH PLANNING COMMITTEE</b>		
<b>SCHEDULE OF ADDITIONAL LETTERS</b>		
<b>Date: 27<sup>th</sup> May 2020</b>		
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<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
5	19/04688/FUL- Glovers Meadow	Member of public
<p>Additional letter of representation received. Key issues raised:</p> <ul style="list-style-type: none"> <li>• Risk to families and children as the site is on contaminated land, old landfill site and in a very busy industrial cul-de-sac.</li> <li>• Site is in a dangerous industrial setting.</li> <li>• Impact of the use on visual amenity.</li> <li>• Effect and first impression of the proposed use on customers visiting the existing businesses on the estate.</li> <li>• Reputation of the town</li> <li>• Site is on one of the main routes into the town.</li> <li>• Potential growth of the site for travellers.</li> <li>• Impact of Covid-19 on the viability of the show persons business.</li> </ul> <p><b>Officer comments:</b></p> <p>It is considered that the issues raised are addressed in the report. The recommendation includes conditions which would restrict the number of caravans and the use of the site is specifically for members of the family concerned. The scheme also includes an enhancement to the already robust tree planting on the landscaping to minimise any visual impacts of the proposed development.</p>		
<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
6	19/05193/FUL – Carolines 1A English Walls	Planning Officer
<p>In para. 4.0 of the Committee Report, the following additional comments of the Conservation Officer should be added (these were included in the 4<sup>th</sup> February 2020 Committee Report):</p> <p><i>“The proposal affects a non-designated heritage asset that lies within the Oswestry Conservation Area, and adjacent 29-31 Church Street, which are grade II listed. The existing building dates from the mid-nineteenth century and is constructed in red brick with slate tiles. Whilst generally recessive and ancillary in scale and appearance it sits prominently within the streetscene and the wider conservation area. In considering the proposal due regard to the following local and national policies and guidance has been taken, when applicable: policies CS6 and CS17 of the Core Strategy and policies MD2 and MD13 of SAMDev, and with national policies and guidance, National Planning Policy Framework (NPPF) revised and published in February 2019 and the relevant Planning Practice Guidance. Sections</i></p>		

16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended)”.

Para. 6.1.9 of the Committee report refers to para. 195 of the NPPF which relates to situations where development proposals would lead to substantial harm to (or total loss of significance of) a designated heritage asset. For the current proposal Officers consider that there would be ‘less than substantial harm’ to the designated heritage asset (the Conservation Area) and therefore para. 195 is not relevant to the current application.

Para. 6.1.9 should therefore be disregarded, and replaced with the following:

*“6.1.9 The site lies within the Oswestry Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is given to preserving or enhancing the character or appearance of conservation areas. The site also lies adjacent to a Grade II listed building (29-31 Church Street). Section 66 of the above Act requires that special regard is given to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.*

*Para. 193 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Para. 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*

*Para. 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

*Para. 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

<b>Item No.</b>	<b>Application No</b>	<b>Originator</b>
6	19/05193/FUL – Carolines 1A English Walls	Planning Officer

If Members resolve to refuse the application Officers consider that the refusal reason should be amended to remove the reference to render as painted brickwork is now proposed, so that it reads:

*The development is considered inappropriate in relation to the location, in that it would have a significant adverse impact upon the existing integrity of the non-*

*designated heritage asset, in respect of the proposed fenestration, parapet and external finish, which would completely alter the characteristics of the existing appearance of the building, as well as removing and obscuring fabric of significance such as the existing first floor sash windows and brickwork that currently makes a positive contribution to the existing character and appearance of the surrounding conservation area. The proposal is therefore contrary to Policies CS6, CS17, MD2 and MD13 of the local plan and paragraphs 192, 196 and 197 of the National Planning Policy Framework.*

Item No.	Application No	Originator
8	20/01284/FUL – Pauls Moss	Whitchurch Allotment and Community Orchard Association

Letter of objection received. Key Issues raised:

- Flood risk to the Community Orchard which stands on land below the proposed site and the drainage, especially during extreme events will cause harm to the developing orchard.
- Concerns with regards to the lack of public open space on the development and fear that the developers will seek access onto Queensway Playing Fields from part of the field that is completely unsuitable due to being wet for most of the year (it's a moss).
- Concerned that the lack of open space will have a negative impact on the wildlife that current residents enjoy. Concerns in relation to a local hedgehog population.
- The development will see the loss of some very mature trees which local residents and wildlife appreciate in their lives, and which provide shelter and habitat that newly planted trees will take decades to replace.
- Queensway Playing Fields has a strong connection to the Pauls Moss house. The view of the house from beyond the lake is breathtaking, which is why it has been classed as part of our conservation area
- The build does not enhance the conservation area from this vantage point yet this was the original view of the front of the house.
- Other designs have been put forward to the developers and completely dismissed, yet different designs allow for retaining the heritage from all angles, provide more public open space and allow for the wildlife and mature trees to remain on site.
- We have not seen a compelling argument as to why the planning officer has not encouraged the developers to be more sympathetic to local people, who love their local heritage and conservation area, and to design something that everyone can live with.

**Officer comments.**

Drainage issues have been considered and whilst it is appreciated there is a open space area, (Queensway Park), to the front of the site, it is considered drainage issues have been adequately considered in the report to Committee and it is noted

the Council's Drainage officer raises no objections to the application. Condition number 4 in appendix one refers to a sustainable surface and foul water drainage system.

On site open space provision is discussed in the report and this does not require access onto Queensway Park as part of the consideration.

Biodiversity issues have been considered and it is noted the Council's Planning Ecologist raises no objections.

The setting of the House in relation to the surrounding Conservation Area has been considered and it is considered that this matter is also adequately addressed and this includes view points from out of Queens Park towards the Pauls Moss Mansion House.

Whilst it is acknowledged other suggested plans have been put forward by a separate party, the application and proposed plans under consideration is the one subject to this application.

Residential amenity has been considered along with impacts on the Conservation Area and historic aspect.

Item No.	Application No	Originator
8	20/01284/FUL – Pauls Moss	Members of the public

Four further letters of objections have been received from members of the public. Most issues raised are covered in the report. Amongst new issues raised are:

- Implications from the Covid-19 pandemic and the need for even further consideration to the need for adequate open space.
- Concerns with regards to the handling of the application and the response from Whitchurch Town Council.
- Many over 55 years of age have two cars per household.

**Officer comments**

Many issues as raised in letters of objections referred to above are covered within the report to Committee. Amongst what is considered key issues lately received whilst the Covid 19 pandemic is undoubtedly a very sad situation, on site open space provision has been extensively discussed in the report to Committee and there is no further points to discuss on this matter and that includes refers to the Covid-19.

Issues raised with regards to consultation and procedures by Whitchurch Town Council is not a matter for the Local Planning Authority to consider in relation to this application and members will note the response from the Town Council as outlined in Section 4.1 of the report to Committee.

The application is focused on people over the age of 55 and in need of extra car. Issues in relation to transportation are covered within the report and it is noted the SC Highways Manager raises no objections in relation to onsite parking provision.

Item No.	Application No	Originator
8	20/01284/FUL – Pauls Moss	Councillor Tom Biggins

A letter relating to on site transport and parking has been received from a local member. The letter concludes:

'As a resident of Whitchurch and a local Councillor I really want to see this new Medical Centre come to fruition.

But I also want it to work for the patients and staff. I really want to avoid it becoming a parking nightmare, just as we have at the Community Hospital. Since the first application 18/05901/FUL on this site was refused by the Northern Planning Committee in 2019, extra time has been found to look at Open Space and adapt and keep Pauls Moss House.

Can we now please sort out the car parking?

May I request that this application is deferred to the next meeting, so that constructive work on remedying the car parking deficit can be undertaken by our officers and Wrekin Housing Trust.

I note that we have one outstanding Judicial Review over Open Space. Do we really want another over car parking spaces?

**Officers Comments.**

The letter referred to above has been reviewed by the SC Highways Manager and conclusions drawn will be reported on verbally by the Highways Manager.

Item No.	Application No	Originator
8	20/01284/FUL – Pauls Moss	

*A letter of objection has been received from Eleanor Cooper a local resident complaining about the overall layout and design of the site and in particular in relation to open space provision. Concerns are outlined with regards to the loss of Lime Tree located in the southern section of the site, - considered a category A Tree. (This tree was pointed out to members by the Case Officer during the member site visit in relation to the previous application for development on site). Concerns have been raised with regards to Officer consistency and advice given by the Council’s Tree Officer in relation to development on site during the sites recent extensive planning history.*

*Concerns are also raised with regards to drainage on site and the fact that the site is located to the immediate north of Queensway Park and that this park has a wet area immediately joining the Pauls Moss site.*

*Concerns are also raised with regards to the site and access for everyone with reference to concerns that no comments have been made by Whitchurch Town Council or the Council in respect of improvements to access for everyone.*

*Accompanying the letter of objection is a Wellbeing & Environmental Appraisal produced by a Architectural Designer which concludes that ‘The new proposals for Pauls Moss, although now encompass the original form of Pauls Moss, the rest of the scheme has hardly changed. There is a severe disregard for the end users of the new facilities and residents. Good Architecture evolves when we encompass all the important criteria of the brief along with a full understanding of the site and its constraints. These elements come together by working along side an engaged community to find a well resolved solution. The right solution for the site would be well resolved and thought out. It would fit well into its context with the local community embracing the timeless approach to design. Unfortunately, and with regret there are huge problems with the scheme, which will bare weight on the new residents and local community for the whole life of the building. The problems which the community currently face in Whitchurch and localised area of Pauls Moss House will not be rectified with the erection of this “community” facility. For a building which should be promoting health and wellbeing; looking after the local community, ironically it could potentially harbour deep underlying problems with the health and wellbeing of the new and existing residents. Health and*

*Wellbeing is being compromised by the mass and scale of the building. The benefits of the proposals do not outweigh the negative impacts it will have. There are major aspects of the design which have been neglected, and it should be recognised that further exploration and configuration of the development is necessary to achieve the best solution. A new feasibility of the site produced by John Burrell of Burrell Foley Fischer shed new light on the possibilities of the development. The feasibility should be carefully considered having addressed all of the key factors of the site and brief. New plans should also enhance the green space and provide something which can be used by new and existing residents'm. (A copy of this letter and the accompanying attachment has been forwarded to all members of the Planning Committee prior to the meeting).*

*Officer comments*

The SC Tree Officer has responded to concerns as raised above indicating:

*'As the Tree Officer for both applications 18/05901/FUL and 19/0386/FUL my response to the comments raised are as follows:*

*My view has always been that the Lime tree should be classed as an "A" category tree under the industry standard classifications found in BS 5837 2012 and would be an asset to the site, but needed to be retained in ample open space for long term sustainability.*

*It is correct that I did not reiterate my previous comments when consulted on 19/0386/FUL that I believed the tree to be an "A" not a "B". With hindsight I should have restated my opinion to be clear, however this did not mean I was now agreeing with the developer that the tree was a "B" and my previous comments for this tree are all on record. I apologise for any confusion this omission on my part may have led to.*

*Whether the development could be redesigned to incorporate the tree was not in my area of expertise and none of the layout designs submitted allowed for its retention. If the principle of this development and benefits for the area outweighed the retention of this one particular tree then the next approach was to mitigate with extensive replacement planting and a more sustainable and diverse landscape scheme overall which is where my further consultation responses were then concentrated.'*

Clearly the Lime Tree is considered a 'Category A' tree and whilst its loss is disappointing, it is considered by Officers that suitable landscape mitigation has been offered to compensate for its loss, and its loss is outweighed by the material planning considerations in support of the application as discussed in the report to Committee.

Drainage issues as raised in the letter are noted and there is nothing further to add on this matter.

Concerns with regards to overall design and layout including access for all are noted and Officers have no further comment on this aspect to that as discussed in the report to Committee.