

Date: Tuesday, 12 March 2019

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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SOUTH 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

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SOUTH PLANNING COMMITTEE		
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Date: 12 th March 2019		
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Item No.	Application Nos.	Originator:
5, 6, 7 and 8	18/05052/FUL; 18/05078/FUL; 18/05079/FUL and 18/05159/FUL	Chelmarsh Parish Council
<p>Additional comments have been received from Chelmarsh Parish Council which are summarised below:</p> <ul style="list-style-type: none"> -Cannot stress enough the unsuitability and very poor state of repair of the B4555 from Bridgnorth to Highley. -Bakehouse Lane, Chelmarsh is an accident black spot, with many near misses; serious collision close to the Bull's Head last year and fatalities of pedestrians in the area in the memories of local people; have requested the speed limit through the village be reduced to 30mph from the current 40mph. -B4555 coming from Highley through to Chelmarsh was originally designed as single track for horse drawn vehicles; very narrow in places with double bend at Sutton and some houses inches from the highway. -Not enough room for 2 buses to pass in some parts, let alone lorries carrying lodges. -Heavy traffic is causing damage to properties and will get worse if this development proceeds. -Speed limit needs to be reviewed. -PJA report does not address collisions on this section of as the police likely not called but in past 5 years there have been incidents of cars landing in gardens. -Several pinch points on B4555 in Highley. -B4555 road is crossed in Chelmarsh by the route 45 cycle route and the Jack Mytton Way just after a right hand bend with limited visibility for cycleway, bridle way and road users; crossing would be even more hazardous for all concerned with extra traffic. -Will visitors be aware of the narrow railway over bridge and the tight bend by the railway under bridge; with the potential queueing of traffic turning right into development? -The Parish Council has suggested two entrances to assess the development, with vehicles from the south using the current proposed access and those from the north using the quarry access, but this has only been suggested by the applicants for the construction period. -In the last 12 months there have been approximately 12 accidents on the road between Chelmarsh and The Astbury turn – drivers failing to negotiate bends or losing control on downhill sections of road, which may have not been reported to the police; consider that there would be an increased risk of more serious events. -Lorries delivering lodges via Bridgnorth would have a very difficult manoeuvre at the B4363/B4555 junction; construction lorries would add further wear and tear to bridge over River Severn in Low Town. -Halfway House Lane needs upgrading as it would be used by some construction traffic. -Development would have potential impacts much wider than Chelmarsh and Astbury where it will be situated – those coming from south will be directed through Bewdley and sat nav will direct people down the very steep single track lane by Borle Mill. Visitors from north will be directed through Bridgnorth Low Town which becomes very congested on Saturdays in summer. -Repairs should be carried out to the B4555 road before work commences and have seen no evidence of maintenance in the past 10 years. -Painting 'slow' on the roads and erecting a few signs does not work to reduce accidents. 		

Notes from the public meeting held at Chelmarsh Parish Hall on the 21st November 2018 have also been submitted, which raise points set out in the original Parish Council comments set out in the Committee Reports and above.

Item No.	Application Nos.	Originator:
5, 6, 7 and 8	18/05052/FUL; 18/05078/FUL; 18/05079/FUL and 18/05159/FUL	Applicant's Transport Consultant

Response to above Parish Council comments:

-Review of recorded accidents indicate that the majority of collisions have occurred when vehicles have travelled too fast for road conditions, resulting in a loss of control.

-Proposed that the developer will implement a package of measures to encourage lower traffic speeds, with measures based upon highway safety guidance within the Design Manual for Roads and Bridges (DMRB). Preliminary designs have been prepared and agreed with Shropshire Council Highways.

-A Construction Environmental Management Plan will minimise any disruption during construction phase, which includes restricting delivery times to outside of the morning and evening rush hours and school start/finish times; providing delivery firms with maps advising the appropriate route from the north and south, and signage along the route (with the approval of Shropshire Council) to prevent accidental use of minor lanes. Junction capacity model of the site access has been robustly tested and demonstrates that there would not be queues on the B4555 at the site access.

-Has been agreed with Shropshire Highways that the resurfacing of some sections of the road will be necessary to accommodate construction traffic, this will be facilitated under Section 59 of the Highways Act.

-Have been informed by Shropshire Highways that there are planned highway works programmed to address some of these issues, and therefore the exact level of repair that will be provided by the developer will be determined at the start of construction.

-With regard to overtaking at the Bakehouse Lane junction note that there are already double white lines on the approach to the junction. DMRB suggests a coloured surfacing within the hatched area of the road markings to discourage overtaking, which it is proposed that the developer would implement and fund this measure. Reduction in the speed limit would have to be put forward and implemented by the Council under a separate process.

-With regard to road widths the lodges would be delivered by specialist haulage firms experienced in the transport of large vehicles; Allowing for total number of lodges, this would amount to 2-3 vehicles per day, 5 days a week for 12 months, split between the northern (Bridgnorth) and southern (Highley) arrival routes, with delivery times outside the morning and evening peaks, and school start/finish times.

-Visibility at crossing of B4555 by Cycle Route 45 is appropriate for 40mph zone, there are warning signs that cyclists may be crossing the road and measures are proposed by the developer in the vicinity of the crossing comprising red anti-skid 'SLOW' and '40' road markings to encourage drivers to keep to the speed limit.

-At the railway bridges there is already signage in place warning of oncoming vehicles in the middle of the road and the developer will provide additional road markings to encourage low traffic speeds, and will resurface the carriageway with anti-skid surfacing to reduce the risk of loss of control collisions.

-Traffic model shows there would not be a queue of vehicles waiting to turn right into the site.

-Comments made by the Parish Council about access to the site have been considered. However the existing accessed by the golf course forma a prominent and attractive entrance to the new development. Although there is an existing entrance at the north-eastern corner of the site, it is only a minor access which is only suitable for temporary use during construction.

-Visitors, who are unfamiliar with the area, are likely to take note of traffic calming measures and to drive appropriately.

-During the operational phase of the development, with the agreement of the highway authority, appropriate signage will be provided at various points to direct visitors along the appropriate routes, avoiding minor lanes.

-With regard to the comment about congestion in Bridgnorth, although the changeover days are not specified as part of the applications, typically most leisure facilities such as this work on a Friday-Monday and Monday-Friday pattern, which would avoid Saturday afternoons.

-Shropshire Council Highways have not raised any concerns regarding the ability of Bridgnorth Low Town Bridge to accommodate additional heavy vehicle traffic during the construction phase.

Item No.	Application Nos.	Originator:
5, 6, 7 and 8	18/05052/FUL; 18/05078/FUL; 18/05079/FUL and 18/05159/FUL	Local residents

18 Objections summarised below:

-Grave concerns over the amount of traffic and speed of traffic that the development will bring during the construction phase and on changeover days.

-Installation of new signs and road material will not reduce traffic speeds.

-Not possible to re-open Eardington Station on safety grounds.

-No consideration given to visitors in need of medical attention whilst occupying the lodges.

-Have not seen any business plan to support the proposed 120 jobs.

-May split business into smaller numbers of lodges that could then be possibly turned into permanent dwellings or other undesirable planning applications if a quick return on the investment is sought.

-Have seen numerous accidents not involving serious injuries near the entrance to Astbury in the last year.

-No structural engineering assessment of the railway bridge has been made by Shropshire Council; heavy construction traffic may damage or weaken bridge which was not designed for such traffic weight, or flow rates.

-Appalling state of road needs to be pointed out and wrong to state roads capable of taking increased volume of traffic.

-Committee members need to drive the road from Bridgnorth and Highley, and large vehicles attempting to negotiate the railway over and under bridges.

-Road markings will not influence traffic congestion.

-B4555 is a minor road not capable of carrying current traffic load; traffic unpleasant for those living near the road.

-Will result in traffic jams on Bridgnorth Low Town bridge.

-Question accuracy and validity of applicants traffic report and not independent.

-Economic growth report fails to analyse economic viability of the proposal and why the

existing golf course has failed.

- Developer should prove viability.
- Consider there will be no local economic benefit.
- Need assurances that there would be career opportunities other than part time minimum wage jobs.
- How will 'in house experience' benefit local traders?
- Potential for Mor Brook to be polluted by misuse of chemicals used to maintain and treat septic tanks.
- River Severn struggles to cope with current discharge into it.
- Negative impact on plant, bird and animal life.
- No benefit to local residents.
- No critical evaluation of plans in terms of cost or impact.
- What guarantees are given that the developer will be bound to carry out all four applications?
- What guarantees are there on the quality/visual impact of chalets, and that they will not be sold on to become semi residential properties?
- Will not support local residents or bring prosperity to the area.
- Disturbance to local residents during construction period.
- Light, noise and traffic pollution caused by visitors.
- Initial figures of over 100 jobs for local people now stated as being just over 50.
- Unrealistic and unobtainable to complete development in under 2 years; suggested chalet/park homes manufacturer could not produce the quantity needed in that period.
- The four applications should be classed as one development and application, granted either as one or not at all.
- Will spoil the rural area for good.
- Expect a risk, health and environmental assessments to be completed.
- Decision makers should not prioritise their needs over those of the local community.
- Existing foul and storm water drainage in the area needs to be dramatically improved to meet the demands of the proposals.
- B4555 is more like a country lane.
- Developer should fund a costed road improvement scheme before any works commence on site.
- Scale inappropriate.
- Concerned about visual impact of plateau development on elevated ground.
- Noise and light pollution.
- Should not expand high density caravan/lodge developments on eastern side of River Severn onto the west side.
- Will increase flow of pedestrians on public footpaths, creating further environmental damage.
- Should allow general public access to facilities, so local residents can benefit from facilities.
- Goes against SAMDev for Eardington and Chelmarsh.
- The Unitary Authority fails in its duty to enforce the misuse of holiday homes.
- Unproven need.
- Lack of services; lack of parking in Bridgnorth.

Item No.	Application Nos.	Originator:
5, 6, 7 and 8	18/05052/FUL; 18/05078/FUL; 18/05079/FUL and 18/05159/FUL	Case Officer

A copy of the Unilateral Undertaking has now been submitted for consideration. The clauses within the agreement are:

1. Not to implement, and shall deem to be invalid, any extant planning permissions (including but not limited to the unquilt elements of planning permission

BR/98/0829) relating to the Site at the Effective Date, excluding the Planning Permissions;

2. To establish and deliver a construction apprenticeship training scheme, applicable to the construction phase of the Development envisaged in the Planning Applications;
3. To establish and deliver a hospitality apprenticeship training scheme, applicable to the operational phase of the business envisaged in the Planning Applications to be carried out at the Site upon completion of the Development;
4. Not to permit the holiday lodges forming part of the Development or any part of the Site to be used for residential purposes in order to ensure that the Site remains in use for leisure and tourism; and
5. Not to part with, sell or otherwise dispose of the freehold of any part of the Site separately from the remainder of the Site without the written consent of the Council such consent not to be unreasonably withheld,

but nothing in this Undertaking shall prevent the Landowner from selling individual holiday lodges, or multiple holiday lodges, to any single owner, investor or holiday letting agency, business or holiday property portfolio holder or corporation, on a licence or leasehold basis, provided that the holiday lodges remain for tourism and leisure use. The Landowner confirms that the estate management rules, terms and conditions relating to the maintenance, occupation and use of all the holiday lodges and facilities at the Site shall remain applicable to all holiday lodges irrespective of the ownership of any holiday lodge on the Site.

Clause 5 and the subsequent paragraph expands on the reference in the recommendations on the applications that the facilities and holiday lodges be retained in a single ownership, and in the event of the Council consenting to any part of the site being sold separately, it would still achieve the planning objective of ensuring that the development would be managed, occupied and used as a single entity for tourism and leisure use.

The recommendations on applications 18/05052/FUL; 18/05078/FUL; 18/05079/FUL and 18/05159/FUL are amended to:

Grant Permission subject to confirmation from the Shropshire Council (SC) Legal Services that the submitted Unilateral Undertaking would secure the non-implementation of any extant planning permissions relating to the application sites (including but not limited to the unbuilt elements of planning permission BR/98/0829) should planning permission be granted for this development; delivery of the proposed apprenticeship schemes; and the development and management of the site (holiday lodges and leisure facilities) as a single entity as a tourism and leisure resort; and to the conditions set out in Appendix 1.

Delegated authority be given to the Area Planning Manager to negotiate any adjustments to the unilateral undertaking sought by SC Head of Legal Services and to make any associated adjustments needed to planning conditions.

Item No.	Application Nos.	Originator:
6 and 7	18/05078/FUL and 18/05079/FUL	Case Officer

It is recommended that the phrase “and retained for the lifetime of the holiday lodges” be added to the end of the recommended condition 7 on application 18/05078/FUL and condition 7 on application 18/05079/FUL, in respect of the external finishes of the holiday lodges and any associated access decking/steps/camps.

Item No.	Application No.	Originator:
9	15/02877/OUT	Applicant's Agent
<p>I would like to have the opportunity to update the Committee members with regard to this application and my client's proposals.</p> <p>This application was submitted some time ago and due to initial advice received prior to the adoption of the Local Plan, following a Pre-app on the site we had submitted an application for open market housing. Since this, during the application process we advised the Planning Department that my client was happy for it to be amended to a full affordable housing scheme and we were in negotiations with local affordable housing providers. Unfortunately, negotiations with the first provider in this regard fell through, however my clients have completed an Option Agreement with another affordable housing provider and we consider that this site could provide much needed local needs affordable housing in the area.</p> <p>We had asked for this application to be amended to state that all of the properties permitted would be secured as local need affordable housing under a Section 106 agreement, however we were told at the time that this was not possible. However, I am of the opinion that I can see no reason why the existing application cannot be granted with a condition that the permitted development is to be for local needs affordable housing only, to be secured with the signing of a Section 106 agreement. My clients are happy to sign an agreement in this regard so that the housing is for local needs only and as such I would be obliged if this could be made clear to the Committee members when they are considering the application.</p>		
Item No.	Application No.	Originator:
11	18/03509/FUL	Case Officer
<p>Please note: since the Officer's committee Report was published, the agent has reduced the scale of the scheme by removing the proposed fitness 'boot camp'. For the avoidance of any doubt, the description of the development now reads as follows:</p> <p>Change of use of land for the siting of 10 glamping tents plus one communal tent, formation of car park and replacement of existing shower/amenity block (part retrospective) (amended description)</p> <p>Members are therefore requested to consider the revised scheme as worded above and to disregard the sections of the Officer report that relate to the boot camp element of the development. Owing to this amendment resulting in a reduction in the scale of the scheme as originally proposed, the development continues to be considered under the national and local planning policies listed under section 6.1 'Principle of development' of the Officer report and Officer recommendation remains as Approve.</p> <p>In the recommended conditions, condition 7 is amended to delete reference to the health and wellbeing enterprise and now reads:</p> <p>7. <i>The existing adjacent dwelling (known as 'The Old Vicarage') on the land outlined in red on the submitted site location plan shall provide the requisite supervision and management of the holiday accommodation 'glamping tents' hereby permitted. As such the two shall at no time be sold separately or otherwise severed.</i></p>		

Reason: To ensure the provision of adequate on-site supervision of the enterprise in the interests of sustainable tourism development and the protection of residential amenity.

Members should also be made aware that the agent now states that air rifle shooting does not and will not take place on site, contrary to Point 6.4.17 of the committee report.

Item No.	Application No.	Originator:
13	19/00121/FUL	Diddlebury Parish Council
<p>Since the publication of the committee report the following additional support comments have been received by Diddlebury Parish Council:</p> <p>‘I am writing in support of the above application which is on the Planning agenda on the 12th March. Having noted the principles and discussed them with the Planning Officer concerned, Liz Davies, I would like to outline the main points which resulted in Diddlebury Parish Council unanimously strongly supporting this application.</p> <p>As with any development the council looked at the scale of it, its impact on the settlement and the materials to be used. Whilst accepting that the extension would significantly increase the residential footage of the building, we noted that there were no objections from the neighbours or anyone else from what is a small hamlet. As these buildings were erected after the war (40 in total within the parish, 38 still in use) they were not built to provide expected modern facilities and many of them have been modified to meet normal modern-day living standards. This may mean exceeding the original recommended size expansion limits to provide modern day living. By keeping them in use in the parish long after their original life expectancy they provide the bulk of the affordable houses available in the parish. Many are occupied by young families who we are desperate to retain or attract to the parish in order to maintain local facilities especially the primary school. As such we felt that the scale was reasonable to meet this family’s needs and hopefully retain them or in the future attract a new family. In this particular case Mr Pardoe is a valued member of the local community and has contributed to the parish, not least by erecting at his own expense a community glass fronted notice board.</p> <p>From a visual aspect the council felt that the building retained its original materials and the design enhanced the row of houses with more development likely in the row in the future as some of the older inhabitants moved out and younger people sought to expand a reasonably priced site. We feel that it does satisfy Section 12 of the NPPF in regards to:-</p> <p>“Framework also requires development to display favourable design attributes which contribute positively to making condition better for people, and which reinforces local distinctiveness.”</p> <p>and -</p> <p>“The existing balance of housing types and tenures in the local area, and the need to maintain a supply of smaller and less expensive properties in the local area that are suitable for the needs of many newly-forming households.”</p> <p>The parish council does not feel “that it would be over-bearing or failing to be subordinate to the original dwelling.”</p> <p>From an AONB point of view, we do not feel that the extension would be “at odds with its neighbouring properties nor that it would detract from the character and natural beauty of</p>		

this part of the AONB.” This is always one of our initial considerations in viewing an application. The materials used are the same and from the road one would only see a front profile. The very nature of the road there with its severe S bend detracts from drivers actually taking in the view of the cottages. A quick side glance of the first house as you pass the opening is the most drivers see.

From a residential amenity view point, the planners themselves state “As such it is judged that whilst there would be a degree of overlooking it is not of sufficient level to result in an unacceptable loss of residential amenity.”

The human rights section is also interesting as both local residents and the parish council feel that as in the rights laid out below the landowner’s desires and the impact of them on local residents are acceptable.

Article 8 gives the right to respect for private and family life and First Protocol.

Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

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

Sutton is a small hamlet which voted for housing development in the 2013 Place plan Survey for SAMDev. Whilst I understand the planning officer’s application of planning criteria, in this case I don’t feel that enough notice has been taken of local views and the criteria has been too strictly applied with no latitude given. We would urge the Planning Committee to support Diddlebury Parish Council’s approval of this application on the grounds outlined above.’