

NORTH PLANNING COMMITTEE		
SCHEDULE OF ADDITIONAL LETTERS		
Date: 29th May 2018		
<p>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</p>		
Item No.	Application No.	Originator:
8	18/00693/VAR Hadley Farm	Case Officer
<p>Proposed condition 1 requires that the development is begun within three years. However the application is retrospective in that the change to the colour of the inverters has already been made. As such it is considered that there is no need for this condition. It is therefore recommended that this condition is removed.</p>		
Item No.	Application No.	Originator:
9	18/00846/REM Land off Roden Grove	Dr G Nash
<p>Dr Nash has submitted a PDF version of his letter of objection dated 16th May 2018 to replace the previously submitted word version on the Shropshire Planning Portal. The main points of objection raised/reiterated are:</p> <ul style="list-style-type: none"> • Transport Assessment and issues of additional traffic • Access ownership not proven • Land was historic flood plain and holds seasonal surface and ground water • Reference Tewksbury flooding • Do not see how proposals will improve flooding scenarios • Who will take responsibility for any flood event? • Question location, ability to cope and long term maintenance of French drains • Maintenance charges for drains and attenuation pond is unethical; such charges are currently under investigation by Government • Attenuation pond design and location is health and safety hazard • Question size of pond and ability to discharge in winter months • Discharge of polluted water from pond to River Roden and adverse impact on wildlife • Concerned about capacity and ability of existing, problematic, foul drainage system to cope • Test pit photos submitted do not match those excavated on site. Urge Council to require applicant to re-excavate test pits in presence of nominated professional. Would also like to see test pit logs to reveal soil geology • Roden Grove Action [Campaign] Group remain to consider there is a severe risk of flooding • 1.8 m high boundary fence will restrict hedge maintenance and light • Potential threat to 'Green Wedge' between Tilley and Roden Grove • Destruction of potential archaeology and cultural heritage. Acknowledge recommended archaeological condition. 		

- Destruction of habitat. Previous ecological survey inadequate and failed to identify presence of great crested newts
- Development site is >1.25m higher than land in Brook and Sun Drive. Associated loss of privacy/overshadowing if two storey dwellings constructed on northern section of site
- Existing pressure on schools and medical facilities
- Noise, dust and disturbance from building work

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9	18/00846/REM Land off Roden Grove	Agent
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To address the recommendations on the front page of the officer report, the agent has submitted:

- Updated CIL form 0
- Updated affordable housing proforma
- Updated Block Plan F105-02 Rev F to reflect updated landscaping
- Updated Landscaping Plan F105-03-Rev F with trees T1, T2 and T3 moved into the ecology buffer as requested, and the 2 x cherry trees TP6 and 1 x rowan tree TP4 relocated away from 5 Brook Drive. To provide sufficient clearance in accordance with recommended guidelines, the oak tree T1 is 12.5 metres from the overhead power lines and the sweet chestnut T2 is 6 metres from the STW apparatus.

The 3 larger trees have been moved out of the red-lined application site into the blue-lined land in the same ownership.

Item No.	Application No.	Originator:
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9	18/00846/REM Land off Roden Grove	SC Tree Officer
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The Tree Officer has confirmed that she is happy to support the amendment to the landscaping and thanks the applicant for their efforts in relocating the siting of the trees.

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9	18/00846/REM Land off Roden Grove	Case officer
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To reflect the fact that the trees have been moved outside the application site and onto other land in ownership some modification to recommended condition 6 is advised, to read as follows:

All hard and soft landscape works shall be carried out in accordance with the approved details, including the provision of trees T1, T2 and T3 and the ecology buffer and bat boxes. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting

season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

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To authenticate the trial pit photographs still questioned by objectors, three mobile screen shots showing test pits 1 & 2 along with the locations (recorded via GPS on the i-phone mapping system) showing that the photographs of the test pits were taken on site on 3rd January 2018 have been provided. These images have been viewed on the actual mobile phone device by the case officer and the screen shot images will be included in the officer presentation for members of the committee to view at the committee meeting.

In response to a further point raised by Dr G Nash, the agent considers it necessary to clarify that the French drain will be part of the responsibility of the Public Open Space Management Company and **not** a form of ground rent and seeks to point out that open space management companies are the current preferred method of maintaining open space in the absence of involvement from Town and Parish Councils. The agent further highlights that the S106 agreement for this development also stipulates that such an arrangement is required and consequently feels Members can be reassured that the French drain will be part of the open space management company's responsibilities.

To confirm what provisions are already in place under the requirements of the S106 legal agreement entered into at the outline stage and in relation to open space, an extract of the S106 is pasted below:

3. OPEN SPACE

- 3.1 Not to Occupy more than 50% of the Dwellings in any Phase until the Open Space for that Phase has been laid out in accordance with the relevant condition(s) attached to the Planning Permission and to the reasonable satisfaction of the Council confirmed in writing and all current health and safety requirements; and

- 3.2 To remedy any defect in the Open Space and replace any planting that is diseased or dying from the date that the same is provided and to the date they are transferred pursuant to the provisions of this Schedule; and
- 3.3 Until such time as Open Space is transferred to a Management Company to ensure that the Open Space is maintained in accordance with any relevant condition(s) attached to the Planning Permission and all health and safety requirements in force from time to time and is available at all times for use by the general public at large;
- 3.4 Not to Occupy the final Dwelling within a Phase until the Open Space in that Phase has been transferred to a Management Company
- 3.5 The Open Space shall be transferred on the following terms:
- (a) The Law Society Conditions of Sale 5th Edition;
 - (b) consideration of £1 with vacant possession;
 - (c) free from encumbrances and together with all the necessary rights of access and easements;
 - (d) such transfer to contain
 - (i) a restrictive covenant expressed to be for the benefit of the freehold of the remainder of the Site and each and every part thereof to the effect that the Open Space shall not be used for purposes other than public recreation and leisure; and
 - (ii) a covenant requiring the transferee to maintain Open Space to a standard that ensures that it is fit for public use

