



CPRE Oswestry
c/o Chairman: Charles Green
The Wood, Maesbrook
Oswestry, SY10 8QU
charleswgreen@msn.com
www.cpreshropshire.org.uk

President: Robin Thompson CBE, DL | Chair: Sarah Bury DL

Ms Karen Townend
Planning Development Management
Shire Hall, Abbey Foregate
Shrewsbury, SY2 6ND

3 November 2014

Dear Ms Townend

14/04233/FUL Proposed Aldi store at Gatehouse, Shrewsbury Road, Oswestry (gross 1,703sqm, net 1,254sqm)

CPRE objects to the above proposal on the grounds that:

1. It is not the best site sequentially, contrary to NPPF paragraph 24.
2. It will have an adverse impact on the town centre, contrary to NPPF paragraph 23.
3. In drawing trade from the town centre it is a less sustainable location.
4. It proposes demolition of a building of important historical significance to Oswestry and Shropshire, contrary to the provisions within NPPF paragraphs 126 – 141.
5. It will adversely affect the short-term and long-term residential amenity of those in 'New Fairholme'.

Sequential test

We understand that there is a proposal for a Lidl store on the J T Hughes / Guttercrest site at the junction of Victoria Road and Salop/Shrewsbury Road. That is a sequentially preferable site for any further new out-of-centre supermarket in addition to the consented supermarket on the Smithfield site.

Impact

Oswestry's retail structure was considered in detail leading up to the approval of the Smithfield scheme in July 2011 (OS/08/15788/OUT). One of the competing schemes was for a supermarket of 1,624 sq m net sales area (OS/09/15868/OUT) at the J T Hughes / Guttercrest site. An appeal hearing for that application was heard on 11 and 12 January 2012 (APP/L3245/A/11/2146254). The Inspector's report dated 6 March 2012 concluded on the impact this proposal would have on the town centre. He said (paragraph 22):

"on all the evidence and from what I have seen, I believe there is a serious risk that a further food store on the scale proposed could seriously undermine the retail health of Oswestry town centre, making it a less attractive place for private investment and less economically practicable to invest public funding in improvements. Not only does the current and foreseeable economic situation make the centre directly more vulnerable but it could also reduce or delay longer term growth in sales that might otherwise be relied upon to counter impact. Nor is there any real evidence that the appeal proposal, a

relatively small, primarily convenience goods store, would be an attraction of sufficient weight to claw back expenditure to the town as a whole, and thus bring any overall benefit. I conclude on the second main issue that permitting the appeal proposal would unacceptably prejudice the vitality and viability of, and investment in, Oswestry Town Centre, contrary to the aims of Local Plan Policy SP1, Core Strategy Policy CS15 and PPS4 policies, notably EC 16.1 and EC17.1."

The NPPF has replaced PPS4 but retains protection for town centres (paragraph 23). The Inspector's above conclusion is therefore still relevant to this Aldi application.

The applicant has put forward an impact assessment (Planning Statement, Table 2) which is based on Nathaniel Lichfield and Partners' (NLP's) figures of February 2009 as produced by them for Oswestry Borough Council in the retail scenario leading up to the approval of the Smithfield scheme.

NLP did produce figures later than February 2009 and they themselves acknowledged that impact assessments "can only be based on judgements", in contrast to being based on evidence. One of the UK's leading academic experts on this issue commented that the range of impact estimates in the Oswestry retail scenario did seem very wide, and brings the whole process (of impact assessments) into disrepute.

Even with the caveat that impact assessments are not based on evidence, NLP's figures showed that Oswestry Town Centre might suffer an adverse impact of 26% from the Smithfield development alone. The figures in the Retail Assessment within the Planning Statement for this application use the assumption that a further 26% of the existing Aldi store's turnover will drain to the new Aldi (£2.27m out of £8.89m).

It is clear that the overall impact on the town centre is likely to be severe, the Inspector's above conclusions still stand, and this application should be refused for its potential cumulative adverse impact on the town centre.

Sustainability

The applicant assumes that a large part of the trade at this proposed out-of-centre site will be drawn from the existing and newly-extended Aldi store in the town centre, which is immediately adjacent to the bus station. It is also acknowledged that almost all visits to the proposed new store will be made by car. There will therefore be a significant net increase in car journeys which renders the proposed out-of-centre site less sustainable in the long term.

Demolition of Gatehouse

The property "Gatehouse" is one of Oswestry's unique buildings and to demolish it would be an act of cultural vandalism. The appendix to this letter sets out our critique of the applicant's Heritage Statement. Some key points made in that critique are that:

- i) The applicant effectively accepts that Gatehouse should be treated as a designated heritage asset (our paragraph 2).
- ii) Even so, its significance is underplayed (our paragraphs 3, 6, 7, 8, 11, 12).
- iii) The property has not been properly surveyed by the applicant (they did not take the trouble to gain access for their survey on 6 August 2014, so inspected it only from publicly accessible viewpoints) (our paragraphs 5, 9, 12).
- iv) The fact that it survives at all in a modern age is something of a minor miracle and if Shropshire Council and Oswestry value their own history this building should be preserved (our paragraphs 13 and 15).

Residential amenity

The proposed development will adversely affect the residential amenity of the immediately adjacent old people (and staff) at the newly built 88-bed 'New Fairholme' residential care home, particularly during construction but also during the subsequent operation of the Aldi site. If the application is approved it must contain strict conditions to protect these 'New Fairholme' residents and staff.

Conclusion

The proposal should be refused under NPPF paragraph 27 because it fails to satisfy the sequential test, is likely to have significant adverse impact on the town centre, and is less sustainable in the long-term than the status quo. It should be refused under heritage grounds as outlined above. If approved, there should be strict conditions protecting the long-term residential amenity of those in the adjacent 'New Fairholme'.

Yours sincerely

Charles Green

Chairman CPRE Oswestry

Appendix

Critique of TEP Heritage Statement/ described as Historic Environment Building Record for Land at Shrewsbury Road, Oswestry (The Gatehouse).

- 1 (1.2) The building is clearly on the Historic Environment Record (HER, formerly SMR) and as such must have been accorded some significance in terms of its role in the Historic Environment.
- 2 (3.6) it is readily stated that *“some non-designated heritage assets can be of equivalent importance to designated heritage assets”* and this *“relative importance means that they are treated as if they are designated heritage assets”*. It is suggested that this is such a heritage asset.
- 3 (4.11) the raison d'être for the building is sparsely dealt with in this paragraph, masking the true significance of the toll house in relation to the early road improvements described.
- 4 (5.3) the possible reasons for the omission of designation are not explored. In addition a statement is made regarding its presence on the HER which appears inconsistent with the statement in (1.2).
- 5 (5.4) the recording of the building appears to be woefully inadequate. It has not been viewed around the rear of the property or inside. Thus no meaningful statement can be made about its value and significance.
- 6 (5.7) does not emphasise sufficiently the importance of the major 'London to Holyhead Road Improvement' and the role of this building within it. This was a notable achievement in an age when long distance travel was extremely difficult and any building associated with this is of considerable importance. The survival within Shropshire is not examined and is an important issue with reference to significance and scarcity value. (5.13) clearly states it is a Telford design and can be dated to 1815-25. This lends it considerable significance in a national and regional context and examples cannot afford to be lost.
- 7 (5.9) in a similar vein no significance is accorded to its name – Gallowstree Bank Turnpike. Public executions were conducted on the outskirts of a town and this turnpike clearly refers to this historical fact.
- 8 (5.11) the significance of the missing porch is not itemised. The porch would have enabled the collection of tolls in inclement weather or a place for a seat in the shade, for the same function. The missing porch could easily be replicated from the photographic evidence provided.
- 9 (5.15) this building has clearly not been inspected properly and decisions are being made without due regard to its significance and without recourse to the facts. Notwithstanding this the front of the building is sufficient to demark it as a significant historic feature within its immediate setting and its retention would provide much needed continuity on the site. (5.19) – photographs make it clear that insufficient survey work has been done.

- 10 (5.22) It is to be expected that there has been some extension and improvement to the building to fit it for modern domestic occupation. This in no way devalues its historical significance.
- 11 (5.24) these gate posts clearly have some significance. They may in fact be re-used from the former toll gateway. It is doubtful if they are associated with the former sewage works as stated.
- 12 Heritage Values – (5.27) it cannot be concurred that the evidential value of the building is low. Enough survives to distinguish it as a Telford Toll House and in all events it has not been adequately surveyed. (5.28) fortunately recognises that the building has high historical value and this alone should be sufficient to warrant its retention and re-use within any scheme of development. (5.29). the form and style of the building are dominant and indicative of its period and function. This is a sufficient contribution to aesthetic value. The window format makes a neutral contribution to aesthetics. (5.30) the style and form commemorate very clearly its former function and role in society. It is symbolic of its age and sufficient survives so that modern man can identify with its former occupants. Its position is significant in terms of its location within the community and this could be rendered more so by incorporation into a new scheme of development.
- 13 (5.31) Listing is done with reference to ‘special architectural **or** historic interest’. Thus it is perfectly adequate for the building to meet one or the other types or interest and not both. The omission of the building from the List of Buildings of Special Architectural or Historic Interest is clearly a grave omission but in all events this should not preclude re-use and incorporation into a new scheme of development of the site. Potential uses include a flower shop/small garden centre, pharmacy or any other retail use associated with the supermarket, or a community use such as a teashop.
- 14 (5.32) The alterations to windows and a small extension are no more than can be expected from a building adapted for modern occupation with particular reference to the extensive marketing of UPVC windows which even pervade Listed Buildings.
- 15 (5.33) Issue must be taken with the view that this is a well-represented class of monument. In the local and regional context it is almost certainly quite rare with particular reference to the Shrewsbury – Holyhead Road. No real evidence has been provided in the way of scarcity value in this regional context so the conclusions concerning this are of doubtful integrity. (5.44) it is unacceptable to state that the building is not a rare surviving example of its class when insufficient evidence has been provided on this aspect. The fact that it survives at all in a modern age is something of a minor miracle. (5.35) the importance and scarcity value in Shropshire has not been researched.