

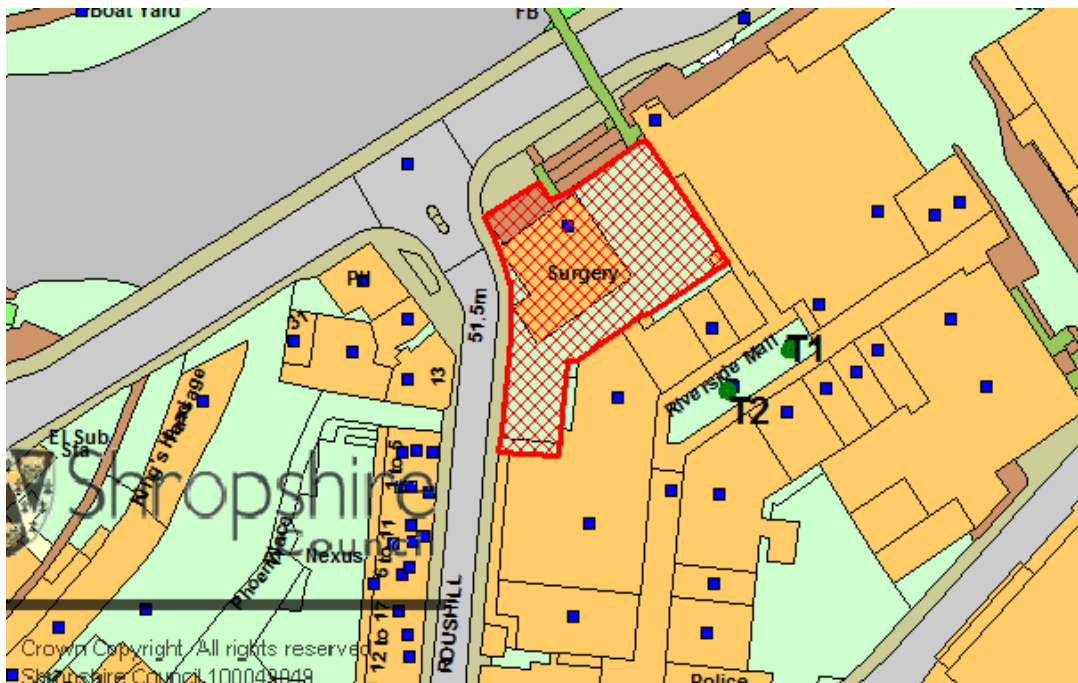
Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

<u>Application Number:</u> 21/03951/FUL	<u>Parish:</u>	Shrewsbury Town Council
<u>Proposal:</u> General site clearance, removal of asbestos containing materials and demolition works to slab level at the Riverside Development Area		
<u>Site Address:</u> Riverside Medical Practice Roushill Shrewsbury SY1 1PQ		
<u>Applicant:</u> Mr Tim Pritchard		
<u>Case Officer:</u> Mike Davies	<u>email</u>	: mike.daves.planning@shropshire.gov.uk

Grid Ref: 349102 - 312765



Recommendation:- Grant Permission subject to the conditions as set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of the existing Riverside Medical Centre building situated at the junction of Smithfield Road and Rousehill in Shrewsbury Town Centre.
- 1.2 The proposal is accompanied by a demolition management statement explaining how the demolition will be managed to minimise impacts on its surroundings and how the site will be treated after the works are complete.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The building is an existing modern low rise building which is situated within Flood Zone 3 and was impacted by the floods last year. It is situated on the corner of Smithfield Road and Roushill adjacent the footbridge which spans the River Severn.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The applicant is the Shropshire Council and the application is not being made in connection with the provision of a statutory service. Therefore under terms of the scheme of delegation the decision needs to be made by Planning Committee.
- 3.2 No views contrary to the recommendation have been received from either the ward member or Town Council.

4.0 Community Representations

4.1 Consultee Comment

4.1.1 **Shrewsbury Town Council** - No Objections

4.1.2 **Regulatory Services** - The Proposed standard construction/demolition times along with the narrower pneumatic/breakage times are sensible.

Due to the proximity to residential units and public, the contractor should have the facilities of necessary water suppression on any equipment or accumulations which gives rise to dust and have direct access to install a ground vibration monitor, such as a vib-roc unit, to monitor vibration to ensure compliance to standards within BS 5288-2:1997.

Please note that asbestos removal is not Local Authority enforced or regulated. The asbestos removal contractor must be licensed by the Health and Safety Executive.

4.1.3 **Local Lead Flood Authority** - We have no comment from the drainage and flood risk perspective, regarding the demolition of Riverside Medical Practice.

- 4.1.4 **Highway Authority** - No Objection subject to the development being constructed in accordance with the submitted details, accompanying this planning application.

The general ethos of the proposed Traffic Management Plan is considered acceptable. However, once a contractor has been appointed, they are advised to work closely with the Streetworks Team (see details below), during the works. As additional and specific safety requirements may be needed to ensure that the movement of plant and vehicles in/out of the site does not cause undue impedance to passing pedestrians and vehicles on the adjacent public highway.

- 4.1.5 **County Archaeologist** - It is understood that the former Riverside Medical Practice building was constructed in c.1987. At the time remains of Shrewsbury's 17th century Civil War defences (HER PRN 62423), comprising c.1.65m thick, coursed red sandstone ashlar, were recorded in plan during a salvage exercise at the time. It is probable that remain of these defences survive below the floor slab and foundations of the former medical centre. For these reasons the site is considered to have high archaeological potential.

Notwithstanding the above, it is understood that the proposed development comprises the demolition of the building to slab level, such that the floor slab and foundations will be left in situ pending their removal at a later date. Consequently, the proposed demolition works will have no direct impact on any underlying archaeological remains, and we therefore have no further comments to make on the application in this respect.

It is, however, noted that when the floor slab and foundations are removed, as part of any subsequent works and/ or redevelopment of the site, that a programme of archaeological works will be necessary as a condition of any planning permission. The exact requirements will be dependent upon the exact nature of the works but as a minimum would comprise an archaeological watching brief during the removal of the floor slab, foundations, and any underlying sub-base.

- 4.1.6 **Historic Environment** - We would repeat the comments we made under the earlier withdrawn application 21/01189/DEM that we have no comments on the proposed demolition of this building in terms of built heritage matters as it is a relatively modern building of no particular heritage interest in the Shrewsbury Conservation Area. We would add that the Archaeology half of our Team may have specific comments on archaeological matters relevant to the works proposed on this site.
- 4.1.7 **Shrewsbury Civic Society** - The applicant states that the cleared area will be needed for contractors vehicles for the proposed Riverside development. With this new application SCS still considers this to have no point unless redevelopment of the Riverside Centre etc is about to happen and, as yet, there are no signs of this happening anytime soon. We have our concerns as to what will happen to this land in the meantime.

The building itself is of a sound construction, built above flood levels and we understand is already being used by another organisation which seems to be a sensible use.

Assuming that the demolition is approved then care must be taken to avoid damage

to the important underlying archaeological remains of the important 1640's Roushill Civil War town wall which lie immediately below the surgery buildings. The town wall, last seen in the 1980's prior to the construction of the surgery, is known to survive to parapet level and may run under the existing Riverside Centre. In the future, consideration should be given to display of such remains within new developments on the site and elsewhere along Smithfield Road.

4.2 Public Comments

- 4.2.1 1 objection has been received from a member of the public who states this application is premature in the absence of any specific plans of what may replace this building, other than the notional plans of the Big Town Plan Consultants. At the same time, we now know that any unnecessary demolition is in conflict with the efforts to defend against the emergency of climate change. Existing buildings include large amounts of embedded carbon, which should not be released back to the atmosphere. Therefore, existing buildings are the greenest and should preferably be re-used, or refurbished as a positive response to the climate emergency. This emergency which is affecting the whole planet has been unanimously acknowledged by this Council. For this reason, I feel obliged to object to this application, until detailed plans and corresponding funding for the Riverside Development are presented.

5.0 THE MAIN ISSUES

Principle of development
Mitigation Measures
Future Use

6.0 OFFICER APPRAISAL

- 6.1 Principle of development
- 6.1.1 The building is a modern, functional structure and does not have any particular architectural merit or historic value. Therefore in terms of its demolition the principle of its removal is considered acceptable subject to appropriate mitigation measures being put in place.
- 6.1.2 The site is within flood zone 3 and was impacted by the floods last year and given the vulnerable nature of use the building is no longer considered fit for purpose for its current use.
- 6.2 Mitigation Measures
- 6.2.1 A demolition management plan has been submitted to support the application and the mitigation contained within this document is deemed acceptable in terms of seeking to minimise the impact of the demolition process on the surrounding environment.
- 6.3 Future Use
- 6.3.1 Following the demolition and clearance of the site, it will be used as a contractors compound in the short term for the redevelopment of the Riverside Centre. At present the redevelopment plans for the Riverside Centre are still being developed, however this should not delay the proposal to demolish this building and clear the site.

7.0 CONCLUSION

The proposals are considered acceptable and the recommendation is that planning approval be granted, subject to appropriate conditions to minimise disruption during the demolition process and to ensure that the site is made tidy after this has taken place.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

CS1 - Strategic Approach
 CS2 - Shrewsbury Development Strategy
 CS6 - Sustainable Design and Development Principles
 CS8 - Facilities, Services and Infrastructure Provision
 CS18 - Sustainable Water Management
 MD1 - Scale and Distribution of Development
 MD2 - Sustainable Design
 Settlement: S16 - Shrewsbury
 SPD Sustainable Design Part 1

RELEVANT PLANNING HISTORY:

21/01189/DEM Application for prior notification under Schedule 2 Part 11 of the Town & Country Planning (General Permitted Development) Order 2015 for the demolition of Riverside Medical Practice WDN 6th April 2021

SA/87/0977 Installation of a new shopfront. PERCON 29th October 1987

SA/92/0381 Refurbishment and upgrading of existing centre including extension and alteration to Pride Hill link, new first floor pedestrian link to Frankwell footbridge, conversion of existing north mall to two storey unit and replacement of existing roof and canopy covering. For Royal Insurance Asset Management on behalf of Royal Life Insurance Ltd. PERCON 27th May 1992

SA/92/0547 Provision of temporary male toilet prefabricated unit (to be located in existing vacant shop unit) to replace existing first floor male toilets during proposed refurbishment works to Riverside Centre. For Royal Insurance Asset. PERCON 8th July 1992

SA/92/0744 Provision of glazed canopy and refurbishment to existing link bridge to provide covered access between Riverside Centre, the multi-storey car park and the Charles Darwin Centre. For Royal Insurance Asset Management. PERCON 16th September 1992

SA/81/0567 Erect and display one set of internally illuminated individual letters mounted on a

non illuminated background panel, letters to replace existing stating 'MIDLAND BANK'.

PERCON 7th July 1981

SA/86/1044 Erect and display illuminated letters on existing fascia to canopy stating 'Mercentile Credit'. PERCON 18th December 1986

SA/88/1366 Erection of an externally illuminated name board over doorway stating "General Guarantee". PERCON 12th January 1989

SA/76/0729 Construction of a footbridge across the River Severn from Frankwell Car Park to Riverside Shopping Centre. NOOBJC 20th October 1976

SA/90/0728 Erect and display fascia signs. PERCON 1st August 1990

SA/90/0729 Erection of ballustrade. PERCON 1st August 1990

SA/84/0490 Alterations to existing entrance way to include the provision of new steps, canopy and doorway. PERCON 14th June 1984

SA/84/0415 Erect and display an internally illuminated projecting box sign and an internally illuminated fascia sign stating "PARK LANE". PERCON 24th May 1984

SA/75/0095 To erect and display two 1.5 tier trilateral non-illuminated advertisement stands incorporating litter bins in lower tier. REFUSE 25th March 1975

SA/79/0260 Erect and display three internally illuminated fascia signs each stating .. "PACEMAKER SPORTS". PERCON 1st May 1979

SA/81/0969 Erect and display internally illuminated signs 2 no. shop fascias and 1 no. projecting box sign (600mm x 600mm) stating 'PETER DOMINIC' with motif. PERCON 24th November 1981

SA/84/0755 Use existing vacant shop as dry cleaners and shoe repair shop. PERCON 31st August 1984

SA/86/1213 Erect and display an internally illuminated projecting sign stating 'Rayner Opticians' (approximately 800mm x 546mm). PERCON 12th February 1987

SA/91/0271 Use as a childrens leisure centre and creche with integral toy, sweet shop and cafe. PERCON 24th April 1991

SA/80/0543 Use of land for commercial purposes to include offices and/or retail use. PERCON 15th July 1980

SA/82/1010 Erection of a 3 storey building to provide 20 no. shopping units with pedestrian access only off the Frankwell/Riverside shopping centre footbridge. PERCON 5th July 1983

SA/84/0782 Erect and display various internally illuminated shop sign stating 'FOSTERS'. PERCON 20th September 1984

SA/77/0882 Installation of a new shop front. PERCON 11th October 1977

SA/77/0832 Use of existing shop as a bakery and shop for the sale of hot bakery products. PERCON 11th October 1977

SA/77/1109 Erection of a kiosk to be used for the sale of ice-cream and sweets. PERCON 10th January 1978

SA/78/0427 Erection of a kiosk for the sale of Ice Cream and Sweets. PERCON 23rd May 1978

SA/79/1171 Erect and display an internally illuminated shop sign (5' x 1'11" x 6.75") stating 'RAYNER OPTICIAN'. PERCON 18th December 1979

SA/92/0380 Conversion of existing shop unit no. 29, adjacent corridor and disabled (male) toilet at ground floor and male public toilet at first floor to form ground floor bakery and first floor storage and staff facilities. For Royal Insurance Asset Management on behalf of Royal Life Insurance Ltd. PERCON 6th May 1992

SA/80/1122 Erect and display an internally illuminated projecting box sign (2'6" x 1'6" x 6") stating 'CARPETS WARING & GILLOW'. PERCON 22nd December 1980

SA/80/0811 Erect and display 4 internally illuminated fascia signs stating "ALLIED CARPETS"
a) 3.658m x 672mm b) 2.940m x 560mm c) 5.486m x 560mm d) 5.486m x 584mm all approximate sizes. PERCON 23rd September 1980

SA/88/1161 Installation of satin anodised aluminium shutters. PERCON 28th October 1988

SA/88/1160 Erect and display a fascia sign to be illuminated by floodlighting. PERCON 2nd November 1988

SA/78/0507 Erect and display individually illuminated lettering stating "TRIDENT SUPERSTORE" and non-illuminated lettering stating "TRIDENT". PERCON 20th June 1978

SA/85/0990 Erection of a building to be used as doctors surgery with the formation of new pedestrian access. REFUSE 13th February 1986

SA/86/0215 Erection of a building to be used as doctors' surgery with the formation of new pedestrian access. PERCON 10th April 1986

SA/92/1175 Formation of a new vehicular access onto Roushill to serve one existing car space. For Riverside Medical Practice. PERCON 30th December 1992

SA/98/0177 Erect and display an internally illuminated sign. PERCON 29th April 1998

SA/97/1052 Erect and display a non illuminated fascia sign. PERCON 3rd December 1997

SA/96/1156 Erect and display one internally illuminated projecting sign. PERCON 29th January 1997

SA/96/0736 Provision of additional retail space at first floor level in conjunction with existing ground floor areas; new fire escape tower and screen gates to service yard. PERCON 27th November 1996

SA/96/0085 Erect and display an internally illuminated fascia sign. PERCON 21st February 1996

SA/96/0084 Installation of a new shopfront. PERCON 13th March 1996

SA/95/0982 Erect and display 2 internally illuminated box signs. (Retrospective) SPLIT 4th January 1996

SA/95/0690 Erect and display an externally illuminated sign and provision of illumination to existing sign. PERCON 23rd August 1995

SA/95/0582 Installation of 4 new windows at first floor level. PERCON 26th July 1995

SA/95/0439 Alterations to existing access from Frankwell footbridge. PERCON 14th June 1995

SA/94/1354 Erect and display an internally illuminated entrance canopy sign. PERCON 11th September 1995

SA/93/0954 Installation of a new shopfront. PERCON 5th November 1993

SA/93/0911 Installation of shopfront to internal mall frontage only. PERCON 5th November 1993

SA/93/0910 Display of non illuminated fascia signs to Smithfield Road and Frankwell link bridge and internally illuminated fascia signs to mall frontage. PERCON 12th November 1993

SA/93/0381 Erect and display various internally illuminated and non illuminated fascia, projecting and freestanding signs. PERCON 9th June 1993

SA/00/0948 Erection of 4 no. freestanding non-illuminated Public Information Pillars (3.4m high x 1.3m wide), one each at Smithfield Road and Raven Meadows, and two at Roushill. SPLIT 23rd November 2000

SA/02/1032/ADV Erect and display 13 non-illuminated banner signs; 2 illuminated fascia signs; 7 non-illuminated fascia signs and 5 information/direction signs (amended description) SPLIT 11th September 2002

11. Additional Information

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items

containing exempt or confidential information)

Cabinet Member (Portfolio Holder)

Councillor Ed Potter

Local Member

Cllr Nat Green

Appendices

APPENDIX 1 - Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

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 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the Construction Method Statement for Demolition Works received on 11/03/2021.

Reason: For the avoidance of doubt and to ensure that the work is carried out in accordance with the approved details.

3. Due to the proximity to residential units and public, the contractor should have the facilities of necessary water suppression on any equipment or accumulations which gives rise to dust and have direct access to install a ground vibration monitor, such as a vib-roc unit, to monitor vibration to ensure compliance to standards within BS 5288-2:1997.

Reason: To safeguard the amenities of the locality

4. No demolition works shall take place before 8.00 am on weekdays and 8.00 am on Saturdays nor after 6.00 pm on weekdays and 6.00 pm on Saturdays; nor at anytime on Sundays, Bank or Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties from potential nuisance.

5. The site shall be secured by the provision of a paladin fence or similar which shall remain in situ until such time as the redevelopment of the site commences.

Reason: In the interests of visual amenity.