

## Land Off Mill Street Wem Shropshire

Appeal against refusal of a planning application for the erection of two blocks of residential care home comprising 50 no units with communal facilities; formation of car parking; diversion of public right of way and associated works

---

1. This statement responds to the first reason for refusal in respect of this appeal.
2. This reason for refusal relates only to the effect of the proposal on the conservation area, not nearby listed buildings, being Wem Mill (Grade II), opposite the site on the east side of Mill Street, and the Bridge over the River Boden, north of Wem Mill (Grade II) to the north.
3. S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to *“have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*; since the decision does not refer to the relationship of the appeal proposals to the listed buildings, the local planning authority agrees the proposals meet the test of s66. It is therefore difficult to understand their issue with the relationship of the proposals to the conservation area.
4. In terms of scale and massing, the Piece Regen Concept Statement (February 2017) states its purpose as *“to set out agreed parameters for the development brief for this site”* (Section 1). It quotes (P8) the Wem Conservation Area – Summary Character Appraisal, which refers to the appeal site as *“Area 1, “Gateway to Wem”*”, described as follows:

*“Area 1 - Gateway to Wem, once thriving industrial area now mostly redundant. Open area with attractive Corn Mill, still retaining its tall chimney, sits in tranquil setting on the edge of a busy thoroughfare. The area is under utilised and under maintained. Sensitive enhancements are necessary for this approach to the town.”*

5. The Officer Report seeks to differentiate the current position from that in the Council’s own Character Appraisal, stating *“However, it should be noted that this description was written before the mill was converted and extended”*. The setting clearly includes the appeal site, which is unchanged.

6. The Officer Report also states at para 6.5.4:

*“The development of the site would result in the loss of a green open space. Whilst the land is currently overgrown it does still create a feeling of openness and it allows views through the site to the trees beyond. This open area is an important area which helps to define the significance of the sites historical use; formally a mill pool. The*



*green space also gives the Mill breathing space which currently complements and enhances its setting.”*

7. This view is clearly contrary to the Council’s own Conservation Area Character Appraisal quoted above: redundant, under-utilised and under-maintained.

8. At P9, Piece Regen state:

*“Area 1 has an individual character. It is dominated by the chimney of the substantial red brick mill building on the east side of the street, and the view is partly enclosed by the Mill House opposite it, although it forms an unsatisfactory counterpoint to the very fine listed mill building.”*

9. The report continues at P10:

*“As the Conservation Area Appraisal recognises: this is the gateway into the town and is the point at which the visitor is either welcomed or repelled. It also marks the transition between the looser suburban development to the south and the tighter, urban development as you move towards the town centre. There is an opportunity here to create a development which will provide a proper entrance to the town and provide the order and maintenance to the area which it is currently lacking.”*

10. In respect of the history of the site, the report states *“this area was further developed during the 19th century, with substantial buildings shown on the Ordnance Survey Map of 1874”* (Page 4). This map, shown on page 3 of the Piece Regen document shows three large buildings on the site. The report concludes (P13)

*“The cluster of ancillary buildings that once populated the site have since vanished, reducing the impact of the Mill and its associated buildings and estate. The new building should try and re-establish these relationships by new forms and placement of blocks to reflect the heritage and significance of the Mill site.”*

11. The Officer Report states at para 6.4.10 that *“The Mill House and the through road positioned in between the two creating a visually congested appearance to the immediate area”*; however, this is in keeping with the historical layout of the site.
12. The 1874 plan shows Building 1 in a similar position to the building that used to extend out from the position of the present Mill House, and Building 2 in approximately the position of the larger L shaped building of the two buildings that originally stood to the south west of the site. Photos in the Piece Regen report viewing the site from the south show a similar context to the views provided by Khoury Architects.
13. In terms of scale, the proposed buildings are each of three storeys as seen from the road; whilst Block 1 would have an element of accommodation within the roof, this would not be visible other than from the west.



14. Within the conservation area, the immediate context is formed by Wem Mill, to the east, which stands at four storeys with a pitched roof, with a modern four storey extension to the rear. To the north of Wem Mill is a modern three storey apartment building, which reflects the scale of the northern wing of Wem Mill, if not its detail and proportions. To the north of the appeal site stands Mill House, a large, detached two storey dwelling.
15. The proposed scale of the development therefore appears to be entirely in keeping with that of the surrounding buildings in the conservation area, including listed buildings and modern extensions to them. Khoury Architects image "View 1 - View looking from South on Mill Street" illustrates this relationship, showing the proposed building to be subservient to Mill House.
16. In their subsequent Heritage Statement, Piece Regen state (P17):

*"The proposals offer the following enhancements to the Conservation Area and Listed buildings:*

- *They offer a striking entrance to Wem and its Conservation Area*
- *The siting and massing provide a symbiotic relationship to enhance the siting of Wem Mill*
- *The proposals are complimentary to Wem Mill*
- *The proposed siting enhances the key views*
- *The setting of the Mill will be enhanced by the enhancement of a overgrown and poorly maintained site.*
- *The development enhances and improves security to the local footpath network."*

17. It seems clear that this is what the proposed buildings do; it will be seen that the massing and scale of the buildings as submitted was greater than the scheme refused.
18. The Council's own Conservation Officer agrees; the Officer Report quotes him as saying (February 2019):

*"Notwithstanding the above, the proposed use of traditional local materials, combined with a contemporary design solution to a constrained site, have the potential to create a pair of architecturally striking buildings, which now provide a reasonable separation distance from the listed Mill, and are of a considerably lower ridge height, aspects of the scheme which cumulatively help to ensure that they complement and preserve the essential elements of the Mill's setting and significance. The Mill has historic and communal value and is a landmark within the Conservation Area, a primary aspect of its significance which will be preserved by the scheme."*



*“In respect of the effect of the scheme on the character or appearance of the Conservation Area, and on the basis of the Historic England guidance on assessing significance and effects, there is a minor adverse impact; however, as this is a reinstatement of built form on previously developed land at a scale and in a style that provides an enhanced setting for the existing buildings, whilst taking the constraints of flooding into account. The proposal ties this previously active semi- industrial area back into the streetscape with an innovative scheme for landscaping enhancements which provides continued public access to this valued site at the edge of the Conservation Area and protection of the important environmental network. An element of rebuilding of the boundary walls will help to provide further enhancements to the streetscene.”*

*“It is considered on balance from a historic environment perspective that the proposal can be supported in reference to the provisions of MD13 and is in accordance with Paragraph 192c, 196, 200 and 201 of the NPPF, particularly in terms of the desirability of new development making a positive contribution to local character and distinctiveness. Whilst the conversion and extension of the Mill itself has given it greater prominence within the lozenge of development at the southernmost tip of the Conservation Area, it deserves greater contextualisation on former mill lands to the west, which this architect designed scheme has carefully resolved to provide.”*

19. The reason for refusal then considers landscaping, stating that *“the constrained layout of the site, because of the flood zones results in the parking area being in a prominent and intrusive position with very little opportunity for any beneficial landscaping.”*
20. The restricted area of the development means that much of the existing landscaping in the area will be retained. The reconfigured parking utilises the existing access (and visibility splay). The existing brick boundary wall can be retained in its entire length rather than part demolished to accommodate a new access.
21. Para 4.1.7 of the Officer Report notes Historic England make no comment on the current scheme (13<sup>th</sup> August 2019) and states:

*“We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.”*

22. In this respect, it will be noted that para 4.1.4 of the Officer Report states in respect of the current scheme in a response dated 12<sup>th</sup> August 2019 that large scale landscaping is not supported, since

*“It is considered that it will conflict the vista towards the Wem Mill and Mill House from the south. It is important to maintain Wem Mill and Mill House in the same view so as to retain their close historic link.”*



*“Recommendation:*

*The trees indicated above should be removed and low level planting should be substituted and conditioned to be retained at a level which will retain the connected view of Wem Mill and Mill House.”*

23. Consequently, the proposals are again in keeping with the views of the Council’s own Conservation Officer, this time in respect of landscaping.
24. The reason for refusal then compares what it considers to be the harm arising from the proposal against what it considers to be *“limited public benefit”* arising from the proposal; there is in fact, both policy support and evidence of need for exactly this form of development.

25. Core Strategy Policy CS3: The Market Towns and other Key Centres identifies Wem to:

*“have development to strengthen its economic role and support and enhance its important community assets and to maintain its role as a sustainable place.”*

26. Supporting justification at para 4.31 states that focusing development in Market Towns and Key Centres provides a robust basis for meeting the future needs of Shropshire; in particular:

*“The ageing population is a particular issue in Shropshire, where 28.4% of the population is expected to be over the age of 65 by 2026. This represents a rise from 50,100 persons in Shropshire over the age of 65 in 2006 to 93,600 persons by 2026. The elderly are more dependent on local services and public transport than the population as a whole, giving an added impetus to the achievement of accessible centres that can provide a good range of services”*

27. Policy MD1 also supports sustainable development in the Market Towns and Key Centres.
28. CS11: Type and Affordability of Housing promotes a range of housing to meet the needs of the local community in terms of size, type and tenure. It also seeks to ensure that all housing developments are designed to be capable of adaptation to accommodate lifestyle changes, including the needs of the elderly and people with disabilities, as well as the provision of housing for specific housing needs groups in appropriate locations and where there is an identified need.
29. These proposals meet the definition in the Shropshire Type and Affordability of Housing SPD 2012 at para 4.24, which confirms non-market housing, including affordable rented housing, low cost home ownership (as defined within this SPD) and specialist non-market supported housing schemes for vulnerable groups are exempt from the definition of *“new open market housing”* for the purpose of making affordable housing



contributions. The housing provided will comprise affordable housing as defined in Appendix G of the SPD.

30. The SPD goes on to confirm at para 2.6 within a section entitled “Addressing Specialist and Supported Housing Needs” that:

*“Provision has to be made for the increasing number of elderly people in Shropshire and for other vulnerable groups who need either specialist accommodation or a setting where appropriate support can be provided. This provision may be made through the provision of new market housing (eg. for older people), adaptation to existing housing or through some form of specialist provision, such as supported housing for adults with learning difficulties or other types of accommodation to enable people to live independently in their own homes.”*

31. The proposal responds directly to these specific needs, providing good quality living accommodation for the elderly close to the centre of a town identified under Policy CS3.

32. Furthermore, the appellants submitted a report with the amended proposals entitled “Evidence and Information in Support of the Development of Extra Care Housing for Older People in Wem”, prepared by Social Care Strategies. This shows a requirement for Wem of 202 places required in 2017 and 387 places required in 2039, noting:

*“The Wem market town profile shows a higher proportion of people aged 65+ years living alone (18.4%) than the England average (12.4%)”.*

33. Para 6.2.3 of the Officer Report acknowledges “that there is a clear demand for extra care type development and that the proposal would help to address the future increasing demand for such accommodation”; however, the decision gives this factor little weight despite the further evidence of need provided.

34. The proposal is therefore considered to be acceptable in respect of its impact on the conservation area; when the need for this form of accommodation is also considered it is clear that the appeal should be allowed.

**John Jowitt**

**PJPlanning**

Email                john.jowitt@pjplanning.com  
Mobile                07974 239016