



Date: Tuesday, 5 March 2024

Time: 2.00 pm

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

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NORTHERN 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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Agenda Item 9

NORTH PLANNING COMMITTEE		
SCHEDULE OF ADDITIONAL LETTERS		
Date: 5th March 2024		
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	23/02652/FUL	Member of public
<p>The concerns we have about the gypsy traveller site have been submitted and listed on the north Shropshire web site. None of our concerns have changed as we have great worries about approval of the site. The road is a fast road from the bend to the junction and any vehicles pulling out of the site would cause a problem for oncoming traffic . The visibility is poor and at certain time the road is busy with people going to school and work . The approval would be inconsistent with refusal for new homes in Woodseaves and there is a lot of provision in the area already for gypsy traveller sites.</p> <p>We have read the conditions that have been put in place but if it is approved who would enforce these? Is it the council's job to enforce these? It is a concern that Woodseaves ends up with a situation that becomes difficult to deal with and how would it be sorted? Woodseaves is a small hamlet with no facilities and a busy road on both sides of the proposed site. We have seen several accidents since living here the last 30 years . Would this not make the situation worse, caravans and horses pulling onto the road? Many thanks for giving us the chance to voice our concerns, we realise what a difficult situation it is and hope that you see these are genuine concerns for the future of Woodseaves</p> <p><u>Officer comments</u></p> <p>SC Highways raise no objections to the application. Officers consider the application complies with both Polices CS5 and CS12 of the Shropshire Core Strategy. Non - compliance with necessary conditions would be a matter for the Council's Enforcement Team.</p>		
Item No.	Application No.	Originator:
5	23/02652/FUL	Member of public
<p>I object to the application as the Case Officer has not considered the overall impact on the local area and its residents. The Officer has given undue, and it looks like sole consideration, to the point that the applicant is of Gypsy/Traveller heritage. The Officer has placed the circumstances of the family as a significant factor in decision making, but what about the fact that in the original application to develop this site the applicant was applying to build a conventional home – a brick bungalow? No mention of Gypsy/Traveller requirements or links to local area.</p> <p>The application to build a family bungalow was rejected due to the fact that a development on this site would unnecessarily impact on the character and beauty of the countryside which is quite correct. How can the Officer now decide that a traveller site with two mobile homes, utility block and all the associated hard standing would have any less impact on this site?</p> <p>If I have interpreted the planning rules correctly, they state that the authority should make sure that developments protect, conserve and take notice of the local character of sites.</p>		

Gypsy/Traveller site applications have to abide by these same specific requirements! How can a mobile home site enhance in any way the character of Woodseaves and surrounding rural area, protect and conserve local character?
It cannot be right that a decision as important as this relies overwhelmingly on the ethnicity of the applicant!

Officer comments

Each planning application has to be considered on its planning merits. Whilst the previous application for a dwelling on site was for an unencumbered detached dwelling this did not comply with policy and was refused permission for this reason. The current application under consideration for the site complies with relevant policies and these include Policies CS5 and CS12 of the Core Strategy. Further consideration on the matters raised can be found in the Officer report.

Item No.	Application No.	Originator:
7	23/05402/FUL	Environmental Agency

Summary of EA response with Officer responses (full response has been uploaded to the application and can be viewed on the council's planning portal)

Flood Risk Statement of Intent: The EA's position is clear that raising floor levels above the design flood level is the most effective way to ensure the development will not be subject to internal flooding. They advise that Finished Floor Levels (FFL) should be set no lower than 600mm (freeboard) above the 1% flood level plus climate change, with flood proofing techniques considered (where appropriate).

The EA would also like to see floodplain storage should be updated to confirm a commitment to provide level for level and volume for volume storage.

Planning Officer comment: Please note that the Statement of Intent forms an appendix to the submitted Flood Risk Assessment and seeks to guide flood risk management for the entire Smithfield Riverside development; the discussion regarding FFL is not relevant to the current application for demolition and the new park. The Applicant has also agreed to provide a update to floodplain storage figures.

The EA have questioned the inclusion of 'meanwhile' uses as part of this application and remain uncertain about their inclusion at this stage due to the lighter touch assessment of flood risk for this application. It is therefore recommended that the list of conditions is amended to ensure flood risk to the meanwhile uses is managed.

Planning Officer comment: The condition relating to the Meanwhile Use Strategy (condition 11) has been amended to refer to the need for a flood management scheme to be included as part of the strategy.

The EA have recommended that discussions are undertaken between officers and the council's Emergency Planners.

Planning Officer comment: Discussions have since been undertaken and the Emergency Planners raised no objection to the conditions as recommended. They further noted that application one relates to open space and not buildings and so did not wish to comment further. It is acknowledged that the consultation between Emergency Planners, the EA and the Applicant will be important as part of future applications at the site.

The EA indicated some confusion about the Podium level linked to the proposed 'meanwhile' uses.

Planning Officer comment: The Applicant has confirmed that the podium level has a floor level of 55.0m AOD, above the present day 1% AEP flood level. Again, finished floor levels for buildings at the site would be determined as part of future applications.

Regarding flood storage availability, the EA queried the calculations used for the flood storage availability. The EA advise that the LPA include a condition to secure the production and implementation of a flood risk management strategy within an agreed timeframe to inform future applications.

Planning Officer comment: A condition relating to a flood risk management strategy for the wider site to demonstrate that post development across, there would be no net loss of flood storage and an overall reduction in flood risk will now be imposed (please see condition below)

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Following comments of the EA, the following condition (referenced above) has been added:

Prior to consent being granted for development of the remainder of the site outside of the park area (and excluding meanwhile uses and enabling works), a flood risk assessment should be submitted and approved that:

- sets out the design flood level for the site;
- sets out the baseline flood storage position pre-demolition and;
- acts as a mechanism to record flood storage gain and loss through each phase of development;

to demonstrate that post development across the application site there is no net loss of flood storage and there is an overall reduction in flood risk.

Reason: To ensure satisfactory drainage of the site and to avoid flooding.

Item No.	Application No.	Originator:
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Condition 4 (Construction Environment Management Plan) has been split following discussion with the Applicant into two conditions; one of which will solely relate to demolition and the other that will relate solely to the construction of the park. Ecological protections have also been incorporated:

DMP Condition - No demolition shall commence until a Demolition Management Plan (DMP), has been submitted to and approved in writing by the Local Planning Authority; all measures which form part of the scheme shall be strictly adhered to throughout the period of demolition. The DMP shall detail site specific measures to control and monitor impacts arising and include as a minimum:

- Procedures to ensure all works adhere to Best Practicable Means (BPM), to reduce noise (including vibration) to a minimum, with reference to the general principles contained in British Standard BS5228: 2009 'Code of practice for noise and vibration control on construction and open sites, Parts 1 and 2'.
- Procedures to ensure Best Practicable Means to reduce dust emissions.
- Phasing plan for the demolition works
- Demolition access/haulage routes, parking and traffic
- Routing of demolition traffic
- Signing and adequate vehicle and pedestrian controls
- Working hours and restrictions
- Wheel washing facilities
- Proposed monitoring, monitoring locations and action trigger levels for noise, vibration and dust
- A procedure for dealing with complaints.
- A procedure for notifying occupiers who are likely to be impacted from works.
- Staff training to cover principles of Best Practicable Means (BPM) relating to all site activities.
- Measures to control the presence of asbestos

- a Site Waste Management Plan (SWMP) to contain details on the estimated volumes of demolition waste, to make provision for the recovery and re-use of salvaged materials wherever possible, and identify appropriate facilities for where the individual waste streams are anticipated to be received.
- An appropriately scaled plan showing 'Wildlife/Habitat Protection Zones' where demolition activities are restricted, where protective measures will be installed or implemented;
- Requirements and proposals for any site lighting required during the demolition phase;
- A timetable to show phasing of demolition activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season);
- Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during demolition;
- The times during demolition when an ecological clerk of works needs to be present on site to oversee works;

Reason: In the interests of highway and pedestrian safety, the amenity of the occupants of surrounding sensitive properties and maintaining servicing to properties affected by the works, and to protect features of recognised nature conservation importance, in accordance with MD12, CS17 and section 180 of the NPPF.

CMP Condition - No construction work shall commence until a Construction Management Plan (CMP), has been prepared and has been submitted to and approved in writing by the Local Planning Authority; all measures which form part of the scheme shall be strictly adhered to throughout the period of construction. The CMP shall detail site specific measures to control and monitor impacts arising and include as a minimum:

- Procedures to ensure all works adhere to Best Practicable Means (BPM), to reduce noise (including vibration) to a minimum, with reference to the general principles contained in British Standard BS5228: 2009 'Code of practice for noise and vibration control on construction and open sites, Parts 1 and 2'.
- Procedures to ensure Best Practicable Means to reduce dust emissions.
- Phasing plan for the construction works
- Construction access/haulage routes, parking and traffic
- Routing of construction traffic
- Signing and adequate vehicle and pedestrian controls
- Working hours and restrictions
- Wheel washing facilities
- Proposed monitoring, monitoring locations and action trigger levels for noise, vibration and dust
- A procedure for dealing with complaints.
- A procedure for notifying occupiers who are likely to be impacted from works.
- Staff training to cover principles of Best Practicable Means (BPM) relating to all site activities.
- An appropriately scaled plan showing 'Wildlife/Habitat Protection Zones' where construction activities are restricted, where protective measures will be installed or implemented;
- Requirements and proposals for any site lighting required during the construction phase;
- A timetable to show phasing of construction activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season);
- Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- The times during construction when an ecological clerk of works needs to be present on site to oversee works;

Reason: In the interests of highway and pedestrian safety, the amenity of the occupants of surrounding sensitive properties and maintaining servicing to properties affected by the works, and to protect features of recognised nature conservation importance, in accordance with MD12, CS17 and section 180 of the NPPF.

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Following discussion with the Applicant and the agreement of the council's Drainage team, it is recommended that condition 8 be removed and split into a pre-demolition condition and a pre-construction condition:

- No demolition shall take place until, a scheme to ensure surface water exceedance flows for events up to and including the 1% AEP plus Climate Change do not contribute to surface water flooding of any area outside of the development site has been submitted to and approved in writing by the Local Planning Authority.

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

- Prior to the commencement of the Park construction, a fully detailed sustainable surface water drainage scheme for the Park, including recommendations for the management and maintenance of the scheme for the lifetime of the Park, shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site and to avoid flooding

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7	23/05402/FUL	Planning Officer
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The following condition has been added at request of the EA:

- No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

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