

Date: Thursday, 28 September 2017

Time: 2.00 pm

Venue: Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND

Contact: Shelley Davies, Committee Officer  
Tel: 01743 257718  
Email: [shelley.davies@shropshire.gov.uk](mailto:shelley.davies@shropshire.gov.uk)

## **CENTRAL 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

**This page is intentionally left blank**

CENTRAL PLANNING COMMITTEE		
SCHEDULE OF ADDITIONAL LETTERS		
Date: 28 September 2017		
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		
Item No.	Application No.	Originator:
5	16/05541/FUL Stanford Farm	Dave Richards (Planning Group) acting on behalf of Dorothy Turner (Owner of neighbouring property Little Stanford)
<p>Dear Madam</p> <p>With reference to the above proposal and the officer's report to the Central Planning Committee on 28 September 2017 we would make the followings comments: -</p> <ol style="list-style-type: none"> <li>1. All previous objections remain as set out in earlier correspondence.</li> <li>2. Concern is expressed that the applicants have failed to obtain necessary consents in the past and have continued to hold events and take further bookings, contrary to both planning and licensing requirements.</li> <li>3. Therefore, it is of concern that any conditions imposed on a consent may have very limited effect in controlling future development/events.</li> <li>4. It is disappointing that in the site location/description no reference is made to Little Stanford being sited immediately on the access lane leading to the site.</li> <li>5. The Council SUD's sections last comments on 18.1.17 stated that the existing septic tank of 100 litres capacity is too small for the change of use. The suggested drainage condition only relates to drainage fields not a new tank which is fundamental to having satisfactory drainage.</li> <li>6. The noise assessment relates primarily to noise from inside the buildings and does not refer to noise from persons gathering outside the buildings, or when doors and windows are left open.</li> <li>7. In good weather in the summer months it is highly likely that people will congregate outside in late evenings and the early hours. As the site is in such a tranquil area, any generated noise will carry across the countryside at a time when occupiers of nearby properties may well require their windows to be open for comfort in hot weather.</li> <li>8. There is a statement made that noise levels can be achieved that ensure that the nearest residential receptor (presumed to be Little Stanford) is unlikely to be significantly impacted by the noise of vehicles moving to and from the site which assumes that the applicant can control the speed of vehicles using the access by enforcing a 5-mph speed limit.</li> <li>9. How is such a speed limit to be enforced, no details have been provided and it is considered highly unlikely that visitors to the site would keep to such a limit?</li> <li>10. Not only will there be guests driving to the site but also taxis and other persons dropping off and picking up. Therefore, such assumptions cannot be made and as a result all vehicles at whatever speed will generate noise and disturbance to the occupiers of Little Stanford. Furthermore, any suggested traffic routes are likely to be ignored with drivers following directions from their satellite navigation system.</li> <li>11. If windows and doors need to be kept shut to minimise noise in the venue buildings, then it is reasonable to expect that a condition needs to be imposed to ensure there is no noise escape.</li> <li>12. It is stated that the application was advertised on site. Was this in relation to the original submission or the amended plan? As the red line indicating the site was extended the application should have been advertised accordingly.</li> </ol>		

13. The presence of Little Stanford and the access lane adjacent to it is not referred to in the public comments section of the officer's report.
14. Policy CS5 indicates that small scale diversification will need applications to demonstrate the need and benefit for the development proposed. Development will be expected to take place mainly in recognisable settlements or linked to other existing development and business activity where this is acceptable.
15. Neither proven need nor resultant benefit has been provided that would warrant such an unacceptable use into this quiet rural area.
16. In paragraphs 4.72 and 4.73 of the reasoned justification to Policy CS5 it states uses should be appropriate to their setting taking into account the character of the site itself and the wider landscape.
17. Policy CS6 requires all development to protect, restore, conserve and enhance the natural, built, and historic environment and ensure all development is appropriate in scale, pattern and design taking into account local character. In addition, all development should contribute to the health and wellbeing of communities including safeguarding residential and local amenity.
18. In the reasoned justification to Policy CS6 it states that any development proposals in the countryside should be consistent in their scale and impact with the character and quality of their location.
19. Policy CS16 requires high quality, sustainable tourism and cultural and leisure development but this must retain and enhance the natural features and which do not harm Shropshire's tranquil nature. In addition, such proposals are required to be of an appropriate scale and character for their surroundings and be situated close to or within settlements.
20. It is questionable whether the use is indeed tourism and it is not sited in a settlement but in open countryside contrary to the policy.
21. MD11 of SAMDev state that tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and quality of the sites immediate surroundings and meets the requirements of CS5 and CS16.
22. No justification has been submitted that a wedding venue requires a countryside location and such a use cannot be considered to complement the character and amenities of the sites immediate surroundings.
23. Paragraph 6.3.1 refers to 200 guests being contained within the buildings and as such the bulk of activity and noise shall be confined within these built structures. How will this be monitored and controlled and is it enforceable.
24. The applicant clearly indicates that it is the intention to allow camping and other activities to be pursued by way of permitted development rights so that residents will not only be subject to activities for a maximum 12 times a year at the wedding venue buildings but also up to 28 days a year for other uses.
25. Why have the Council not sought to remove permitted development rights for these other activities and if they continue it must be ensured that no buildings, including those housing toilets are used. No details have been supplied showing the extent of land associated with such other activities.
26. The web site clearly advertises weddings for 2018 and states extensive gardens perfect for photographs and entertainment.
27. The impact on the amenities especially on Little Stanford will be significant, from activities at the venue and traffic movements.
28. Reference to restricting outside noise refers only to amplified music and this is not so stringent as to prevent problems occurring from people talking whilst awaiting taxis or other lifts and indeed amplified announcements that taxis are waiting.
29. What suggested enforceable conditions protect the amenities of Little Stanford from traffic movements passed the property? The answer is none and this issue cannot be so lightly disregarded. What aspect of the Human Rights Act has been so addressed as to allow for the peaceful enjoyment of Little Stanford and other residents? Simply to say

that the legislation has been taken into account is not sufficient.

30. It would seem that Public Protection have monitored one event. Was prior notice given to the owners of the site that the visit would take place? Approval for a temporary period of 3 years cannot be justified and only a 12-month period should be allowed in the first instance.

31. The fall-back position initially referred to by the applicants have now been clarified regarding days of use, however, the legislation is clear that buildings cannot be used and the reference is paragraph 6.5.6 that holding a small number of wedding ceremonies within the building could be considered as “de minimis” is entirely incorrect, as the relevant legislation does not allow for such activities whatsoever.

32. The lane and entrance to the site are not in the applicant’s ownership and the requirements of Criteria (i) of Condition 10 i.e.resurfacing/reconstruction of the initial section of the existing vehicular access, including widening where possible, will not be allowed by the owner. As the above requirements are in the interests of highway safety, if they cannot be secured the development should not be allowed. See new letter from the owner of Little Stanford’s’ solicitor.

33. The suggested condition No 8, implies that the question of noise could be a never-ending problem, with no penalty for failing to comply with the noise levels but merely going back and starting again, with the venue continuing to operate unabated. This indicates that conditions will not address potential problems and the proposal should be refused.

We apologise for the length of this correspondence but it is important that the above issues are brought to yourself, other officers and Councillors attention prior to consideration. Our client and other residents are extremely concerned that any conditions will not be complied with and the problems that currently exist will be exacerbated to the detriment of the residents’ amenities.

Yours faithfully  
Dave Richards  
Planning Manager

Item No.	Application No.	Originator:
5	16/05541/FUL Stanford Farm	Rebecca Crann, acting on behalf of the applicant Cindy Edwards

**SEE DOCUMENT TITLED ‘STANFORD FARM LETTER 26.09.17’ WHICH CONSTITUTES THIS REPRESENTATION**

Item No.	Application No.	Originator:
5	16/05541/FUL Stanford Farm	Emrys Jones & Co, Acting on behalf of Dorothy Turner (Owner of neighbouring property Little Stanford)

**SEE DOCUMENT TITLED ‘EMRYS JONES & CO 25.09.2017’ WHICH CONSTITUTES THIS REPRESENTATION**

Item No.	Application No.	Originator:
5	16/05541/FUL Stanford Farm	Mark Wootton, Highways Area Manager

Cathryn,

I have discussed the matter with the WSP Engineer who has visited the site.

In light of the contents of the attached Solicitors letter it appears that the applicant is not in a position to improve the access road leading to the site from the county road. In the circumstances a Grampian style condition would not be appropriate as there appears to be no prospect of the work being carried out. Moreover the application seeks retrospective planning consent and therefore any requirement for mitigation should be capable of being implemented.

Having discussed the matter with WSP I am advised that a highway objection would not be sustainable based upon no alterations being carried out to the internal access road/track leading from the county highway to the site. It is recommended however that the highway crossing is properly surfaced i.e. within the highway boundary. I concur with this view.

The very nature of the activity is that traffic flows are predominantly tidal although there may be occasions where vehicles meet internally and outside of highway limits. On those occasions vehicles driver will need to pass where they can internally. There are clearly verges within the site which would allow vehicles to pass although this may cause damage internally to those verges.

I suggest therefore that the current wording of (i) is amended to:-

The resurfacing/reconstruction of the highway crossing within the junction bellmouth serving the site from the County road.

I trust the above assists.

Regards

Mark Wootton

Item No.	Application No.	Originator:
5	16/05541/FUL Stanford Farm	Case Officer

Condition 10, as attached to the committee report, shall be amended to read as follows –

*Within 9 months of the date of this permission, the following access/highway works shall be completed in accordance with full engineering details which shall first be submitted to, and approved in writing by, the local Planning Authority: -*

*(i) The resurfacing/reconstruction of the highway crossing within the junction bellmouth serving the site from the County road.*

*(ii) The provision of two vehicle passing bays within the highway verge between the site access and the junction with Pecknall Lane,*

*(iii) A scheme of direction signing for the proposed events, including sign content, precise locations along with any necessary permissions or consents.*

*Reason: In the interests of highway safety.*

Item No.	Application No.	Originator:
5	16/05541/FUL Stanford Farm	Case Officer
<p>Condition 13, as attached to the committee report, shall be amended to read as follows –</p> <p><i>The use of the buildings labelled 'Bull Barn', 'The Stables' and 'Cow House' and the associated land edged in red on the approved block plan shall be used for the purposes of events and functions, inclusive of weddings, only. A maximum of 20 functions/events per calendar year shall take place during years one and two (2018 and 2019) of this consent. Subject to agreement in writing from the Local Planning Authority, up to 28 events per calendar year shall be permitted during year three (2020).</i></p> <p><i>Reason: To preserve the amenities of the area and highway safety/ free flow of traffic.</i></p>		
Item No.	Application No.	Originator:
6	16/03413/REM	Objector
<p>I am unable to attend the forthcoming Central Planning Committee, 28 September 2017, so I would ask you to circulate my comments detailed below:</p> <p>1. Granting planning permission for this application, without a reduction to 15 properties, will reduce SAMDev to an irrelevance. In addition it will smooth the path for the phase two application, with SAMDev already significantly exceeded. Lastly it will do nothing towards addressing your concerns around over- development in Nesscliffe.</p> <p>2. The applicant/agent is of the opinion that the requisite 'open space' has been provided. The guidance provided in MD3, makes it very clear that 'open space' is much more than the provision of the minimum space requirement. The guidance requires that 'open space' should be addressed holistically as part of the whole development to provide safe, useable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set, in accordance with Policy CS17 and MD12 and MD13. Clearly this 'urban' development does not fit with the 'rural' character of the existing developments where open space far exceeds that proposed in this development.</p>		
Item No.	Application No.	Originator:
6	16/03413/REM	Objector
<p>At the previous meeting Councillors raised concerns about the amount of development in Nesscliffe, density of site and shortfall in public open space. The decision was then deferred to allow the developer the opportunity to reduce the number of dwellings and increase the amount of public open space.</p> <p>The number of dwellings has been reduced by just 1 and I note the following:</p> <ul style="list-style-type: none"> <li>• Although a reduction of 1 dwelling there is an increase in bedroom space from 71 to 72</li> <li>• The square footage of the amended plans are 22378 sq foot whereas previously the area was 22379 sq foot so a reduction in concrete of just 1 sq foot</li> <li>• The public open space has only been increased by 30 sq m as a result of 1 extra</li> </ul>		

bedroom

- The mix of dwellings has been amended showing a 50% reduction in 2 bedroom houses and an increase in 4 bedroomed showing a total manipulation of figures to achieve the same end result
- The public open space is still in 3 places rather than one central site within the development

These changes do not show a willingness to address the requests of the planning committee. The above points are a clear demonstration of manipulating numbers to keep the status quo.

Secondly, when outline permission was granted on the site NO HOUSE NUMBERS WERE SPECIFIED – the number of units were to be decided at reserved matters stage. This was a site allocated in SAMDev for 15 houses and with SAMDev now current policy the number of houses can be reduced to 15 without fear of appeal as inspectors would view current policy as paramount.

The excess development in Nesscliffe was noted by the Committee and the fact that the SAMDev total of 30 houses to 2026 has already been exceeded prior to this application weight should be given to reducing further development. By ignoring SAMDev the green light will be given to Phase 2, a further 39 houses. Policy MD3 raises issues that must be addressed, the cumulative impact of development within a village being one.

Nesscliffe is at the point that if phase 1 and 2 are approved there will be a 50% increase in the number of houses in one go which MD3 does not consider appropriate and raises issues of unsustainability.

I would urge the Committee to take on board the comments above and note the failure to address their request. SAMDev is the current policy and the number of houses should be in line with the site allocation of 15 houses. Since no actual number of units were specified at outline stage there is scope to reduce the number of dwellings in line with SAMDev and the Committee should not fear appeal.

Item No.	Application No.	Originator:
7	16/02395/FUL	Case Officer

The case officer recommends that existing Condition 5 (Trees) is replaced with the following pre-commencement condition.

No part of the development approved will commence in any way until:

- a) A full specification and construction method statement for the proposed access road platform that complies fully with the performance specification and tree protection measures and other constraints identified in the Sylvan Resources Arboricultural Report dated March 2017 has been submitted and approved in writing by the Local Planning Authority.
- b) All tree protection measures required as part of the Sylvan Resources Arboricultural Report of as part of the platform construction method statement have been installed as approved.
- c) A program of arboricultural supervision and monitoring, including details of reporting any incidents and contingency measures, during the installation of the access road platform has been provided and agreed in writing with the Local Planning Authority. The program shall be implemented in full as agreed by the



Local Planning Authority.

Thereafter, no works associated with the development approved will commence and no equipment, material or machinery connected with the development will be brought onto the remainder of the site until all other tree protection measures specified in Sylvan Resources arboricultural report dated March 2017 have been fully implemented to the written satisfaction of the Local Planning Authority.

The access road platform shall be maintained to the agreed specification for the lifetime of the development hereby approved.

All tree protection measures shall be approved in writing by the Local Planning Authority and must be maintained throughout construction until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered nor any excavation be made

Item No.	Application No.	Originator:
7	16/02395/FUL	Arboriculturalist on behalf of objector

1. The applicant has confirmed that Oak (Tno.1) next to Manor Lane is a veteran specimen with Retention Category 'A' and an extensive Root Protection Area (RPA) which must be protected throughout the course of construction. All traffic accessing the proposed development must pass over the RPA of this Oak. The applicant has therefore sought to provide a design (dwg. 18-15-35 REV) which seeks to ensure that the rooting area of the Oak remains unaffected throughout the course of construction and afterwards. The proposed design fails to achieve this aim for the following reasons.

a) A drawing (Plan 18-15-35 REV A) has been submitted which details the proposed methodology for the construction of the road over the Root Protection Area. The design indicates a raised concrete platform supported on concrete footings. The finish height of the concrete platform is approx. 430mm above the existing road. This reduces the height between the access and the lowest branches of the Oak to 4.6m where they will conflict with passing construction traffic and farm machinery using Manor Lane. Raising the height of Manor Lane by 430mm directly under the Oak has the potential to severely impact on the above ground constraints (BS5837:2012) imposed by this veteran tree.

b) Sections A-A and C-C of drawing no.18-15-35 REV A, indicate that these footings will require excavation to a minimal depth of 850mm (Section A-A states footing depth- 850mm min, "See Note 8" (but I cannot find Note 8)). It is well documented that 90% of tree roots are located less than 1m below ground level. We can assume that construction for the proposed footings will cause significant damage to the roots of this veteran tree.

c) The concrete slab is not porous. There will be some reduction in water availability to this veteran tree.

d) Concrete is not inert and its use is not advisable within the protected RPA associated with a veteran tree.

e) Section A-A of dwg. 18-15-35 REV A suggests that "tree roots >25mm will be retained within spliced ducts" but it is the mass of <1mm feeding roots which provide trees with nutrient and water uptake. Tree roots do

not grow in straight lines; spliced ducts would not be suitable and concrete would ingress on to the root through the spliced aperture. Section A-A clearly shows that roots will be encountered during excavation and severed unless >25mm.

I conclude that the proposed concrete platform would be detrimental to the health of the Oak which the applicant seeks to protect. This issue is a major concern because the applicant has identified this Oak as requiring the highest level of protection (Ret Cat 'A'-BS5837).

It is highly likely that if this application is approved in its current form, root damage will result in the decline in health of this Oak. I have not undertaken a detailed Helliwell or other tree valuation assessment but for purposes of assessing liability, I would estimate that this Oak could have a value of up to £100,000.

I hope that this information is of value within this planning process.

Brendan (Tuer)

Item No.	Application No.	Originator:
7	16/02395/FUL	AF Macdonald and Partners Longden Village Action Gp

Letter received 19 September (objection) raising the following:

- Concern that proposed outfall drain for non-mains drainage system may not be acceptable to the Environment Agency and there are potential inaccuracies in the Foul Drainage Assessment Form FDA1 submitted
- Concerns that soakaway tests for permeability may be inaccurate due to geological conditions
- Concerns raised about design of permeable paving and effectiveness of soakaway
- Concerns about design and gradient of foul sewer

Item No.	Application No.	Originator:
7	16/02395/FUL	AF Macdonald and Partners Longden Village Action Gp

Letter received 22 Sept (objection) raising the following:

- Concern that platform too high and ramp too steep for vehicles and does not conform with Highways (Road Humps) regulations
- Concern that clearance from raised surface to bough of tree above is inadequate
- Longden Manor Farms have a private legal right of way to use Manor Lane-impact upon Human Rights

- Concerns about responsibility for maintenance of platform in future. Longden Manor Farms will not accept responsibility

Item No.	Application No.	Originator:
7	16/02395/FUL	Agent on behalf of applicant

Email received in response to late representation :

- Ramp is proposed at gradient 1:15
- Oak Tree bough is circa 6.5m and lowest small branch 5.0m from existing road level therefore sufficient clearance

Item No.	Application No.	Originator:
7	16/02395/FUL	Case Officer

The figure of 56 dwelling approvals (Officer report Para 6.1.9) is consistent with Shropshire Council's Housing Land Supply Statement (11 Sept 2017) which shows for settlements of SAMDev Plan Policy S16.2(xi) there have been 19 dwelling completions since 2011. A further 33 sites have planning permission as at 31 March 2017.

Item No.	Application No.	Originator:
7	16/02395/FUL	Longden Parish Council

Dear Councillor,

Central Planning Committee 28 September 2017  
Proposed Construction of five bungalows, Manor Lane, Longden  
Application Ref. 16/02395/FUL

I write as a member of, and on behalf of, the Longden Parish Council in relation to the above application, which is scheduled for consideration by the Planning Committee on 28 September.

The Parish Council opposes this application, and I shall address the Committee on the matter at the meeting. However, the issues involved in this scheme are complex, and the time allocated for public speaking will not allow me to detail the points that the Parish Council wishes to make. I am, then, writing this letter in the hope that I can transmit to you the Parish Council's concerns.

The Core Strategy introduced the idea that, if a Parish Council wanted new development in their area, it might identify villages as Community Hubs or Clusters; if it did not want new development the Parish would remain as open countryside, and development would be restricted.

When the County Council began the preparation of the SAMDev, Officers from the County Council were persuasive in their efforts to promote a 'localism' agenda, in order that local communities could achieve the level of development they wanted. Longden Parish Council endorsed this approach and undertook a public consultation exercise with Parish residents. It was determined that Longden, together with four other villages in the Parish, should be regarded as a Community Cluster and a sensible level of

development should be planned for.

The Parish Council produced the Longden Development Strategy which embodied the results of the public consultation. The Strategy was again the subject of consultation, and was subsequently submitted to the County Council. The wishes expressed in the Strategy were specifically included in SAMDev Policy S16.2 (xi). This policy indicates that there should approximately 10 - 50 additional dwellings constructed in the Community Cluster over the period to 2026, and that 25 - 30 of those dwellings should be built in Longden village. As the community wished to encourage young couples or families, a preference for lower cost 2-3 bedroom properties was expressed.

Since the adoption of the SAMDev a number of planning applications seeking to develop housing in the Cluster have been submitted. The Parish Council have supported a number of small scale proposals, particularly where they involved low-cost 2 or 3 bedroomed properties, as indicated in the SAMDev policy. However, three applications (one of which included the current application site) have involved large numbers of houses, and would have extended Longden into open countryside. These applications were recommended by the Council's Officer for approval. Thankfully, the Planning Committee refused permission for the developments. In due course the applications were taken to appeal, and the appeals were dismissed as being contrary to policy and because they would have extended development into open countryside.

In dismissing the appeal on the land that included the current appeal site, the Appeal Inspector indicated that he felt the proposed development to be,

*“....significantly harmful to character and appearance of this area of countryside and the rural setting of the edge of the village, ”* and that, in relation to the policies in the Core Strategy, *“the land has the physical characteristics of being countryside rather than a mainly village built-up environment.”*

The report prepared for the Committee suggests that, whilst the number of dwellings permitted in Longden Parish has already exceeded the number set out in SAMDev policy S.16.2(xi) as being appropriate up to 2026, the number of dwellings permitted in Longden village has not reached the maximum of 30 units. The Parish Council agrees that the number of dwellings in the Cluster (which of course, includes Longden) has, indeed, already been exceeded, but also believes that permissions exist which mean that the figure for Longden village is also exceeded.

However, the Parish Council also believes that the consideration of the merits of an application should not just involve achieving, or not achieving, a particular number. It should also take into account how Communities wish to see their villages develop, how they see their village in its rural setting, and whether the wishes of the Community or the desires of developers, should prevail.

The Parish Council believes the proposed development would extend the village into open countryside as the development would not relate to the built form of the village. It would appear an incongruous, suburban, element in an open field. The site is not restrained by any natural boundaries. A development involving three-bedroomed bungalows will not produce low cost housing that might be attractive to young couples. It is the sort of development that the Parish Council wished to guard against when making representations during the SAMDev process.

There are also two significant outstanding practical issues - the drainage of the site and the future of the veteran oak tree situated on Manor Lane.

On the matter of the drainage of the site, the applicants have proposed a private disposal unit. The ability of the system to cater appropriately for the drainage of the site, and the effect on drive gradients etc. has already been questioned by Consultants acting for the Village Action Group. It does not appear to the Parish Council that these issues have been satisfactorily resolved.

The proposal also makes provision for a concrete 'bridge' over the roots of the veteran oak tree. Again, the suitability of this arrangement has been questioned by Consultants acting for the Village Action Group, and the issues raised have not been properly resolved. The introduction of a concrete 'bridge' into this country lane will, in itself, detract from the appearance of the area.

These are issues that have been the subject of a number of revisions during the life of the application, but have still not been fully resolved. As the application is a "full" application it should not be determined until the full extent of the effects of the proposal is known.

It will be clear from the above that the Parish Council and the Longden Community generally, do not want the proposed development. Indeed, the Parish Council understands that the access to the site (i.e. Manor Lane) is, in fact, in the ownership of a party who has advised the Council that he will not allow access to the development site. The development does not appear to be 'deliverable.'

The Parish Council, then, respectfully requests that the Committee refuse permission for this development which is contrary to the 'development' plan and the wishes of the local Community.

Item No.	Application No.	Originator:
8	17/04172/DIS: Land at Barker Street	Town Council

Members supported the new plans in principle as they recognise the need for this mixed use accommodation and feel the site is appropriate.

However, they objected to the elevational designs which are unimaginative and not in-keeping with the surrounding buildings. The new construction will sit in a prominent position close to some historic buildings i.e. Rowley's House so Members feel the design is important. They would like to see alternative materials be considered to break up the massing of the block and the introduction of a pitched roof similar to surrounding buildings.

Item No.	Application No.	Originator:
8	17/04172/DIS: Land at Barker Street	Civic Society

The Civic Society objects to this application.

This design is not good enough.

Shrewsbury Civic Society's Planning Committee including its architects, are still unhappy with the design for the road-facing "Block C". The alterations made in response to public comments about the previous design have been noted. However, eliminating previous features, has not make a design that will enhance the Conservation Area. A "design statement", is now provided by the applicant but the design itself does not sufficiently address the great significance of this site – the entry to Shrewsbury Centre, - the position

opposite the iconic Rowley's House – the nearby mix of modern and historic buildings, etc. It will set an unpleasant precedent for the West End of Shrewsbury (about which there have been several plans). This front elevation is unlikely to be popular and may accrue local architects' derision, as did the last design. Sir Neil Cossons' recent lecture on the future development of Shrewsbury, showed how the town is at "a cusp" and should only accept the highest quality of development. This design is not that. An independent Design Review is needed. The Authority has no design trained architect, a review was suggested at the 2015 determination and significant design work was asked for by Historic England then.

The process of determination is insufficiently robust for this Conservation Area site. We have discussed with officers our anxieties about the process by which the application was determined in 2015. There was very little time for proper consideration by anyone with concerns; there was an extremely short public consultation; the determination was not based on good design principles (no external design review, no officer with professional design qualifications, some Councillors with a proclaimed lack of design sense); and the decision was made by Councillors whose opinions could have been compromised by the Council's commitments to the University. The process now seems to be very little changed. The proclaimed urgency of the need is likely to overcome the long-term quality of our town's development.

We ask you to reject this application to enable an external design review eg MADE, and prompt the next application so it is a little more certain that the town won't be left with a single block

Mr Tim Rogers  
Development Management  
Shropshire Council  
Shire Hall  
Abbey Foregate  
Shrewsbury  
Shropshire  
SY2 6ND



Pleydell Smithyman

REF:M16.132/001.l.sc/rc

26<sup>th</sup> September 2017

Dear Tim

**RE: STANFORD FARM, STANFORD, HALFWAY HOUSE, SHREWSBURY, SHROPSHIRE**  
**APPLICATION REFERENCE: 16/05541/FUL**

---

I am writing to you with regards the conditions set out within the committee report for the Stanford Farm application which is going to committee this Thursday (27<sup>th</sup> September 2017). The inclusion of highways conditions and also a condition restricting the number of events permitted per annum over a 3 year period was of particular concern.

We understand that the inclusion of condition 10 relating to highways was included in error and that the recommendation is not based upon the conditions set out within the committee report but is subject to appropriate highways conditions being agreed. This is a reasonable approach given the lack of response from the highways authority to date on the proposals. Nevertheless we are disappointed that it has not been possible to agree suitable conditions prior to the application going to committee. The highways response to the application was received in June 2017, the applicant's highways consultant (Jeremy Hurlstone) replied immediately explaining in detail that 2 of the 3 conditions suggested by the Highways Authority were unreasonable. The application was not taken to committee in June, or any subsequent committee since, due to the fact that highways had not responded to these points, we have still had no formal highways response, just a 3 line email stating they recommend approval of the temporary permission subject to their previous comments. This suggests the highways response prepared by Jeremy Hurlstone hadn't been considered at all.

The fact that suggested point (i) of condition 10 is not reasonable due to the fact that the owner of this part of the access has clearly said he will not allow any works to this part of the lane is reinforced by the letter dated 25<sup>th</sup> September from Emrys Jones & Co.). It is unreasonable to include a condition that we know from the outset cannot be implemented.

As we have mentioned previously, the provision of two passing places (as suggested in for a temporary three year permission is unreasonable, particularly as the events over the summer have demonstrated that there is no need for them. We have previously suggested that monitoring the situation for a set period to determine the impact of the proposal on the local highway network

would be appropriate to determine the level and nature of mitigation required. This would appear to be a more pragmatic approach to the highways conditions.

We appreciate that these draft conditions have been included within the committee report by error but the fact that we are no further forward with highways, after a period of 3 months is not acceptable. The application could have gone to committee in June under the same circumstances as it is going this week.

Of greater concern to our client is the inclusion of condition 13 which seeks to restrict the number of events permitted to 12 per year over a 3 year period. The restriction on the number of events to be held at Stanford Farm (beyond those set out in our client's business plan and within the planning statement) had never been mentioned as an appropriate course of action. It is unreasonable to introduce a condition such as this which has such a huge impact on the viability of the proposal at such a late stage.

We appreciate that the intention of the condition is to minimise potential impact on residential amenity of neighbouring residents, however no justification has been given relating to how 12 events has been decided as appropriate. There is no evidence that the proposed use would have any adverse impact on the amenity of neighbouring residents. Conversely the 7 events that have taken place this year have demonstrated that there have been no adverse impacts occurring in the locality as a result of the events taking place. There have been no issues on the local highway network as a result of events taking place and whilst complaints have been made about noise, the spot checks made by environmental protection have proved that no music or other noise can be heard during an event, outside the confines of the site and they have confirmed to the applicant that the events have caused no issues and no further measures are necessary to protect residential amenity.

In such circumstances, limiting the number of events to 12 per year and allowing only a temporary permission for 3 years seems unreasonable. The business plan set out in the planning application sets out a realistic projection of the level of business anticipated and to allow the business to operate profitably. Limiting the number of events to 12 per annum for 3 years would seriously jeopardise the viability of the proposal (particularly given the delays faced by this application and the additional costs incurred as a result) and unreasonably constrain the potential of a rural diversification business.

Limiting the number of events to 12 per annum makes the requirement for passing places to be conditioned even more unreasonable. As condition 1 limits the development to a period of 3 years and condition 10 refers to the highway works being implemented within 9 months, this effectively leaves the Applicant in a situation whereby they would have to fund 2 passing places for the benefit of 27 months of remaining planning permission. Furthermore, based upon the Council's interpretation of the GDPO, the applicant can hold 9 events per year without the need for planning consent or the conditions attached to it. As condition 13 intends to restrict activities to 12 events per year, on a pro-rata basis, that the Authority requires two passing places be provided on the basis of  $6.75 \text{ events over a 27 month period } (36 \text{ months} - 9 \text{ months for implementation} = 27 / 36 = 0.75 \times (12 \text{ events per year} - 9 \text{ permitted} = 3) \text{ over 3 years} = 0.75 \times 3 \times 3 = 6.75)$ . This is clearly unreasonable.

We acknowledge the interpretation of the GPDO set out within the committee report, however the nature of the existing use of the land where the marquee would be positioned, as agricultural sheep grazing land, means that this use can easily continue without difficulty during set up and take down



of the temporary structure. Therefore the existing use would only need to cease while the event was actually taking place. Under these circumstances the applicant could have 28 events per annum in a temporary structure. The temporary structure would however be likely to have a greater impact on the amenity of local residents as it would not be possible to insulate a marquee and restrict noise in the same way as it is the barn.

We appreciate that a balance needs to be struck between allowing the development of a business which is likely to increase activity within the area and protecting the amenity of residents of neighbouring properties. However, even at the maximum of 28 events per annum applied for, events would take place infrequently, and as demonstrated over the summer, cause so little disruption in the surrounding area, it is difficult to see how reducing the number of events to 12 per annum can be justified. We understand the recommendation to issue a temporary permission as this allows for the monitoring of the proposal, operating as intended, over this period and looking to the future, beyond the 3 years, would provide certainty about a future planning application for permanent use, but also limiting the number of events changes the application proposal so considerably that our client would not have started the process of applying for planning permission and would have relied on her permitted development rights for the business.

As clearly established within the committee report, the proposal is in accordance with the adopted policies within the development plan, the NPPF requires local planning authorities to approve development that accords with the development plan without delay. There are no significant adverse effects relating to the proposal and therefore there is no justifiable reason for refusal.

Clearly now we are finally in the position that the application is going to committee on Thursday our main aim is to get planning permission granted, however we are very frustrated about the time this application has taken to get to committee and the way it has been handled. We have had a 3 month delay while waiting for highways comments, this delay has been a considerable cost to our client both in terms of professional fees and the fact that she has not been able to take future bookings, which further affects the viability of the proposal. What is more frustrating is that despite being no further forward in terms of the highways conditions, there is now a suggested condition restricting the number of events to such an extent that it puts the viability of the entire proposal into question. Had the application have gone to committee in June, under the same circumstances as it is going this week that condition would not have been imposed. We fail to see what has occurred over the past 3 months to deem this condition necessary.

I would be grateful for your thoughts on the above matters prior to the committee meeting on Thursday and I will give you a call later today to discuss.

Yours sincerely,



**REBECCA CRANN**

Planning Consultant  
CC. Cindy Edwards



# EMRYS JONES & CO.

Solicitors

B. W. THISTLETHWAITE

8, Broad Street  
Welshpool  
Powys, SY21 7RZ

Tel: 01938 552510  
DX29211 WELSHPOOL

Fax: 01938 555241

E-Mail: [info@emrys-jones.co.uk](mailto:info@emrys-jones.co.uk)

Web Site: [www.emrys-jones.co.uk](http://www.emrys-jones.co.uk)

Your Ref:

Our Ref: BWT/JME/37198

25<sup>th</sup> September 2017.

## TO WHOM IT MAY CONCERN

Dear Sirs,

RE: **Our Client** : Mrs Dorothy Turner  
**Property** : Little Stanford (formerly Stanford Holding)  
Stanford, Halfway House, Shrewsbury,  
Shropshire, SY5 9DW

We act on behalf of Mrs Dorothy Turner the owner of the above property and are instructed to write following seeing matters contained in what we understand to be a:-

### **"Development Management Report"**

prepared by the "Responsible Officer : Tim Rogers" in relation to:-

"Planning Application Number 16/05541/FUL

in respect of Stanford Farm, Stanford, Halfway House, Shrewsbury, Shropshire.

We refer to what appears under the heading:-

**"CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT."**

Number 10:-

"Within 9 months of the date of this permission, the following access/highway works shall be completed in accordance with full engineering details which shall first be submitted to, and approved in writing by, the local Planning Authority:-

- (i) The resurfacing/reconstruction of the initial section of the existing vehicular access, including widening where possible,
- (ii) The provision of two vehicle passing bays within the highway verge between the site access and the junction with Pecknall Lane,

- (iii) A scheme of directions signing for the proposed events, including sign content, precise locations along with any necessary permissions or consents.

Reason : In the interests of highway safety.”

Our client’s title is registered at H.M. Land Registry and a copy of the Title Information Document is enclosed.

The Lease referred to in the Schedule of Notices of Leases is in favour of the Environment Agency and as will be seen it is for a rain gauge site at Little Stanford. It is not relevant to this matter.

The Charges register refers to rights that are reserved by the Conveyance of 22<sup>nd</sup> July 1954 between Sir Richard Tihel Leighton and others and affect the registered land.

The Harry Turner referred to in that Conveyance, the original of which we hold, and a copy of which is enclosed herewith is the late husband of our client.

If you look at the plan you will see that the access across Little Stanford in favour of Stanford Farm is shown coloured brown.

If you look at clause 1 of the Deed – starting towards the bottom of the second page – you will see that there is a portion of it which reads:-

“EXCEPT NEVERTHELESS AND RESERVING unto the Vendor in fee simple or other the owner or occupiers of Stanford Farm and all persons authorised by them and all other persons having a little right the right of way at all times and for all purposes with or without horses cattle sheep and other animals carts carriages wagons and other mechanically propelled vehicles over and along the roadway coloured brown on the said plan.”

That is the extent of the right of way in favour of the owners of Stanford Farm. It does not give them the right to do anything more than traverse over the roadway. In particular it does not give them the right to widen it or do anything else with it and certainly not to alter it.

Insofar as the conditions of the Planning Consent as indicated above require the Applicant as a condition of the grant of the consent that she seeks to implement these matters then she cannot do so.

Further insofar as there is a reference to the building of laybys/passing places please note the location of our client’s ground from the plan attached to the Conveyance. In other words the road comes right up to the edge of our client’s ground irrespective of whether the hedges are set back. Again there is no right vested in the owners of Stanford Farm to do any works that affect our client’s ground.



Notwithstanding the lack of rights referred to immediately above we are given to understand there have already been encroachments onto our client's adjoining property which is, needless to say, not acceptable.

Finally for the avoidance of doubt we confirm that our client is not willing to agree to any works being done either on the roadway within her property or to her boundaries abutting the Council maintained road.

Yours faithfully,

Emmys Jones + Co

**This page is intentionally left blank**