

**SOUTH PLANNING COMMITTEE****SCHEDULE OF ADDITIONAL LETTERS****Date: 10<sup>th</sup> January 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**

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	16/02739/FUL – Smithfield, Bridgnorth	Objectors
<p>9 further objections have been received mainly reiterating previously received comments which are already noted in the officer report. The concerns relate to loss of parking, retail impact, the residents of Bridgnorth not wanting this development and traffic impacts.</p> <p>One representation comments that the town was judged in the Great British High Street competition on its unspoilt character, availability of parking, fine balance of independent and national retailers and most importantly, the campaign to get shoppers to embrace, use, celebrate and support their local high street and that the proposed development would threaten this by added pressure on already scarce parking, diverting shopping activity from the high street and erecting buildings which are monolithic and out of character with the town.</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	16/02739/FUL – Smithfield, Bridgnorth	Officer
<p>For clarification, the floor area detailed at paragraph 6.5.2 (2,135sqm) is the ground floor space of the proposed buildings. When the mezzanine floor spaces is added the total floor space of the proposed buildings is 2,573sqm.</p> <p>The officer has also considered the scheme against the Town and Country Planning (Consultation) (England) Direction 2009 as the application consists of the provision of edge-of-centre retail development. It is officers opinion that the development does not need to be referred to the Secretary of State as it does not meet the three triggers within the direction.</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
6	15/05330/EIA Walkhamwood Farm	Objector
<p>A further objection has been made on by Marches Planning &amp; Property on behalf of Neenton, Faintree and Chetton Action Group (NF&amp;C), summarised as follows:</p> <p>Landscape</p> <ul style="list-style-type: none"> <li>- a 34 page Review of Landscape and Visual Issues prepared on behalf of NF&amp;C has been submitted by a Chartered Landscape Architect, the main points summarised as follows:</li> <li>- LVIA is described as ‘informal’ and ‘standalone’; as such is not in accordance with the EIA Regulations, and does not conform to GLVIA3</li> <li>- Material differences between what is reported in the LVIA and the text in the ES landscape chapter; some likely to affect judgements about levels of effects</li> <li>- no criteria given for levels of landscape quality, landscape and visual value, receptors’ susceptibility to change, receptor sensitivity, or magnitudes of effect; not possible to ascertain how the judgements were arrived at, and the results cannot be tested</li> </ul>		

- criteria given for determining significance in both the LVIA and the ES are inadequate, and require further clarification
- baseline landscape assessment is inadequate
- no mention of historic landscape character in the LVIA, and no cross referencing between this and other landscape-related topics (e.g. heritage, biodiversity, noise, odour, hydrology, transport), despite this being a requirement of the EIA Regulations
- Landscape and visual receptors were not properly identified, and their levels of receptor sensitivity were not given, so it is not possible to know how the judgements were arrived at
- LVIA does not systematically and transparently identify, describe and assess effects, as set out in GLVIA3; does not state whether effects are adverse or beneficial
- conflates landscape character and visual effects, so it is not possible to determine whether a 'High' level of effect on one has been 'balanced out' by a 'Low' level of effect on the other
- Effects of lighting on landscape character and visual amenity are not assessed
- The assessment of cumulative effects is not adequate
- The effects of the proposed access and loss of hedge on landscape character and visual amenity are not assessed
- The fact that levels of visual effects are likely to be higher for the six months of the year when there is little or no leaf cover has not been taken into account at all the viewpoints
- At some of the viewpoints, levels of effects are not reported
- Some of the proposed mitigating measures appear to be suggestions only, and may not have been included in the scheme layout, although the LVIA appears to assume that they have been included; requires clarification
- The LVIA explains that the proposed earth bunds and planting are mitigation measures the sole purpose of which is to screen views; however, the adverse effects of these features on both visual amenity and landscape character have not been fully taken into account.
- Certain mitigation measures have been treated as a 'benefit' and / or 'enhancement'
- The LVIA recommends compensation measures without quantifying matters such as value
- Mitigation does not take into account factors such as seasonality; difficulty establishing on steep slopes; lack of management, removal for biosecurity reasons etc.; higher level views would not be fully-screened even when the trees were mature
- The LVIA should be revised to take into account these and the other issues, and should correctly follow the GLVIA3 process
- Agree with the applicant's LVIA that even with 'effective' mitigation in place, all the landscape and visual effects arising from the proposed development would be negative
- Without mitigation in place, or having become effective, the LVIA predicted that the adverse landscape and visual effects would be 'High' / 'significant' for receptors at half of the near distance viewpoints which were identified; this is a fair representation of likely visual effects; levels of adverse effects on landscape character would be High (i.e. 'significant') within the wider study area as well
- the mitigation measures themselves would give rise to adverse landscape and visual effects; likely that effects would remain 'significant' as defined by the LVIA's criteria
- it is highly unlikely that the proposed development could be fully-screened from all viewpoints, and that adverse effects on certain visual receptors / views, and on landscape character, could not be adequately mitigated even over the longer-

term, and would thus remain significant adverse;

- a period of ten years or more may not be considered 'temporary' by some people
- it is up to Shropshire Council to decide whether they can rely on the findings of the ES and LVIA in the decision making process, or whether the issues which have been flagged warrant further scrutiny
- it is evident from the baseline studies that what is proposed is uncharacteristic and inappropriate in the area; it would introduce large scale, industrial and alien built form and artificial geometric shapes into what is agreed to be a '... tranquil landscape of national importance', of High value, High sensitivity and of High scenic quality, within the setting of the Shropshire Hills AONB; site lies in sparsely settled open countryside, and is divorced from other agricultural built form
- not a site which can naturally or comfortably accommodate such large-scale development; LVIA describes both the development and the required engineering works as 'major', and concludes that 'The landscape and visual effect of the earth berm is significant'
- the sole purpose of the earth bunds and woodland planting is to mitigate the predicted adverse effects on views by screening the proposed development, but these measures would in themselves give rise to adverse landscape and visual effects
- as the majority of the adverse effects on landscape character cannot, in my opinion, be mitigated, the residual level of effect would remain permanently at between Moderate and Moderate to Major Negative (i.e. 'High' / 'significant' using the criteria and terminology applied in the LVIA)
- NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, and that there are three dimensions to sustainable development: economic, social and environmental. In para. 7 it makes clear that achieving the economic dimension requires '... ensuring that sufficient land of the right type is available in the right places'
- In this case, the very large extent of the heavy engineering works that are required in order to construct this industrial-scale scheme and insert it into such a highly sensitive landscape makes it abundantly clear, in my opinion, that this is not the right type of land, and the site is not in the right place, for this development.
- Para. 109 of the NPPF states that 'The planning system should contribute to and enhance the natural and local environment by... protecting and enhancing valued landscapes'. Whilst there is no definition of what a 'valued landscape' is, my own experience and research on the subject leads me to conclude that this is indeed a valued landscape, and that what is proposed would neither protect nor enhance it.
- In terms of local planning policy, the proposed development does not comply with Shropshire Council's Strategic Objective to 'Ensure that the character, quality and diversity of Shropshire's built, natural and historic environment is protected, enhanced and, where possible, restored, in a way that respects landscape character, biodiversity, heritage values, and local distinctiveness, and contributes to wider environmental networks', and that it is in conflict with the Core Strategy's key policies for the delivery of this policy.

#### Odour

- Environmental Pollution Management Ltd. have commented further that uncertainty is not discussed or quantified so not clear how it complies with IAQM guidance
- Marches Planning & Property have provided correspondence regarding a noise complaint in relation to a four broiler unit installation in Herefordshire in response to a noise complaint from a neighbour 400 metres away from the unit regarding pressure washers at 0400 hours
- MP&P have provided details of odour issues that have arisen in respect of sites within Herefordshire, even where the odour modelling asserted that the properties

- were well outside the area that would be affected by any odour or dust
- MP&P state that neighbours have also complained that their gardens get covered by dust and feathers although 300-350 metres away
- EA receive nearly 2000 complaints per year about poultry units, principally relating to odour, equivalent to 2 per each installation in England
- Applicant's agent have stated in relation to a current application in Herefordshire that it is generally accepted that 400m zone around intensive livestock development is the threshold for nuisance complaints relation to airborne emissions

#### Trees and public rights of way

- No root protection management plan has been submitted; was specifically requested by the Scoping Opinion
- Concern that the retained corridor between the bridleway and the application site would be used as a farm access, as it would pass over the roots of mature oak trees, which are highly vulnerable to compaction
- Concern that the application states that horse riders have the option to use the existing public right of way leading to Smeesley, as this is a footpath and so not available to riders or cyclists

#### Sustainable water management

- Application does not specify why it is 'impractical' to install a green roof on the poultry building, despite the Scoping Opinion specifically requesting that they should be considered

#### Agricultural land classification

- The former woodland cover of the site would have added nutrient and organic matter to the soil, enhancing its quality
- Application gives no consideration to the detailed requirements set out by Natural England in the Scoping Opinion in relation to soil as a resource

#### Sustainability

- The EIA's failure to assess the future intensification of production renders the assessment of impacts invalid
- Proposed eight cycles per year (based on growing birds for 38 days) does not reflect current industry practice and does not reflect likely future practices; many now harvesting birds at 28 days old with industry predicting 19 days in a very few years; forecast to be at least 15 annual cycles within the lifetime of the proposed development
- Application makes uncorroborated claims about economic and environmental benefits, both misleading and inappropriate in an ES; ES should be a factual document
- No evidence to support assertion that the development would bring us closer to being self-sufficient; UK exported 340,000 tonnes of chicken meat last year
- Chicken meat purchases in the UK have declined
- Not sustainable: involves intensive HGV movements; bulk of feed is soy imported from Latin America
- Industry generates comparatively little employment
- Development puts at risk employment for domestic workers in the tourist industry which makes a larger contribution to the local economy than agriculture; drives out skilled professionals who set up businesses in Shropshire
- Clear potential harm to Thornett & Co. which employs four people at the Barn at Smeesley Farm; EIA does not evaluate the potential loss of this business against the claimed benefits of the proposed development, or reduction in property values
- Inappropriate to site poultry units at such a distance from the main farmhouse;

applicants have previously sought permission for a dwelling at the site citing need for a 24 hour presence – examples provided

#### Biomass boiler

- if permission granted should be subject to a condition that the litter is burned in the biomass boiler, otherwise would be a material change significantly altering the impact assessments

#### Ecology

- ecology assessment was carried out in September 2015 and is now, therefore, out of date
- fails to include any consideration of the impact on farmland birds; lapwings were observed flying over the site; these are on the red list of most endangered birds under the Birds of Conservation Concern review and a priority species in the UK Biodiversity Action Plan; high risk that the development would destroy lapwing habitat, contrary to the Biodiversity Action Plan, the Natural Environment and Rural Communities (NERC) Act 2006 and the Wildlife and Countryside Act 1981
- likely that other farmland birds are also present on the site, because the ecology assessment has simply not investigated this habitat

Item No.	Application No.	Originator:
6	15/05330/EIA Walkhamwood Farm	Shropshire Council's landscape consultant, ESP Ltd.

The Council's landscape consultant ESP Ltd. has made the following comments:

Email from Graham Clark to Kelvin Hall of 17.11.16

Re: third paragraph –

*'The amended LVIA submitted as the Environmental Statement V2 September 2016 has been assessed by an independent landscape consultant .....and found to be sound in terms of the methodology assessment process.'*

I believe this refers to our re-consultation report dated 30.09.16. Since that date Marches raised further comments in their email of 12.10.16. ESP re-examined those issues in our report of 14.11.16 and found that there were still some inconsistencies and issues with methodology. Furthermore, it recommended that the LVIA and ES needed to provide further details of what cumulative effects had been considered.

However, ESP concluded that:

*'....it is our opinion that it (the revised LVIA) has reasonably identified the likely significant landscape and visual effects, and has informed the mitigation measures that include the site design, layout and planting strategy. In this respect it has adequately satisfied the requirements of the LVIA role in EIA.'*

Re: 14th paragraph

ESP commented that the LVIA accepts that the roadside hedge will be directly affected but note that there is no clear assessment of landscape effects in our initial May 16 review. In the subsequent Sept 16 review we state in paragraph 5.3 that we are unable to comment on greater detail on the assessment of landscape effects due to insufficient detail in the assessment provided by the LVIA.

In response to the 34 page Review of Landscape and Visual Issues submitted on behalf of the Neenton, Faintree and Chetton Action Group (NF&C), the Council's landscape

consultant ESP Ltd. has made the following comments:

Review of Landscape and Visual Issues submitted on behalf of the NF&C:

The author has had 3 months in which to prepare her own comparative LVIA and apply every recommended guideline to the process. She has raised 19 or more reasons why she considers the Applicant's LVIA is not fit for purpose. ESP has reviewed her report over the last couple of days and found some of her objections reasonable and others less so.

Those we consider reasonable include:

- The baseline to the cumulative effects assessment has not been established (as we recommended);
- More transparency is needed in detailing the different levels of change and receptor sensitivity;
- Conflation of landscape and visual effects causing potential confusion;
- The effects of site lighting have not been considered;
- The effects from some viewpoints have not been reported.

Those we considered less than reasonable include:

- Content of the LVIA does not conform to the requirements of Table 3 of the GLVA13. Although there is some confusion over the titles, we believe the content and iterative design process does conform to the Table;
- Consideration of effects on the AONB. We do not believe this requires further consideration. The visualisation provided by CT is out of date (inaccurate) and highly enlarged. Views of a development of this scale would be barely visible to the naked eye at >5km distance, even at this elevation. We located a viewpoint from a similar direction at 3.7km distance but from a lower elevation and came to the same conclusion;
- Lack of conformity between the ES and the LVIA. Our September 16 report no longer considers this an issue;
- The supposed different quoted heights of the perimeter bund (berm). The top elevation is described at 203.0m aod. The height of the bund will vary according to its location across the sloping site. The important aspect is how much of the buildings it will obscure, demonstrated by the sections on the landscape strategy drawing;
- Definition of significant effects with regards to a 3, 4 or 5 point ratings. GLVIA3 regards matrices of judgements as only adjunct to the narrative. The revised LVIA describes which level of effects it defines as significant;
- We accept that the screening potential of the plantation will be diminished to some degree during winter months, but this is mostly a 20m wide belt with holly in the understory. The landscape strategy sections show potential growth over 3 years, 10 years and on maturity.

However, ESP has only undertaken a quality review of the submitted LVIA and not a full independent Assessment. More importantly, the Applicant's agents and their Landscape consultant have not had the opportunity to respond to this report and have not made the revisions recommended by ESP in our report of 14.11.16.

Item No.	Application No.	Originator:
6	15/05330/EIA Walkhamwood Farm	Planning Officer
As set out above, the Council's landscape consultant has undertaken a brief assessment of the Review of Landscape and Visual Issues that has been submitted on behalf of objectors to the proposed development. Whilst our consultant considers that many of these objections are not reasonable, he considers that some of them are reasonable.		

Members may therefore wish to decide whether this would warrant a deferral of the planning application to give further time for these issues to be addressed.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
6	15/05330/EIA Walkhamwood Farm	Planning Officer

#### Odour

The Council's Public Protection Officer has provided the following additional comments in response to the comments of Dr Dickerson of Environmental Pollution Management Ltd.

I have had a look at the information. I am aware that poultry units can create odour issues including when cleaning operations take place. However, the potential impact is weather dependent. There may at times when slightly stronger or weaker odours will be perceived depending on weather conditions. Where good management practices are in place less odour will be emitted.

In relation to uncertainty about modelling it should be noted that all models inherently have the potential to under or over predict based on inputs. This is why conservative inputs are used which has been the case in this instance. In relation to the comment questioning whether it is suitable to assume less odour generation after thinning I can confirm that I consider this appropriate as less birds produce less waste and therefore less odour. Also heat production is less within the shed and there is more air dispersion to the ground all of which are likely to reduce odour for various reasons.

As mentioned where odour issues are noted the EA can investigate and take action as necessary.

On the basis of the above Officers do not consider that any changes are required to the Committee report or recommended conditions.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
6	15/05330/EIA Walkhamwood Farm	Planning Officer

#### Trees

The Council's Arboriculturalist has made the following comments in relation to the further comments by Marches Planning & Property:

Significant damage to the roots of retained trees could be avoided by: i) keeping the access route as narrow as possible (using fencing to define it and constrain 'off-route' traffic); ii) installing the new route to the western side of the corridor between the site and the bridleway, as far away from the tree stems as possible; and iii) utilising a 'no-dig' means of construction for any(s) length of access falling within the Root Protection Area (RPA) of the retained trees eg using a three dimensional cellular confinement system to act as a loadbearing sub-base.

This could be encompassed within the recommended pre-commencement conditions I attached to my consultation response of 28<sup>th</sup> November 2016. Upon reflection though, the wording presupposes that the RPA of retained trees has been plotted on an approved plan, which is not the case here. The recommended condition might therefore need amending to include wording to the effect that 'the RPA (as defined in British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction) of retained trees and hedges must be plotted on a final layout plan and, where the plan indicates construction is to take place within the RPA,'... then wording as per my previously suggested conditions.

The point in para 12 of the Marches objection, about lack of a root protection plan, would also be addressed through the above mechanism.

In view of the above Tree Officer comments Officer recommend that, if permission is granted, proposed condition 6 should be replaced with the following:

Prior to the commencement of any development a drawing shall be submitted to the local planning authority which identifies the Root Protection Area (RPA) (as defined in British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction) of retained trees and hedges at the site. Where the plan indicates that construction work or installation of any drainage or service run is to take place within the Root Protection Area of any retained tree or hedge, then prior to commencement of any development-related works on site, a Tree Protection Plan (TPP) shall be submitted to and approved in writing by the local planning authority. The TPP shall include details on how any such retained tree or hedge will be protected from harm or damage during the development.

Reason: to ensure that permitted work within an RPA is planned and carried out in such a manner as to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

Item No.	Application No.	Originator:
6	15/05330/EIA Walkhamwood Farm	Planning Officer

In response to the Marches Planning & Property comments above:

#### Sustainable Water Management

The Council's Scoping Opinion (ref. 15/02108/SCO) stated that "As part of the SuDS, the applicant should consider employing measures such as the following: Rainwater harvesting system; Permeable surfacing on any new access road and hardstanding area; Attenuation; Greywater recycling system; Green roofs. Reason: To ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner" (my underlining).

The agent confirmed that consideration was given to rainwater recycling and that installing a green roof is impractical. Officers are of the view that consideration has been given to these matters in the application. As such Officers do not consider that any changes to the Committee report or proposed conditions are required.

#### Agricultural land classification

Issues relating to agricultural land classification are discussed in para. 6.3.6 of the Committee report. Notwithstanding the comments that Natural England made on 22<sup>nd</sup> May 2015 in relation to the request for a Scoping Opinion, Natural England were consulted on the subsequent planning application and Environmental Statement. They have not raised any issues in respect of agricultural land or soil resource in any of their consultation responses (27<sup>th</sup> January 2016, 5<sup>th</sup> October 2016 and 23<sup>rd</sup> November 2016). Officers do not consider that any changes to the Committee report or recommended conditions are required.

#### Sustainability

The application has been determined on the basis of the information submitted. In relation to the production cycle, the Environmental Statement states that birds would be grown up to 38 days, and that this is a 'worst case scenario'. This is reflected in the Committee report at para. 1.6.



The comments regarding economic and environmental benefits, and the national picture regarding imports and exports of chicken meat are noted. The potential economic benefits are discussed in para. 6.2.4 of the Committee report. The comments by Marches Planning & Property do not affect the Officer recommendation.

Item No.	Application No.	Originator:
6	15/05330/EIA Walkhamwood Farm	Planning Officer
<p>In response to the Marches Planning &amp; Property comments above:</p> <p><u>Biomass boiler</u></p> <p>The comments of Marches Planning &amp; Property are noted. Officer recommended that, if permission is granted, this is subject to an additional condition to require that a majority of poultry litter is burned at the site, as follows:</p> <p>Prior to the commencement of the development a scheme shall be submitted in writing for the approval of the local planning authority which set out procedures for ensuring that, wherever practicable, no less than 50% of the poultry litter produced at the site shall be burned in the biomass boiler. The submitted details shall identify measures for dealing with emergency situations such as plant breakdown, to ensure that this proportion can be maintained wherever practicable.</p> <p>Records of the proportion of poultry litter that is burned shall be kept and made available to the local planning authority on request.</p> <p>The development shall be undertaken in accordance with the approved scheme.</p> <p>Reason: The application has been assessed on the basis that poultry litter would be burned. This condition is required to ensure that there are no significant changes to this to ensure that additional impacts such as additional noise or odour do not arise.</p>		
Item No.	Application No.	Originator:
6	15/05530/EIA Walkhamwood Farm	Planning Officer
<p>In response to the Marches Planning &amp; Property comments above:</p> <p><u>Ecology</u></p> <p>The potential ecological impacts of the proposal are discussed in section 6.9 of the Committee report. The submitted Ecological Assessment acknowledges that nesting birds are protected by the Wildlife and Countryside Act 1981. It sets out mitigation measures to be undertaken should it be required that vegetation clearance takes place within the bird breeding season". Recommended condition 18 requires that work is carried out strictly in accordance with the Ecological Assessment. Officers do not consider that any changes are required to the Committee report or recommended conditions.</p>		
Item No.	Application No.	Originator:
7	16/03878/FUL – Withies, Much Wenlock	Highway consultant on behalf of objector
<p>Further comments have been received on behalf of an objector which are summarised below;</p> <p>In respect of the Highway Officer comments I am not sure what has changed along the B4371 such to change her views and opinion from the original objection to the initial</p>		

planning application for the site which stated that:

'The site adjoins a derestricted section of county road along which vehicles tend to move at fast speeds. As a consequence it is considered that the movement of vehicles into and out of the site as a result of the proposed development would be likely to cause interference with and impede the free flow and safe movement of traffic using the county road'.

Whilst the access has been repositioned along the frontage no other material changes have been made or occurred to the B4371 to influence such a change of direction.

It is acknowledged that Manual for Streets 2 (MfS2) provides additional supplementary guidance to MfS1 and seeks to provide guidance to fill a perceived gap between MfS1 and DMRB guidance. However it is noted in the Scope of MfS2 that the principles contained within this document can be applied to speed limits, but the table does not include 60mph speed limits. The guidance suggests that the principles may be applied to rural locations that may be subject to the national speed limit but where traffic speeds are well below 60mph. The guidance further suggests that the local context is key and is used as a basis to examine and base the design assessment on. It has been acknowledged by the Highway Officer that the road is 60mph and that vehicles tend to move at fast speeds. This has similarly been acknowledged by the applicants Highway consultant.

However no justification has been given of how the MfS2 guidance should be applied to this section of road. The inference of this decision will inevitably open all county roads to be considered against the principles of MfS2, with visibility drastically reduced on high speed roads, where visibility was previously not available to accord with the guidance of DMRB. The reduction in visibility amounts to 64m which is an approximate 30% loss or reduction. The Highway Officer states that the visibility splays are based on site assessment, but I cannot see any formal counter results on the planning portal, although it would appear that the 60mph has been accepted as the speed of traffic passing along the site road frontage to the B4371.

The road is a Class II County Highway and no doubt has a reasonable level of traffic and cannot be considered to be a small lightly trafficked rural lane and as such the design standard that should be applied is Design Manual for Roads and Bridges.

Only two conditions have been requested, however these do not request that the full access arrangements are provided to demonstrate that the lower levels of visibility, which have been accepted by the Highway Authority can actually be achieved. No swept paths have been requested to indicate that the junction bellmouth can actually accommodate a vehicle in and out at the same time. No details have been requested for sections along the visibility splays set against the steep highway verges/banks adjacent to the B4371 to indicate that the visibility splay envelopes will be clear and free of obstruction. No construction details have been requested.

The Highway response gives little regard to the comments that have previously been raised in response to the planning application. It is considered that the use and application of the guidance provided in MfS2 for such a location on a derestricted county road will set an unwarranted precedent for future schemes along similar sections of county highway.

Given the number of issues relating to the design of the proposed access, it is considered that the proposals as submitted are unsuitable and inadequate in terms of junction visibility, vertical and horizontal visibility, general alignment, geometric layout, surfacing and surface water collection. It is considered that the proposals and ultimately

the Highway comments on the application have been ill thought out in terms of the effect the additional traffic movements will have on the safe movement of traffic using the B4371. Officers are invited to review and refuse the application on inadequate visibility, geometric layout and highway safety grounds.

Item No.	Application No.	Originator:
7	16/03878/FUL – Withies, Much Wenlock	SC Highways

Shropshire Council as Highway Authority would make the following comments with regard to further representations received from Mr Dower and Highways Consultant Andy Gough dated 2<sup>nd</sup> and 3<sup>rd</sup> January 2017, in association with planning application reference 16/03878/FUL.

***It is noted that the Highway Officer has now responded on the latest application details and this has been provided in two parts with a Highway Advice Note from the Council's term consultants dated 30th September and a further email from Gemma Lawley on 16th December 2016. I am unsure why it has taken so long to publish the Advice Note if it was indeed written on 30<sup>th</sup> September and I would be interested to know if this has either been wrongly dated or held back for such a significant time.***

The delay in submitting the highway advice note and the confirmation of the Highway Authority's position, on this matter, is regrettable and should have been resolved earlier. Although there are a number of reasons for this delay, there is no excuse. However, the Highway Dept. is improving the service to hopefully stop this situation happening in the future.

***"In respect of the Highway Officer comments I have to say that I am not sure what has changed along the B4371 such to change her views and opinion from the original RF02 objection and refusal condition to the initial planning application for the site. The refusal reason stated that:***

***'The site adjoins a derestricted section of county road along which vehicles tend to move at fast speeds. As a consequence it is considered that the movement of vehicles into and out of the site as a result of the proposed development would be likely to cause interference with and impede the free flow and safe movement of traffic using the county road'.***

***Whilst the access has been repositioned along the frontage as far as I can see no other material changes have been made or occurred to the B4371 to influence such a change of direction."***

The above mentioned comments related to the original Planning submission (16/00521/FUL), which proposed to intensify the use of a particularly sub-standard access, already serving this camping & caravanning site. This would have resulted in additional vehicles slowing down and making turning manoeuvres on the B4371, which could potentially compromise highway safety. Resulting in the recommendation for refusal, justifiable on the potential intensification of use.

What should be remembered, is that this camping & caravanning site has been previously consented, and/or has permitted development rights for this established usage. Albeit, it is currently served from an access arrangement which is wholly unsuitable, for the location or use thereof. Therefore, if no changes in traffic movements could be expected then the above comments would not have been a legitimate reason for refusal under the planning legislation.

Notwithstanding the above, the applicant has re-submitted the application, including proposals to significantly improve the existing access situation, particularly in regard to creating substantial visibility splays. It has also been clarified that the potential intensification of use is unlikely to be as onerous as first envisaged as a number of the camping plots allowed will be replaced by the 'shepherd huts', rather than these being additional facilities.

***“With regard to the site itself I am led to believe that the site is no longer a certified site with the Camping and Caravan Club, but perhaps the Highway Officer should investigate this further so the full facts are available before making such a statement.”***

It is understood that this matter has now been addressed, and confirmation has been provided that the site is operating as a CL under a licence issued by Freedom Camping Club and as such 20 tents and 5 caravans are permitted on the site.

***“Turning now to the highway design criteria, it is acknowledged that Manual for Streets 2 (MfS2) provides additional supplementary guidance to MfS1 and seeks to provide guidance to fill a perceived gap between MfS1 and DMRB guidance. However it is noted in the Scope of MfS2 that the principles contained within this document can be applied to speed limits, but the table does not include 60mph speed limits. The guidance suggests that the principles may be applied to rural locations that may be subject to the national speed limit but where traffic speeds are well below 60mph.***

***The guidance further suggests that the local context is key and is used as a basis to examine and base the design assessment on. It has been acknowledged by the Highway Officer that the road is 60mph and that vehicles tend to move at fast speeds. This has similarly been acknowledged by the applicants Highway consultant. However no justification has been given of how the MfS2 guidance should be applied to this section of road. The inference of this decision will inevitably open all county roads to be considered against the principles of MfS2, with visibility drastically reduced on high speed roads, where visibility was previously not available to accord with the guidance of DMRB.***

***The reduction in visibility amounts to 64m which is an approximate 30% loss or reduction. The Highway Officer states that the visibility splays are based on site assessment, but I cannot see any formal counter results on the planning portal, although it would appear that the 60mph has been accepted as the speed of traffic passing along the site road frontage to the B4371. I would be interested to hear if any further counter assessment was made.”***

Please refer to the extract below from Manual for Street 2 stating that the advice builds on Manual for Streets 1 and can be applied up to, but not including trunk roads, where DMRB does apply. The proposed development is accessed off the B4371, therefore as an Authority we are satisfied that the principles of Manual for Streets 2 should be applied.

The Chartered Institution of Highways and Transportation's new guidelines builds on the advice contained in MfS1, exploring in greater detail how and where its key principles can be applied to busier streets and roads in both urban and rural locations up to, but not including, trunk roads. Manual for Streets 2 – Wider Application of the Principles will help to fill the perceived gap in design advice between MfS and the design standards for trunk roads set out in the Design Manual for Roads and Bridges.

It is also considered that should this application be considered as part a planning appeal or Inquiry, the Planning Inspectorate will assess the highway situation using the principles of MfS2, as the B4371 is not a trunk road.

The guidance set out in MfS2 recommends (as a general rule) a minimum visibility splay of 2.4m by 151m where approach speeds are 60mph, in dry conditions. However, it should be remembered that this criteria is based on recent evidential research into actual Stopping Site Distances (SSD). Including driver reaction times and comfortable de-acceleration rates, allowing the moving vehicle to come to a complete stop before hitting a stationary object in the road. The 'highway code' suggests these SSD's will be much shorter as they take into account emergency de-acceleration and real world vehicle capabilities. It should be noted that MfS2 also provides an appropriate formula for calculating SSD's in certain situations, with appropriate modification factors.

Drawing No. 98-16-07 provides details of proposed visibility splays, which are as follows;

Southwest Bound = 105 metres (based on an average vehicle approach speed of 45 mph) – It is considered that the applicants assessment of vehicular speed is not unreasonable for the location and the uphill gradient. (MfS2 recommends 95m at this speed)

North-east bound = 143.6 metres (based on an average vehicle approach speed of 60mph). Again the applicant's assessment is considered reasonable and realistic for the location. (MfS2 recommends 141.5m). Concern has been raised that this is a downhill gradient with considerable HGV movements, and these vehicles will require a greater distance to stop. However, HGV's are restricted to travelling at 50mph on all single carriageway roads. Therefore, taking the MfS2 calculator/modification factors into account, for a 10% downhill gradient and high HGV movement at 50mph, the stopping distance recommended is 128.5m. Thereby, well within the visibility splays proposed.

The proposed visibility splays are based on an experienced officer's site assessment, and have been considered by Mouchel to be appropriate for the surrounding conditions.

***“It is noted that only two simple conditions have been requested to be imposed upon any grant of planning consent. However these do not request that the full access arrangements are provided to demonstrate that the lower levels of visibility, which have been accepted by the Highway Authority can actually be achieved. Furthermore no swept paths have been requested to indicate that the junction bellmouth can actually accommodate a vehicle in and out at the same time. No details have been requested for sections along the visibility splays set against the steep highway verges/banks adjacent to the B4371 to indicate that the visibility splay envelopes will be clear and free of obstruction. No construction details have been***

***requested.”***

Details of construction and levels have been submitted in association with the application and are detailed on Drawing 98-16-20 (construction) and 98-16-25 (levels). However, if the Committee are minded to a Condition can be attached to any permission granted to control the construction of the access and the need to keep the visibility splays clear of any obstruction.

***I see no reason for the change in stance by the Highway Authority on this application and on the basis of the above it is considered that the proposals will result in conditions detrimental to highway safety and free flow of existing traffic on the B4371 and the Highway Authority Officers are invited to review and refuse the application on inadequate visibility, geometric layout and highway safety grounds.***

The application under consideration is for the change of use of land to campsite, the erection of a multi-purpose building and siting of 4no Shepherds Huts. The site currently has a licence for 20 tents and 5 caravans are permitted on the site. As outlined within Section 2.4 of the submitted Design and Access Statement, the application under consideration does not seek to increase the number of pitches, the 4 Shepherds Huts will be included in the current 20 pitches. Therefore it is not considered that the proposed development will have a detrimental impact on Highway safety and a Highway refusal could not be sustained in an appeal situation. The existing site is accessed via an access with restricted visibility, the proposed application seeks to close the existing access and provide an improved access.

Officer comment: Technical issues raised in respect of highway safety and design of the proposed new access are addressed by SC Highways above.

The Committee Report advises that the site has been operating as a camping and caravanning site since May 2013 and if it is determined to refuse the application, the current licence to use of the site as a caravan and camping site for 20 tents and 5 touring vans utilising the existing access remains valid. As noted previously the site benefits from a Licence under the Caravan Sites and Control of Development Act 1960 , and Section 269 of the Public Health Act 1936 issued by the Freedom Camping Club. It is acknowledged that these licences are reviewed by the certifying organisation annually and that renewals can be refused.

There have been no reports of and road traffic accidents as a result of the use of the site to date. Officers consider that the proposed new access further improves the entrance to the land. Therefore, there is no change to the recommendation which is to approve with conditions.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
7	16/03878/FUL – Withies, Much Wenlock	Agent for the Applicant

The Applicant's Agent has confirmed that the applicants are happy to agree to be limited by condition to 16 tented camping pitches, 4 shepherd huts and 5 touring vans. Condition 3 is amended accordingly, and to accord with paragraph 1.1 of the report. Condition 3 therefore reads:

**3. No more than 4 shepherds huts structures, 5 touring caravans and 16 tent pitches shall be provided/sited within the application site at any one time.**

**Reason: To define the scale of the holiday accommodation enterprise, for the avoidance of doubt.**

This will ensure that only the same number of units which are permitted under the current Licence are present on the site at any one time. Therefore, there will be no greater visual impact than can occur without the need for planning permission.

Item No.	Application No.	Originator:
7	16/03878/FUL – Withies, Much Wenlock	Objector

The Agent for the main objector has contacted the Department for Communities and Local Government (DC&LG) National Planning Casework Unit requesting that this application be called in because of the detrimental impact of the proposed use on the character and appearance of Wenlock Edge.

The DC&LG has advised officers that planning decisions by and large should be determined at a local level. Therefore, they do not get involved until the decision is made by the LPA. However, they are required to consider every request to intervene and therefore officers have agreed a 2 week delay in issuing the decision notice to enable the Secretary of State to consider the application and the decision made by the Planning Committee.

The recommendation is amended to:

**Grant Planning Permission, subject to no call-in by the Secretary of State, and to the conditions set out in Appendix 1, with condition 3 amended as set out above.**