



Committee and date

South Planning Committee

12 March 2019

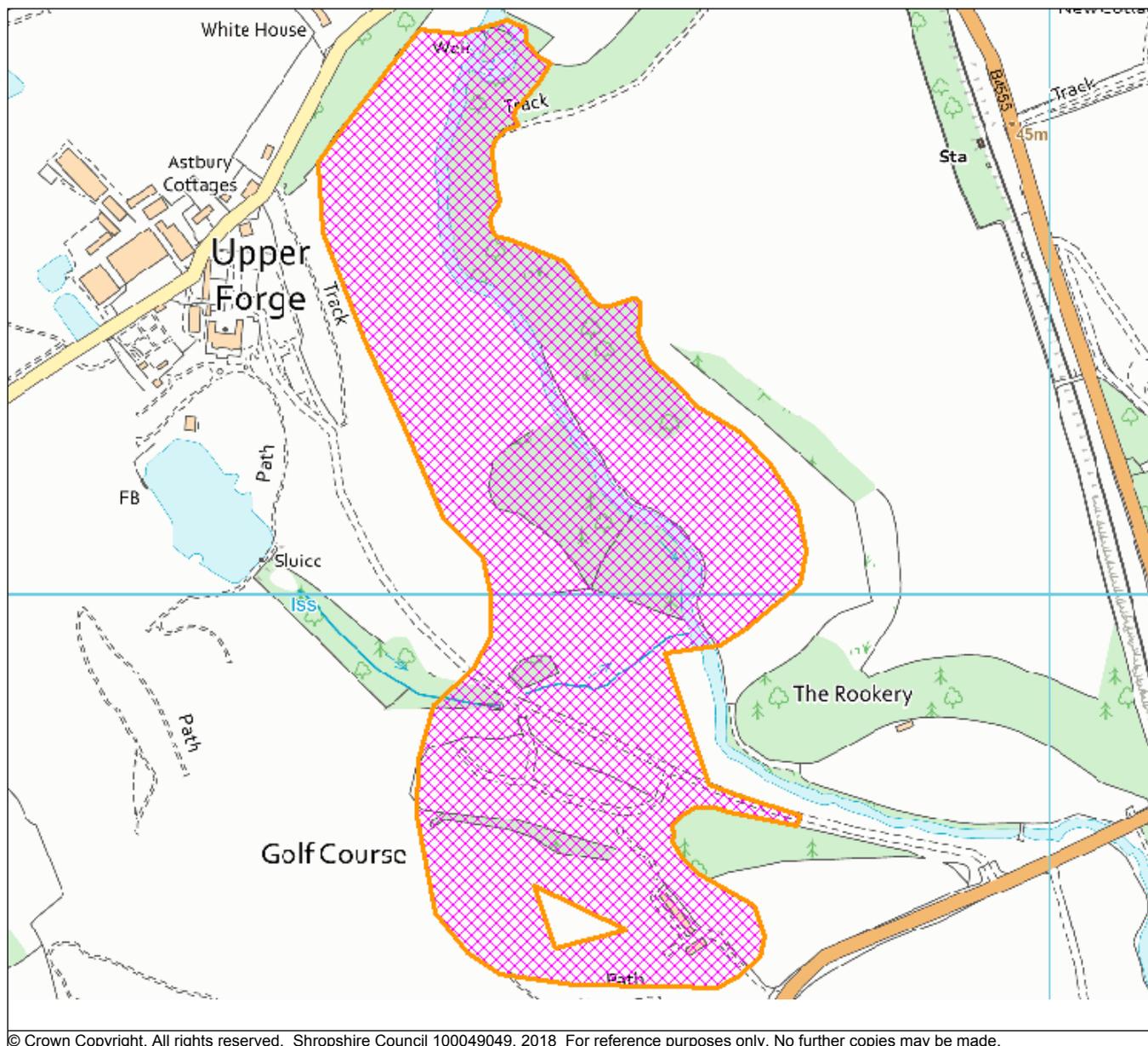
## Development Management Report

Responsible Officer: Tim Rogers

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### Summary of Application

<b><u>Application Number:</u></b> 18/05078/FUL	<b><u>Parish:</u></b>	Chelmarsh
<b><u>Proposal:</u></b> Re-development of Astbury Hall Estate to include the installation of 135 holiday let lodges with raised decked areas; office reception lodge; car parking areas; footpaths/cyclepaths and roadways; installation of foul water treatment plants and refuse points (Valley Lodge Phase)		
<b><u>Site Address:</u></b> Astbury Hall Astbury Bridgnorth Shropshire WV16 6AT		
<b><u>Applicant:</u></b> Mr John Steven (FCFM Group Investments III Ltd)		
<b><u>Case Officer:</u></b> Richard Fortune	<b><u>email:</u></b> <a href="mailto:planningdmse@shropshire.gov.uk">planningdmse@shropshire.gov.uk</a>	
<b><u>Grid Ref:</u></b> 372291 - 289217		



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**Recommendation:- Grant Permission subject to receipt of a satisfactory Unilateral Undertaking relating to not implementing the unbuilt elements of planning permission BR/98/0829 should planning permission be granted for this development; retention of the facilities and holiday lodges in a single ownership and delivery of the proposed apprenticeship schemes and to the conditions set out in Appendix 1.**

## REPORT

### 1.0 THE PROPOSAL

1.1 This application is one of four related applications relating to Astbury Hall and surrounding land. Reports on the other three applications (18/05052/FUL; 18/05079/FUL and 18/05159/FUL). The background to the applications is set out

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in paragraphs 1.1 and 1.2 of the report on application 18/05052/FUL also on this agenda.

- 1.2 The proposals contained in this particular application relate to would be on the sloping sides of the valley area through which the Mor Brook runs and the portion of the site to the west of the main access road to the Hall where a start had been made on implementing existing planning permissions for the construction/siting of holiday lodges. A total of 135 holiday let lodges would be stationed on this land in clusters, each of which would an informal layout of lodges, with adjacent landscaped areas and separate communal parking and buggy parking areas.
- 1.3 The southernmost cluster, adjacent to the Crateford Barn service buildings, would be on the eastern edge of the existing golf course. It would be a group of 11 holiday lodges sited around a loop road enclosing a landscaped area, with a parking area immediately to the east of the cluster. New areas of native woodland planting would be provided adjacent to the parking area, with existing planting along the crest on the northern side retained. Below this planting, where the land slopes down in a northerly direction and where work has commenced with laying the bases and drainage under previous permissions for holiday accommodation, there would be a group of 20 holiday lodges also positioned around a loop road with a parking area on the approach to the group. Wild flower meadow planting would be carried out on the area between the northern edge of the group and the access road to the Hall.
- 1.4 Just before the junction of the access road to these holiday lodge groups with the existing main access road leading to the Hall, a single lodge building would be stationed to form the reception building. It would have a purely administrative function and would be some 250 metres from the access onto the B4555, to avoid queueing onto the public highway’
- 1.5 On the opposite side of the access road at this point where the ‘welcome’ lodge would be stationed, a new road would form a spur to a bridge crossing point over the Mor Brook. Within the area enclosed on two sides by the existing and proposed roads there would be 14 holiday lodges, two of which would have four parking spaces immediately adjacent to them in the form of a bay on the side of the road, which would also feature a passing bay. The holiday lodges in this group would also have use of a parking area off the main access for 24 vehicles with footpath links to them. The existing planting along the Mor Brook valley in this area would be retained, and supplemented with a new area of woodland planting.
- 1.6 A second road would be constructed to the west of this group, leading off the northern side of the main access road and serving the remaining proposed lodges on the western side of the Mor Brook. The first cluster along this route would be one of 14 lodges between the additional small golf course and retained trees/woodland. Ten of these units would front the road, with the other four to the east being on the footpath network. Parking spaces for this group would be in the form of a parking bay along the roadside. This general arrangement would be

repeated for the remainder of the holiday lodges in this area along the western side of the Mor Brook, with the individual units either parallel to or at angles to the roads and footpaths to reflect the topography. The land on the eastern side of the Mor Brook opposite this holiday lodge group would retain the existing planting, supplemented with new woodland planting on its eastern edge.

- 1.7 The holiday lodges in this particular application that would be on the eastern side of the Mor Brook would be grouped on the existing field area where the land slope is less severe. The lodges would be on four curving alignments to follow the topography, with existing planting supplemented by new groups of woodland planting on the eastern ridge of the valley area.
- 1.8 The crossing points over the Mor Brook would comprise of a vehicle bridge; an electric golf buggy bridge and a footbridge. The existing bridge would also be retained and would be a pedestrian only bridge. The vehicle bridge would be the southernmost new crossing, near the existing bridge, and would have its abutments outside of the Mor Brook flood zone, with gabion reinforcing to the upper bank areas. It would have a concrete core faced in brickwork, with concrete coping. It would have a width of some 3.5m for vehicles, and would have a central refuge feature on either side at mid span for pedestrians in the form a 'V' shaped projecting overhangs. The side walls to the bridge would be some 1.2m high. The buggy bridge at the northern end of the site would be in the form of a deck suspended from two arched steel beams linked by cross bracing, with 1.1m high railings either side of the flat 2.6m wide deck. The foot bridge in the central area would adopt a similar form, with a 1.1m wide deck. In both cases the abutments would be outside of the flood zone.
- 1.9 The proposed holiday lodges would conform to the definition of a caravan used in planning legislation. They would comprise of structures which comprise of no more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices and, when assembled, physically capable of being moved by road from one place to another. The maximum dimensions for the structures are a length (exclusive of any drawbar) of 20 metres, a maximum width of 6.8 metres and a maximum overall height of living accommodation, measured internally, of 3.05 metres. Two indicative designs have been submitted with the application. One features a shallow monopitch roof with a chamfered end at the high end that would include large feature windows to the splayed walls and two pairs of french windows with glazing over. The opposite end of the structure would have a staggered wall arrangement, creating a plan and elevational treatment different to the usual rectangular box form of caravan structures. The external wall finish would be of horizontal timber boarding. The second design would have a more conventional rectangular plan, but with small bay projections at either end and a large side wall element stepped slightly forward in vertical boarding (To contrast with the horizontal boarding of the rest of the external walls) in which there would be large sliding doors. The roof form would be an unconventional shallow 'V' shape with asymmetric pitches, also creating a unit of more visual interest than a conventional caravan structure.

- 1.10 The occupants of the holiday lodges would either walk, cycle or use electric golf buggies to travel around the site once they have settled into the lodges and parked their cars in the car parking areas. A network of permeable gravel paths would be provided within the site. To respect the ecological and environmental impacts of lighting on the site, but with due consideration to health and safety, the proposed lighting strategy would mainly use low level bollard lighting.
- 1.11 Detailed planting specifications have been submitted for the grassland mix planting; woodland planting mix; aquatic and marginal planting mix, native woodland planting and native hedgerow planting. The woodland planting would include field maple, silver birch, sloe, hazel, hawthorn, scots pine, wild cherry and oak. The hedgerow planting would comprise of blackthorn, hawthorn, field maple, field rose, guilder rose, elder, hazel, spindle and crab apple.
- 1.12 A Screening Opinion has been issued to the effect that an Environmental Impact Assessment was not required for the proposed works spread across the four associated planning applications. The application is accompanied by a Design and Access Statement; a Desk Study Report into ground conditions/geology; Ecological Assessments; Landscape and Visual Impact Assessment; Heritage Impact Assessment; Landscape Design Report; Transport Assessment; Arboricultural Report; Flood Risk Assessment and Drainage Strategy; and an Economic Impact Assessment.
- 1.13 The applicants have engaged in pre-application meetings with local communities, as encouraged by the National Planning Policy Framework.

## **2.0 SITE LOCATION/DESCRIPTION**

- 2.1 The application site is situated in open countryside and comprises of land adjacent to the main private approach road to Astbury Hall, and land in the valley area either side of the Mor Brook. There are views from the southern, more elevated part of this application site north westwards towards the Hall, to the west across the golf course, to the south over countryside and to the east across the Severn Valley. The remainder of this application is more contained visually due to topography by being within the Mor Brook valley, which includes areas of grassland, woodland and planting on the banks of the brook.

## **3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 3.1 The Parish Councils' have expressed views contrary to the Officer recommendation and Shropshire Council Ward Member has requested that the application be determined by Committee. The Chair and Vice-Chair of the South Planning Committee, in consultation with the Principal Officer and Area Planning Manager, consider that the material planning considerations raised by this group of planning applications warrant their determination by the South Planning

Committee.

#### 4.0 Community Representations

##### - Consultee Comments

The full comments received may be viewed on the Council's web site. Some of the comments below are a summary of those submitted.

- 4.1 Chelmarsh Parish Council – Comment: Unwilling to support proposals unless the points raised on highway conditions are addressed prior to construction commencing. The proposed main access should be reconsidered as the proposal is considered unsafe and insufficient for the users of this facility. The Parish Council suggest the access from the North should use the Quarry site entrance and from the South to use the main drive to The Astbury.

Comments/concerns raised are as follows:

##### 1. Site Access during Construction

- a. B4555 road condition is poor (potholes and breakdown of the road surface) and will be made much worse by construction traffic
  - i. Knowle Sands
  - ii. By bridge over SVR at Eardington
  - iii. Ingram Lane (Sutton Arms Corner)
  - iv. Ingram Lane (approach to Highley)
- b. Ingram Lane has tight narrow corners by Damson Cottage, unsuitable for low-loaders with caravans on, also heavy road traffic is causing damage to property due to close proximity to the road
- c. Road crossing SVR near Eardington Halt very tight and turn over bridge for articulated vehicles
- d. Low Bridge under SVR hazard to high sided vehicles/Diggers/Earth movers
- e. Junction of B4555 with B4363 at Oldbury is difficult for long vehicles and would cause issues at peak traffic flows
- f. Large vehicle traffic over Bridgnorth low town bridge and Underhill Street

##### 2. Site Access Operational

- a. Current condition of B4555 and further damage by construction traffic will require significant investment
- b. Visitors are presumed to all access site via cars currently, but future could be coaches and the site may employ coaches to take residents to offsite facilities/attractions. B4555 is not wide enough in many places for significant coach traffic, eg issues with school buses and 125 Bus service
- c. Queuing traffic on B4555 awaiting site access □ only 70 yards drive
- d. Site access in winter B4555 is susceptible to closure in periods of snow with vehicles stranded on the hill up to Chelmarsh
- e. Site access from south

- i. Sat Nav will send traffic via Borle Mill, Highley single track road unsuitable for traffic proposed
  - ii. Traffic speed and overtaking by Bakehouse Lane is already a major issue for Chelmarsh residents, 22% traffic increase by this development will make things considerably worse if traffic speed is not addressed
  - iii. Proposed site access is from B4555 on a steep bank, with high average vehicle speed and minimum splay view angle only
- f. Site access from north
- i. Blind access via bridge under SVR into potential queuing traffic waiting to make right turn into site
  - ii. Nature of bridge over SVR at Eardington means large vehicle including regular buses need to cross to opposing carriageway to make the turn (however also comment that this is a local historic feature which residents would not like to see demolished)
  - iii. Junction of B4555 with B4363 at Oldbury
3. Pollution
- a. Noise pollution concern for local residents at Astbury and properties around the site
    - i. outdoor activities bars/patio areas, leisure facilities and hot tubs at lodges.
    - ii. noise in evenings and at night is concern eg from events
  - b. Light pollution from main buildings, lodges and access roads
  - c. Can sewage systems cope with emptying of swimming pools and hot tubs?
  - d. Rainwater drainage is proposed to soak a ways □ this will eventually drain to Hay Brook which is already susceptible to flooding in wet winters without this additional volume
  - e. Spillage during construction phase
  - f. Mud onto the road from construction traffic
4. Local Facilities
- a. Impact on medical and dental services in Bridgnorth and Highley
  - b. Can emergency services cope with additional transient population?
  - c. Chelmarsh pub is already very popular at weekends resulting in traffic parking alongside B4555 considerations for overspill parking
  - d. Parking in Bridgnorth is already difficult especially Saturdays, increase in day trippers from the proposed development will make parking more difficult for residents
  - e. Chelmarsh/Astbury have a very poor broadband connection currently, can service for local community be improved when broadband is improved for proposed development
5. General Issues
- a. What happens to current planning permissions (hotel and permanent dwellings) for the site if this scheme is adopted, could these also be progressed?
  - b. Can lodges be converted to permanent dwellings in the future?
  - c. Could lodges be sold off as individual lots or small packages in future?
  - d. What guarantees can local residents have that the roads will be improved,

traffic flows to the site will be managed and that noise and light pollution will be controlled by the site operators?

e. How can agreements made by current developers be enforced if the site is sold on?

f. How many lodges are proposed in the scheme? John Steven said it was 302 reduced from 315, however the planning applications are for 135 (Valley Lodge) and 140 (Plateau Lodge) = 275

g. Traffic report has only used data from accidents reported to police, there have been numerous accidents on the road coming down from Chelmarsh village with cars on roof and around the bridge under the SVR which have not been reported, but are known to local residents

6. Suggestions made at the meeting

a. Park and ride be established at the development for visitors travelling to Bridgnorth

b. Operational site access should be via the quarry entrance for traffic coming from north, this alleviates issues at both SVR bridges and right turn into site

c. Traffic calming measures on B4555 coming downhill from village

d. Speed control measures in Chelmarsh village and right turn island for Bakehouse Lane entrance

e. Curfew for noise and light on site, especially outdoor activities

f. Right turn reservation on the B4555 for traffic turning right into entrance

g. Access to site

h. Damage to properties close to road □ any compensation for owners of properties?

i. Provision to control traffic speed through Chelmarsh Village especially turning to Bakehouse Lane

j. Work on the road needs to be carried out before the construction work starts and then repaired prior to the opening of the site

#### 4.2 Eardington Parish Council – Object:

The Council is unable to support either the scheme as a whole or any of the individual planning applications for the following reasons:

a) The proposed development is out of character and scale for the local area;

b) It is contrary to the SAMDEV designation of 'Countryside';

c) The proposal is contrary to Local Plan policies CS5, C16 and C17, MD2, MD11, MD12 & MD13 and national guidance contained within the NPPF which aims to improve the character and quality of an area and the way it functions and conserve and enhance the natural and historic environment by protecting and enhancing valued landscapes and the historic environment;

d) It does not bring any significant economic and social benefits to the area or local residents to justify its development;

It will create significant long and short-term disruption in the form of traffic

- a) generation during the construction phase and when operational;
- b) The increase in traffic will cause further deterioration to the already poor local road infrastructure;
- c) The potential increase in traffic accidents along the B4555 and adjacent roads;
- d) The generation of significant environmental, noise and light pollution which will affect the residents of Astbury Falls, Lower Forge, Eardington and Knowle Sands, which is incompatible with Article 8 of Human Rights Act 1998 which gives the right to respect for private and family life and Article 1 allowing for the peaceful enjoyment of possessions;
- e) The generation of significant environmental, noise and light pollution which will have an adverse effect on local wildlife, particularly Eardington Nature Reserve which lies close to the edge of the development site;
- f) The adverse environmental impact on the Severn Valley's diverse, fragile and attractive eco system which lies on the edge of the South Shropshire Hills AONB;
- g) The suitability of the land for a development of this size without significant earthworks including piling, the formation of bunds and retaining structures;
- h) The lack of economic viability assessment to demonstrate there is sufficient demand for a development of this size and scope to support the proposed level of capital investment; and
- i) The additional pressure on already hard-pressed public services e.g. Bridgnorth Hospital, Northgate Medical Centre, West Mercia Police, Fire and Ambulance services and petrol filling station.
- j) Landowner - human rights

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

o) SAMDev Policy MD11, 6 Proposals for new and extended touring caravan and camping sites should have regard to the cumulative impact of visitor accommodation on the natural and historic assets of the area, road network, or over intensification of the site.

MD11, 7: Static caravans, chalets and log cabins are recognised as having a greater impact on the countryside and in addition (to 6), schemes should be landscaped and designed to a high quality.

MD11, 10: New sites for visitor accommodation and extensions to existing chalet and park home sites in the Severn Valley will be resisted due to the impact on the qualities of the area from existing sites.

#### 4.3 SC Highways – No Objection: Conditions recommended relating to details of

improvements to the access; highway mitigation works; work in accordance with an approved Construction Environmental Management Plan.

4.3.1 It should be noted that the following comments have also taken into account the three other planning applications submitted reference 18/05052/FUL, 18/05079/FUL, and 18/05159/FUL. This approach has been taken to reflect the applicants approach to submitting one Transport assessment (Project code 3659- 31<sup>ST</sup> October 2018 Rev D) that incorporates all four planning applications. Any additional or supporting information has also been submitted on the basis it should be considered for all planning applications. The submission of one Transport Assessment is generally supported, as it allows the cumulative impact of the whole of the Development to be assessed. However it is acknowledged that each application has to be assessed on its own merits, and not dependent upon requirements placed upon other applications. It is acknowledged that the Astbury Hall Estate currently has a number of existing extant Planning permissions and these have been partially implemented in terms of the golf course. Any further application has to be assessed on the basis that the site has extant planning permission that could be implemented if required.

4.3.2 It is proposed that the existing access to Astbury Hall is utilised. Additional information has been submitted by the applicant to demonstrate that the junction can operate well within theoretical capacity when fully occupied. The transport assessment is considered to be relatively robust, and presumes 100% occupancy throughout the year. It is considered that this scenario is extremely unlikely, and therefore the figures contained within the Transport Assessment are considered to be a worst case scenario.

Following the original submission of the Transport Assessment, Shropshire Council as Highway Authority raised queries with regard to vehicle approach speeds at the existing access. Subsequently, an additional Automatic Traffic Count was commissioned by the applicant to give an indication of approach vehicle speeds approaching the access from the east. It is considered in view of the average vehicle speeds recorded and that it is an existing access, it is considered that the proposed access and visibility splays are satisfactory for the proposed use and likely number of average vehicle movements that the proposed development could potentially generate. The existing access provide direct access of the B4555 and benefits from good forward visibility. This is considered to be a benefit because drivers can adapt their behaviour if they see a vehicle waiting or emerging from the access, but it is acknowledged is an opportunity for vehicles to overtake.

In terms of the existing access, whilst the applicant has not proposed any improvements, it is noted that the existing access has a flush kerb tie in across the site access with the B4555, it currently has an upstand in excess of 25mm, and therefore as vehicles pull off the Highway, they will do so with caution. In addition, with an intensification of use of the access is likely to become damaged. Consideration should therefore be given to removing the existing kerb line and providing a junction directional sign opposite the access to increase awareness of

the access point, so vehicles are able to adjust their speeds on the approach when turning into the site. It is noted that the applicant has subsequently submitted revised details of access that are contained within Version 3 of the Technical note. It is recommended that a condition is attached to any permission granted that requires construction details as contained within Drawing no. 3659 - 03-A to be submitted for approval and implemented within 3 months of the Development being brought into use, this will allow the majority of the demolition and construction to take place before any surfacing is carried out at the junction.

- 4.3.3 In response to initial Highway comments submitted regarding the contents of the Transport Assessment, the Applicants Transport Consultants undertook further analysis of the likely impact on the surrounding Highway network. They undertook a more robust assumptions based on external visitors and distribute the traffic more towards Bridgnorth. As stated above it is considered that the figures contained within the Transport Assessment are a worst case scenario.

The submitted automatic traffic data indicates that the existing two way flow on the B4555 within the vicinity of the site is within the region of 4000 vehicles per day. Table 3 below, contained within the technical note, version 3 provides an indication of the potential increase in vehicle flows (assuming 90% arrive from Bridgnorth). There are two figures given the likely flow if no Development takes place, and with Development. It indicates that the worst case scenario in the morning and afternoon peak there may be an additional 213 vehicles in each of the peak hours, which is an increase in the likely flows if the Development does not take place. However, as above it is considered that the transport assessment is relatively robust, and presumes 100% occupancy throughout the year, which is extremely unlikely, therefore the figures do not apply if the Development is fully operational. It also assumes that each lodge will make 6 excursions to the local area per week. Whilst the development will be a substantial development for the surrounding area, analysis shows that it will not generate a significant amount of trips compared to the existing number of vehicles already travelling along the B4555.

Whilst both application 18/05052/FUL and 18/05159/FUL seek to provide a number of facilities which could potentially generate a significant number of vehicle movements if delivered in isolation, the applications seek to compliment applications 18/05078/FUL and 18/05079/FUL for the Holiday lodges and potentially significantly reduce the number of visitor trips during the duration of visitors stay. Therefore whilst the cumulative impact of the whole development on the highway may lead to an increase in trips, from a Highways perspective we would be supportive of any application that create a self-contained development where visitors to the lodges leave the site infrequently.

- 4.3.4 Part 6 of the submitted Design and Access statement indicates that the Leisure facilities are intended to be for the exclusive use of holiday makers, and not open to the general public. In terms of Highway impact, then we would recommend that further reassurance of this was provided to control the overall impact of the Development on the surrounding highway network. However it is acknowledged

that in order to secure the future viability of the site, these facilities may need to be opened up to the public.

Section 5.3 of the submitted transport assessment provides an indication of the likely impact if the facilities were to be open to the public and assumes 50% of the trips generated would be external which is considered an acceptable level to form any assumptions upon. Analysis indicates that whilst the facilities would generate additional trips if opened to the public, there is unlikely to be any trips generated in the morning peak, only trips in the afternoon peak and weekends.

- 4.3.5 We are satisfied from a Highways perspective that if the facilities were open to the public the impact on the Highway network would not be significant, therefore we would not require any controls over the use of these facilities (i.e. private residents only) based on the information provided. Despite the above, we would seek clarification with regard to the likely scale of the ‘substantially reduced fee and usage by immediate locals’ it is assumed that this is a minimal number of properties in the local area that are impacted directly by the construction.

Concerns have been raised with regard to capacity on the surrounding network of the cumulative impact of the whole Development in particular the impact on the junctions in Bridgnorth, most notably B4555/B4363 and Oldbury Road/Hollybush Road. Whilst no specific analysis has been undertaken with regard to capacity at these junction, it is considered that the increase in trips generated by the proposed development compared to the number of existing vehicle movements will not be significant enough to reduce capacity at the junctions within Bridgnorth.

Automatic Traffic data indicates that the existing two-way average daily flow on the B4555 is within the region of 4000 vehicles, and approximately 2000 vehicles per day on the B4363. Underhill Street/Hollybush Road has a two way daily flow of approximately 12,000-14,000 vehicles a day. Based on the information submitted, it is acknowledged that the Development will increase the number of vehicles movements along the B4555, and the surrounding Highway network, however, the figures contained within the Transport Assessment and Technical note are worse-case scenarios when the Development is operating at full capacity. It is not considered that there is material grounds to consider a highways refusal for any of the applications submitted. Shropshire Council as Highway Authority would need to demonstrate that the B4555 and surrounding Highway network do not have the capacity to support a Development of this nature. It is not considered a Highway objection could be sustained on this basis.

- 4.3.6 Despite the above, it is acknowledged that the Development will attract an increase in the number of existing vehicle movements on the surrounding highway network and attract drivers that are not familiar with the highway network conditions. Therefore the proposed mitigation works are welcomed. The concern with regard to the delivery of the works if that they are intended to deal with the cumulative impact of all developments therefore consideration needs to be given to the appropriate timing of these works, which will not significantly impact on the

construction of the development, and deteriorate prior to occupation, and also unsure they are delivered in a timely manner, and are not dependant on the commencement of one of the four application. It will therefore be our recommendation that a condition is placed upon each application that requires the works to be completed prior to the occupation or opening of any of the facilities which forms part of the current applications.

It is the applicants intention to deliver these works themselves, through a Section 278 agreement (Highways Act 1980) the details of the works can be agreed through the Section 278 technical approval process. However, the applicant following a request has submitted draft details of the proposed improvements. It is considered that these proposals are acceptable in principle, with the exception of Section 2 proposals however the exact details of the works could be agreed and secured through the Section 278 agreement. The conditions of the Highway is constantly changing therefore whilst we can agree the scope of the works in order to determine the application maintenance works may be undertaken between the granting of permission and the delivery of the Section 278 works.

- 4.3.5 The proposed mitigation works are discussed in more detail at paragraph 6.5.15 below and are the same package of measures as proposed in the associated application 18/05052/FUL which is the subject of a report earlier on this agenda.
- 4.3.6 Construction traffic: It is acknowledged that the current state of repair of some of the existing Highway network within the vicinity of the site has deteriorated, however Shropshire Council have planned Highways works programmed to address some of these issues, therefore the condition of the Highway is an evolving matter. As per Section 2.3 of the submitted technical note, Shropshire Council as Highway Authority have the powers under Section 59 of the Highways Act 1980 to recover additional costs of road maintenance. It is therefore recommended that a planning condition is placed upon any permission granted that requires the applicant to undertake a joint road condition survey of all proposed construction routes prior to commencement to identify the existing condition of the Highway network and any works required to facilitate the level of construction vehicles using the routes. The Construction Environmental Management Plan should include, in addition to the measures identified in the submitted technical note, a contact responsible for community liaison, point of contact for residents experiencing any disturbance during construction and a banksman stationed at the construction access to assist heavy vehicles in entering and leaving the site.
- 4.4 SC Drainage – No Objection:  
The proposed drainage strategy in the Flood Risk Assessment is acceptable in principle. The final drainage details, plan and calculations shall be submitted for approval. Full details, plan and sizing of the proposed package sewage treatment plant including percolation tests for the drainage field should be submitted for approval.

Recommend pre-commencement planning condition requiring a scheme of the surface and foul water drainage to be submitted and approved.

4.5 SC Regulatory Services – No Objection:

The applicant is advised to familiarise themselves with the following document published by the Communities and Local Government, Model Standards 2008 for Caravan Sites in England Caravan Sites and Control of Development Act 1960 Section 5.

For information in relation to caravan site licensing including an application form please visit Shropshire Councils web pages.

4.6 SC Rights of Way – Comment:

There are various Public Footpaths that run over the grounds at Astbury Hall. It appears that they have been taken into consideration within the Design and Access Strategy and incorporated within the design, however the southern section of the rights of way will need to be checked as it appears that the lines of the footpaths that are shown on the masterplan do not correlate with the actual Definitive line of the footpaths and lodges could affect one of the footpaths.

The network of Rights of Way must be taken into consideration at all times both during and after development and the applicant also has to adhere to the following criteria:

- The right of way must remain open and available at all times and the public must be allowed to use the way without hindrance both during development and afterwards.
- Building materials, debris, etc must not be stored or deposited on the right of way.
- There must be no reduction of the width of the right of way.
- The alignment of the right of way must not be altered.
- The surface of the right of way must not be altered without prior consultation with this office; nor must it be damaged.
- No additional barriers such as gates or stiles may be added to any part of the right of way without authorisation.

4.7 SC Trees – No Objection:

I have reviewed the Arboricultural Report and Arboricultural Impact Assessment (JCA, ref: 14421/TT) submitted in association with this application and I can report that I agree with its findings and recommendations. The tree removals outlined in the tree report and shown on the tree removals plan (WD808-TR01) are limited to half a dozen immature category 'B' trees to be removed to enable construction of the proposed spa and gym, and a number of other dead or damaged trees which need to be removed on safety grounds, considering the proposed future use of the site.

As shown on the Landscape Master Plan (WD808-MP01 Rev A), this limited tree

loss would be compensated by significant amounts of new tree and woodland planting and other habitat creation to enhance the landscape and wildlife value - retaining, expanding and interconnecting green infrastructure within and around the site. The landscape details are yet to be finalised, but I would suggest that woodland creation and tree planting within informal areas should utilise native species of local provenance, ideally planting stock grown from seed collected within Shropshire, or the closest available alternative. However, it is recognised that particular attributes of exotic species may be preferable to meet specific design objectives in formal planting situations. Final landscape plans should be prepared and submitted in accordance with BS8545: 2014 – Trees, from Nursery to Independence in the Landscape.

I note and support that suitable construction methods are to be employed in order to avoid or minimise damage to retained trees and woodland, including 'no-dig' construction (cellular confinement system) for footways and vehicle routes within the root protection area (RPA) of retained trees, and the fact that no lodge foundations are to fall within the RPA of retained trees. However, full method statements and tree protection plans, in accordance with BS5837: 2012 – Trees in Relation to Design, Demolition and Construction, have not been provided at this stage. Also, the tree report makes reference to unquantified and unspecified tree removal and facilitation pruning to enable the construction of bridges, where paths and service roads cross water courses at various points within the site. This is somewhat vague and open-ended and I would recommend that full details of necessary facilitation tree works, encompassing both construction of the bridges but also any pruning necessary for creation of the paths and roads and for installation of any of the lodges, are provided prior to commencement of any approved development on site. All works should be specified by a competent arborist and carried out by qualified arboricultural contractors in accordance with BS3998: 2010 – Tree Works.

I also note from the Design & Access Statement (page 8, Burke Richards, October 2018) that electrical, IT and water services are to follow buried service trenches at the side of the finished roads. Whilst this is beneficial from the perspective of minimising future road disturbance during any repairs, installation of the service trenches in such a fashion could cause extensive damage to tree roots, where the trench passes within the RPA of retained trees. Similar damage may be caused during installation of surface water or foul drainage infrastructure. It should be a principle of the development that any subterranean pipes, ducts and cables or soakaways be routed or located outside the RPA of retained trees. Where this is not possible, a task specific method statement should be provided to show how such work will be designed, implemented and monitored in order to avoid damaging or harming retained trees.

In conclusion, I do not object to this application on arboricultural grounds.

Recommend attaching conditions relating to the approval of an arboricultural method statement and tree protection plan and the development being carried out in accordance with those details; approval and implementation of tree and shrub planting scheme, and the replacement of any losses on any permission granted.

(Case Officer comment: Additional planting information has subsequently been received with regard to the planting details and their execution).

4.8 SC Ecology – No Objection: Conditions and informatives (relevant to the proposals contained in this application) recommended relating to pre-commencement surveys for badgers and otter; appointment of an ecological clerk of works; approval of an external lighting plan and habitat management plan; protection of watercourse with 20m buffer zone during construction; approval of a construction environmental management plan.

4.8.1 Several trees/wooded areas have been identified as having bat roost potential (see summary table). The wooded corridor of the Mor Brook forms a particularly significant foraging and commuting corridor for bats, and notably has potential to support commuting horseshoe bats. No significant terrestrial habitat loss is foreseen by the development, including commuting and foraging opportunity. There will be a minimum 20m buffer from the brook to development, lighting will be controlled on site, and bat boxes will enhance the area for roosting bats.

No works are to be undertaken on any buildings on site offering bat roosting potential until Phase 2 surveys have been undertaken and the appropriate licences and forms of mitigation have been put into place following the survey findings. For buildings considered to be of 'high' bat roosting potential (B1, B3, B4 and B8) these will require a minimum of three (3) activity surveys undertaken between May – August 2019. At least one (1) of these surveys must be a dawn re-entry survey. Buildings considered to be of 'low' bat roosting potential (B11) will require a minimum of one (1) activity survey to be undertaken between May – August 2019. Phase 2 bat surveys will help to determine the type and size of a bat roost and the species involved. They will also assist in determining the type of mitigation (or enhancements) which may be required for each individual roost. Mitigation considerations will include any loss / impact upon known bat roosts and foraging / commuting habitat, or any factors which may be likely to impact upon bats or their roosts, such as lighting and noise pollution. (Officer comment: None of these buildings are affected by the proposals contained in this application).

A number of on-site enhancements are to be designed and implemented on site once development plans and timings are more clearly understood.

As the current planning application does not impact the buildings identified above, no further survey work is required to support this proposal.

4.8.2 No direct impact upon badger setts is foreseen by the development, and no significant loss of foraging and commuting habitat will be lost due to the works. A pre-commencement check of any existing sett or mammal hole on site is to be undertaken by an ecologist. A site walkover will determine any change in status of badger setts on site. If any badger excavations are present within areas proposed for development then works may not take place within these localities until appropriate mitigation measures are put into place. If sett closure is required

then a licence must be sought from Natural England.

A badger Method Statement must be adhered to during the course of the works to mitigate any potential impacts upon badgers or their setts. All works taking place on site prior to a badger development licence (if necessary) must remain a minimum of 20m from the nearest badger sett entrance.

Any artificial lighting during or post-development is to be directed away from any vegetated boundaries/ hedgerows and all future external lighting will be of the Passive Infra-Red type, set on a short timer and orientated towards the ground, or be the low level pole led pathway lighting.

During development, an Ecological Clerk at Works (ECW) will make regular compliance visits to the site to ensure that no badgers are excavating new setts in the development area, no badger(s) or setts are impacted upon, and the badger method statement is being adhered to.

- 4.8.3 The site is considered to offer a variety of terrestrial habitats which offer low-to-high suitability for GCN. No significant terrestrial habitat loss is foreseen by the development, including commuting / foraging habitat, refugia opportunity or water sources. There is potential for minimal disturbance during the construction phase of the development, including potential hazards such as trenches and bore holes. Reasonable Avoidance Measures are detailed within the great crested newt report by Pearce Environment Ltd which are to be strictly followed throughout the works to mitigate potential impacts upon newts on the site.
- 4.8.4 The creation of a minimum of ten hibernacula throughout the application site is recommended as an enhancement (preferably located on/ near to favourable amphibian habitat and/ or near to suitable standing waterbodies/ appropriate SuDS), to be agreed upon between the appointed ecologist and the client/ developer.
- 4.8.5 Sustainable Drainage Systems are proposed for the development, to afford drainage to each cluster of lodges. This will, in turn, provide additional green areas for wildlife, including detention basins, ponds and wetland/ marshy areas, which are anticipated to provide enhanced habitat for amphibians and may create suitable habitat for breeding. Appropriate management of existing ponds on the site would also be a welcome enhancement.
- 4.8.6 A female slow worm was recorded in shaded ride close to the Mor Brook watercourse at a location south east of the Astbury Hall. A reptile survey was undertaken. Pearce Environment Ltd recommend that sensitive works are to be supervised by an ecologist throughout their duration. All development works are to adhere to Reasonable Avoidance Measures detailed in a method statement for herptiles of this report, to reduce the likelihood of killing, injuring and/ or disturbing any reptiles (if present) and/ or common amphibians on the site during the development, as a precautionary measure. Habitat enhancement prescribed as part of the pre-existing landscaping design for the whole application site, which includes the incorporation of heathland areas into the plans, will provide enhancement for reptile species, particularly within the northern portion of the

site.

- 4.8.7 Otter spraint was confirmed in 2 locations along Mor Brook. An otter report has been undertaken. Pearce Environment Ltd recommend that works on or with 20m to Mor Brook are to be supervised by an ecologist throughout their duration. A Method Statement detailing RAM's are to be strictly adhered to during the works. Further enhancements include the creation of a dedicated artificial otter holt.

Although the habitats associated with the southern half of the section of Mor Brook surveyed offer holt-building opportunities for otters, none were found during the survey. The whole stretch of Mor Brook present on the site provides a 'dark corridor'. Various other habitats suitable for shelter, commuting and foraging otter(s) exist throughout the local landscape, and are well-connected with the site.

A 20m development buffer around Mor Brook must be established in order to mitigate against any potential negative impacts upon otters. This buffer area is to be kept free of light pollution and any essential works required within this area are to be supervised by an Ecological Clerk of Works (ECW) and/ or may require further mitigation to be put in place, where necessary. Reasonable Avoidance Measures (RAM's) detailed in an otter method statement in of this report must be adhered to. Further enhancement of the site for otters is recommended, by way of artificial otter holt creation.

- 4.8.8 Brown Hare have been recorded on the golf course, works should following a method statement to protect hares during and post development.

- 4.8.9 The likely absence of water voles along the stretch of Mor Brook bisecting the application site was confirmed following a Phase 2 water vole survey undertaken by Pearce Environment Ltd during 2018. No field signs pertaining to this species were found during the survey and the habitat suitability is deemed as being sub-optimal.

Given the likely absence of water voles within the stretch of Mor Brook present upon the application site, and considering the sub-optimal water vole habitat suitability this watercourse is deemed to offer, negative impacts upon water voles as a result of the proposed development are highly unlikely.

- 4.8.10 Phase 2 dormouse surveys were undertaken by Pearce Environment Ltd during 2018 where it was concluded that although no evidence was obtained indicating dormouse presence on site, their presence should be assumed owing to the large areas of excellent suitable habitat on site and extensive connected habitat in the wider landscape.

Pearce Environment Ltd recommend that sensitive works are to be supervised by an ecologist throughout their duration. A number of potential habitat enhancements may be viewed within the dedicated dormouse report by Pearce Environment Ltd.

Where suitable habitat features are likely to be impacted upon an ecologist must be present to oversee these works, to ensure dormice are unaffected.

Habitat enhancements are however recommended to increase the site suitability for dormice. Enhancements may include suitable woodland management regimes, the addition of dormouse nesting boxes and increased connectivity to the wider landscape.

All works are to cease immediately if a dormouse or dormouse nest is discovered on site at any point during the development.

Visitor pressure on the surrounding habitat is expected due to the development. To mitigate against these impacts, the following should be observed:

- A buffer strip of mixed native fruiting tree species of local provenance should be planted between current woodland areas and proposed development to avoid impact on current woodland, where possible;
- - A grassland buffer of minimum 10m should be implemented between areas of valuable habitat and new buildings and infrastructure to minimise disturbance to dormice, where possible;
- - Positioning and design of artificial lighting installed throughout the site should; (a) Avoid glare and sky glow, (b) enable automatic switch off at 'quiet times' of the night when not needed, and (c) filter out blue and ultraviolet light.

An additional enhancement to the site will be to install 50-100 dormouse nest boxes across the site. These will provide additional nesting opportunities for dormice and will enable monitoring of the species throughout and beyond the development.

#### 4.9 SC Conservation – No Objection:

In considering the proposal due regard to the following local and national policies, guidance and legislation has been taken; CS6 Sustainable Design and Development and CS17 Environmental Networks of the Shropshire Core Strategy, policies MD2 and MD13 of the Site Allocations and Management of Development (SAMDev), the National Planning Policy Framework (NPPF) published July 2018, Planning Practice Guidance and Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

This application is one of four relating to the redevelopment of Astbury Hall and its associated land to form a holiday lodge park with associated infrastructure, landscaping, bar/restaurant and leisure facilities. This application in particular relates to the installation of 135 holiday let lodges with raised decked areas; car parking areas; footpaths/cyclepaths and roadways; installation of foul water treatment plants and refuse points (Valley Lodge Phase).

Astbury Hall itself is a fine residence, although not listed it would be considered to be a non-designated heritage asset worthy of protection under NPPF policies, particularly paragraph 197 which states:

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

Due to the scale of the holiday lodge park proposed the application has the potential to impact upon wider heritage assets. A Heritage Impact Assessment and Landscape and Visual Impact Assessment have been submitted to accompany the application which is useful to identify key nearby heritage assets that could potentially be affected by the development and key landscape views. It is noted however that specific views from all nearby listed buildings and wider heritage assets including the registered park and garden at Dudmaston have not been included. These would be useful.

Having reviewed the above mentioned reports and undertaken a site visit to view the surroundings of the site it is concluded that in general the development would not have any significant direct visual impact upon the closest listed buildings. There may be some views from the edge of Chelmarsh conservation area, however due to the topography of the land, the proposed layout, landscaping and planting and due to the nature of the proposed lodges and their materials, in general the impact upon these views would be considered to be at the lower end of less than substantial. It is also noted that the wider setting of Astbury Hall itself would be impacted by the lodge development, however this would also be considered to be a level of harm that would be at the lower end of less than substantial. Any harm to the setting of nearby heritage assets should be weighed against the public benefits of the proposal which appear extensive in this instance.

Due to the scale of the proposed development it has the potential to impact upon wider landscape character and more distant views and assets, it may be appropriate to assess the visual and landscape impact of the application from further distances.

#### 4.10 SC Business Growth and Investment – Support:

In response to the economic impact assessment related to planning applications for the redevelopment of Astbury Hall, the Economic Growth Service are fully supportive of the redevelopment of the existing site to support a new fully developed leisure, hotel and community facility. The proposal signifies the ability to offer a provision that will not only rejuvenate a currently disused golf course operation, but create a facility that supports to drive new visitors to a rural part of the county and support businesses within both the wider visitor economy sector and those benefiting the broader local community.

The visitor economy sector is one of the most significant within Shropshire and with the broad range of attractions available, high visitor numbers and the value that this brings to the Shropshire economy, this application provides a significant

opportunity to support in continued economic growth within this sector. This opportunity also has the potential to create a truly national and even international facility, supporting to develop Shropshire's position firmly on the map as a destination to visit and stay and delivering increased spend in this locality. Key to this is also the sites ability to support the delivery of jobs from across a range of skill sets, reducing the need for residents to commute outside of the Shropshire area for employment.

As outlined, consider that this opportunity should be fully supported on the basis of its ability to deliver economic growth through the attraction of new inward investment, continued development of a key industry sector and the delivery of new jobs both for the site and the wider opportunities this will attract within the locality.

4.11 SC Archaeology – No Objection:

The proposed development involves the installation of 135 holiday let lodges with associated infrastructure including car parking areas, footpaths/cyclepaths and roadways, and foul water treatment plants on land to the southeast of Astbury Hall. The Valley Lodge Phase is sited on land that has previously been subject to some landscaping. A heritage impact assessment (Centre of Archaeology, October 2018, Project No. P18-07) has indicated that while there are no known archaeological features within the proposed development area there is a low possibility for preserved archaeological remains in areas unaffected by the 20th landscaping. The proposed development site therefore is considered to have a low archaeological potential.

RECOMMENDATION:

In the light of the above, and in relation to Paragraph 199 of the NPPF (Revised 2018) and Policy MD13 of the SAMDev component of the Shropshire Local Plan, it is advised that a programme of archaeological work be made a condition of any planning permission for the proposed development. This programme of archaeological work should comprise a watching brief during ground works associated with the development. An appropriate condition of any such consent would be: -

Suggested Conditions:

No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

4.12 National Trust (19.12.18) – Object:

Astbury Hall is seen from the western side of the historic park at Dudmaston, which is owned and managed by the National Trust. Elements of the existing golf course can also be seen as can land on which the lodges and leisure facilities are proposed. The National Trust objects to the proposed development for the reasons set out below and in greater detail in a letter sent to the council. We would welcome the opportunity to meet with the council's planning officer and with the applicants and their consultants to discuss our concerns.

The proposed development potentially harms the setting of designated and undesignated heritage in National Trust ownership. These impacts have not been assessed even though the assets are within the study area identified by the applicant's heritage consultant. We therefore object to the proposals on the basis of a failure to comply with the requirements of NPPF paragraph 189.

The proposed development potentially affects sensitive visual receptors at Dudmaston. These impacts have not been assessed in the application. We object to this lack of assessment of visual impacts.

The proposed development potentially has landscape effects at Dudmaston. These impacts have not been assessed in the application. We object to this lack of assessment of landscape impacts.

The National Trust is also concerned about the effects of the proposed development on the landscape character of the wider area, particularly considered cumulatively with the numerous caravan parks along the Severn Valley.

We are concerned at the potential night time light-polluting effects of lighting at the development. We consider that as a general issue this has not been addressed sufficiently in the submitted information. Like every other impact, it is not assessed at all in relation to Dudmaston.

4.13 Shropshire Wildlife Trust (20.12.18) – Comment:

The development could be considered a Schedule 2 project under the EIA regulations (Schedule 2, part 12 (c); (e) and (f) of the EIA Regulations 2017).

The numerous ecological reports appear acceptable and would concur with, and welcome, the recommendations including:

- ☐ A minimum 20m development buffer around the Mor Brook
- ☐ Creation of hibernacula for great crested newts
- ☐ Inclusion of barn owl nest boxes
- ☐ Management of grassland to enhance barn owl foraging resource
- ☐ Dedicated (and permanent) barn owl nesting space in the rebuilt stables
- ☐ Buffers between development and woodland habitat
- ☐ Introduction of woodland management

- ☐ Habitat creation to benefit dormice
- ☐ Dormice nest box scheme

However it would appear that the proposed development needs to be re-positioned to enable even the minimum buffer distances to be met. The access road, a number of lodges, some proposed infrastructure and cut and fill operations all fall well within the minimum 20m buffer from the Mor Brook. A number of lodges also seem to be in close proximity to existing habitat suitable for dormice.

We would also suggest that, rather than the underground attenuation proposed, more natural SUDS solutions are considered. These could potentially be located within the recommended buffer zones and would certainly contribute more to biodiversity than the underground options. The new ponds shown in the landscape plan should be designed and managed to maximise biodiversity benefit and provide newt habitat.

To ensure the desired biodiversity protection and gains are delivered a biodiversity management plan should be agreed, delivered and monitored. A qualified ecologist should provide compliance reports to confirm the actions (and conditions) have been suitably discharged.

#### 4.14 Bridgnorth Town Council – Comment:

That Bridgnorth Town Council supports the application submitted and provides the following comment:

The development proposal appears to be of a high quality and fits with the locale. An increase in visitor accommodation to the area is seen as a positive.

There is the potential for some significant economic benefits to Bridgnorth through increased tourism and linked visits to the retail offering and attractions in and around Bridgnorth.

We note that the developer has taken the effort to meet with those parish councils (including Bridgnorth) that are either directly or indirectly affected in an attempt to understand difficulties (that are likely to arise with any development) as well as local interest groups (Severn Valley railway and the Chamber of Commerce).

Any development will require some mitigation or thoughtful consideration of the neighbourhood and its residents. A number of matters would benefit from thoughtful consideration:

- Enhancements to (or contributions towards) the footpath between the site and Bridgnorth to provide a sustainable transport link.
- The opportunity for the developer to provide site based shuttle transport to and from the site to desirable local destinations (e.g. Bridgnorth/ Severn Valley Railway).

- Improved cycle access to/ from and in close proximity to the site (the site is within easy reach of National Cycle Route 45).
  - The highways adjoining and leading to the site will need to be improved to cope with the increased volume of traffic expected.
  - The opportunity for the increased viability of public transport routes from rural communities.
  - Site access causing disruption to local residents during the construction phase.
- Bridgnorth Town Council has noted the comments of those parishes that are likely to be more directly impacted by the proposed development and is of the opinion that they each contain some reasonable comments that will need addressing by the local planning authority.

-Public Comments

4.15 3 Objections:

- Infrastructure of area will not support such a large development
- Create a major problem with volume of traffic and road surfaces with difficult narrow road conditions.
- Access on dangerous section of road and is hazardous to cyclists and road is part of the National Cycle Route 45 ; no street lights and no pavements
- Negatively impact on Knowlesands area even if traffic advised to use Bridgnorth by-pass
- Impact negatively on fragile River Severn Bridge and create major traffic problems in Low Town
- Will affect visual beauty of area as well as the eco system
- Not sustainable tourism – too large and out of character
- Visitors to the complex will use their own vehicles to visit local places of interest, impacting on traffic volumes
- Light pollution and noise pollution spoiling the quiet country life style
- Adverse impact on wildlife particularly within Eardington Nature Reserve and on Mor Brook wildlife corridor.
- Could lead increased footfall in the nature reserve and associated risks of wildlife disturbance and litter.
- Could potentially impact on nocturnal wildlife use of the reserve especially by bats and night flying birds.
- Increased noise and air pollution from additional traffic
- Little or no benefit to the surrounding area
- Would be the size of a small town
- Land stability issues in area and the proposed drainage system feeding to the Mor Brook likely to exacerbate this instability.
- Suggest quarry entrance as an alternative to the current main entrance.

4.16 3 letters of support:

- A good scheme with significant local economic benefit; have one major concern concerning access issues but there are various solutions that mitigate this to acceptable levels:-
  - Existing site access should remain in use with actions to slow traffic and discourage overtaking. Comment that many minor road incidents are recorded in Police data.
  - Large lorries could only access the site via the road through Highley due to railway bridge, and in Highley large stretches of carriageway are reduced to single lane because of on road parking.
  - Sharp bends at bridge over railway and mitigation here could be widening the exit by perhaps 2 or 3 feet and adjusting the exit angle to discourage corner cutting.
  - Suggest converting the temporary construction access road to the permanent site access.
  - Poor state of road repair in the locale and overgrown hedges should be dealt with as normal highway matters.
  - Routes given by the use of Sat/Nav should be checked.
  - Urge Council to use any Section 106 funds from the applicants specifically for local road improvements around the site.
  - Some members of the older community have a totally different attitude to development and change compared to the younger generations.
  - Believe that well over 80% of customers to the Bulls Head are greatly in favour of this dynamic, inspired and enterprising development that offers them, their families and their children opportunities for their future.
  - Offers the promise of a great number of vary varied jobs within and outside of the estate with suppliers and sub-contractors.
  - Anything which is to assist in reducing daily commutes to Wolverhampton, the Black Country and beyond should be encouraged.
  - New jobs in the area must be greatly encouraged given present uncertainties.
  - Continued success of own business depends very much on continuing to attract more visitors to Shropshire.
  - Believes that existing visitor attractions in the wider area would benefit from this development.
  - In line with the economic objective of the National Planning Policy Framework and proposal would meet all the Government stated criteria.
  - Also meets Local Development Plan aim to deliver high quality, sustainable tourism, cultural and leisure development, which enhances the vital role that these sectors play for the local economy, benefits local communities and visitors, and is sensitive to Shropshire's intrinsic natural and built environment qualities.
  - It could be a major turning point for the County in attracting further and totally new investment.
  - Would make contributions in local business rates and taxes, enabling the local authorities to also make much more well needed investment in this area.
- This is an extraordinary once in a lifetime opportunity that should be welcomed by everyone.

4.17 Bridgnorth Chamber of Commerce – Support:

The development will have a positive effect on tourism generally in the area, and the Chamber believes this will be beneficial to its members and other businesses in Bridgnorth, providing a much needed boost to the local economy. The developers advise they believe £3.5 million per annum will be added to the economy in the area, the Chamber considers this will have a substantial impact.

The development will create up to 120 jobs which again will be beneficial to the local economy. The Chamber hopes many of these positions will be filled by local people in a rural area where job opportunities currently are limited.

The Chamber has taken note of the desire of the developers to use Eardington Halt as a means of access to the site for visitors travelling by train, so reducing the impact on the local road network, and sees this as a positive way to mitigate any negative impact from increased traffic, as well as being beneficial to our member, Severn Valley Railway Company Ltd.

4.18 Severn Valley Railway – Support:

The SVR are working with the development company and can see many ways in which the development will benefit the SVR and the local area.

We will be looking to open the Halt to the guests at Astbury Estate and even offer the option that they can arrive by train.

4.19 The Ramblers – Object:

This Objection is to not only this Application but also to 18/05078 & 18/05079, and concerns the considerable change that these developments would cause to the view from footpath 0116/23A/4 which leaves the minor road close to Astbury Hall at SO72348934 at a height of 66 metres. At this point there are wide views over countryside to the east across the site to be developed as the 'Plateau', which will totally change the rural aspect of the view from this point. The footpath then crosses some 200 metres of rough grass, above further proposed development, to join the 'access track' through the site at about the same height at SO72398914. At this point there is a wide view to the south and south-east over falling ground (the Valley site), which will be considerably changed by the various aspects of this proposed development. Walkers will be in constant view of lodges until they have passed the old 'farm buildings' and turned west on footpath 0116/25A/2 across the Golf Course towards the climb up to Chelmarsh via one of the available Rights-of-Way. (Please note that footpath 0116/23A/3 leading towards bridleway 0116/8/3 across the B4555 has been omitted from the masterplan, which I think might be based on an out-of-date O. S. map). For a distance of at least 1 kilometre, probably 15 minutes walking time, walkers will have to pass through a landscape vastly different from what is currently available. It may not be completely unattractive, but it will be a considerable intrusion into what is currently attractive open countryside with far-ranging views. As a result,

we object to the scale of this proposed development and the change it will cause to the walking environment.

## **5.0 THE MAIN ISSUES**

Principle of development

Siting, scale and design of structures

Impact on visual amenity and rural character of area

Impact of Heritage Assets

Highway Safety

Ecology

Drainage

Residential Amenity

Rights of Way

## **6.0 OFFICER APPRAISAL**

### **6.1 Principle of development**

6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

6.1.2 Core Strategy policy CS5 advises that within the countryside proposals will be supported in principle where they relate to sustainable and rural tourism and leisure and recreation proposals which require a countryside location, in accordance with policies CS16 and CS17. Policy CS16 seeks the development of high quality visitor accommodation in accessible locations served by a range of services and facilities, which enhances the role of Shropshire as a tourist destination to stay. It specifies that in rural areas proposals must be of an appropriate scale and character for their surroundings and, if not close to or within settlements, be associated with an established and viable tourism enterprise where accommodation is required. Astbury Hall falls within the latter category. (CS17 is discussed in 6.2 below). Core Strategy policy CS13 relating to economic development, enterprise and employment is also supportive of rural enterprise and diversification of the economy, in a number of specified areas which include green tourism and leisure.

A further material planning consideration in this case is that the applicant could continue with hotel and holiday accommodation schemes under planning permissions 98/0829, 06/0435, 14/00794/FUL and 14/03609/FUL as those permissions have been implemented, securing those consents for all time.

6.1.3 The Site Allocations and Management of Development (SAMDev) Plan policy MD11 relates specifically to tourism facilities and visitor accommodation, advising that tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and qualities of the site's immediate surroundings, and meets the requirements of other listed Development Plan policies and national guidance. With specific reference to visitor accommodation in rural areas, policy MD11.7 recognises that static caravans, chalets and log cabins can have a greater impact on the countryside and such schemes should be landscaped and designed to a high quality. The requirements of policy MD11.8 are met by this proposal because the holiday let development would conform to the legal definition of a caravan. The application site does not fall within the Severn Valley and therefore does not conflict with policy MD11.10 which resists new sites for visitor accommodation and extensions to existing chalet and park home sites in the Seven Valley.

6.1.4 The above Development Plan policies are wholly in accordance with the National Planning Policy Framework (2018) which advises at paragraph 12 that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. It is supportive of a prosperous rural economy and at paragraph 83 states that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.

6.1.5 There is, therefore, no in principle planning policy objection to the current proposal. The acceptability or otherwise of the proposed developments rests on the detailed planning considerations considered in turn below.

## **6.2 Siting, scale and design of structures**

6.2.1 Core Strategy policy CS6 requires development to be appropriate in scale, character, density and design taking into account local character and context. Policy CS17 complements this by advising that developments should not adversely affect the visual, ecological, geological, heritage or recreation values of Shropshire's natural, built and historic environment. The National Planning Policy Framework (NPPF) at section 12 places an emphasis on achieving good design in development schemes. Paragraph 127 sets out a number of criteria which developments should meet in terms of adding to the overall quality of an area; being visually attractive as a result of good architecture, layout and appearance, and effective landscaping; being sympathetic to local character; establishing or maintaining a strong sense of place; and to optimise the potential of the site to accommodate an appropriate amount and mix of development.

6.2.2 The indicative design of the holiday lodges proposed, as described in paragraph 1.8 above, show an innovative approach to the design of caravan units. SAMDev Plan policy MD2 (Sustainable Design) expands on policy CS6 in seeking to ensure development contributes to locally distinctive or valued character and existing amenity value and advises at MD2.3 That development proposals should:

“Embrace opportunities for contemporary design solutions, which take reference from and reinforce distinctive local characteristics to create a positive sense of place, but avoid reproducing these characteristics in an incoherent and detrimental style.”

It is considered that the proposed built form of the holiday lodges would achieve these design objectives. While the drawings of the holiday lodges are labelled as indicative they demonstrate the design ethos for the development. The precise details of the holiday lodges installed, in the event of planning permission being given, may change. This is a matter on which a planning condition attached to any approval would specify that the holiday lodges stationed on the land would be of the form and appearance shown on the submitted drawings, or any alternative drawings which have first been approved in writing by the Local Planning Authority. The colour and external finishes can also be controlled through a planning condition to ensure a high quality appearance appropriate to this rural setting as sought by policies CS6, CS17, MD2 and MD11

6.2.3 The proposed design for the vehicular bridge, with brick parapet walls and central pedestrian refuge features, would be simple, unobtrusive and appropriate to this rural setting. The lightweight, supported deck form of the pedestrian and buggy bridges, described in paragraph 1.7 above, are also considered to be visually acceptable, with the designs of all the bridges ensuring that there would be no obstruction to flows in the brook.

6.2.4 No objections have been raised to the designs by the Council’s Conservation Team and the approach taken accords with pre-application advice that was given.

### **6.3 Impact on visual amenity and rural character of the area**

6.3.1 Core Strategy policy CS6 requires developments to protect, restore, conserve and enhance the natural, built and historic environment. Policy CS17 seeks to ensure that all developments protect and enhance the diversity, high quality and local character of Shropshire’s natural, built and historic environment, and to not adversely affect the visual, ecological, geological, heritage or recreational values of these assets, their immediate surroundings or their connecting corridors.

6.3.2 SAMDev Plan policy MD11.2 states that all proposals should be well screened and sited to mitigate the impact on the visual quality of the area through the use of natural on-site features, site layout and design, and landscaping and planting schemes where appropriate. The applicants have submitted a Landscape and Visual Impact Assessment (LVIA) and a Heritage Impact Assessment (HIA) to address these matters. The latter is considered in section 6.4 of this report below. Both these documents have been amended in response to comments from The National Trust that the original documents did not take account of the Dudmaston Estate situated to the east of the River Severn.

6.3.3 The amended LVIA submitted has considered the impact of all four applications together as it is the intention, in the event of planning permission being given, for the works contained in them to be delivered as a single build programme and the cumulative impact of all elements has to be taken into account. It contains a contextual description of the features that form the landscape; identifies landscape character areas making up the applications sites and the wider site context as being the Mor Brook Valley; Former Quarry Plateau, Astbury Hall and Golf Course; Western Farmland Escarpment; Chelmarsh; River Severn Valley; Eardington; Quatford Escarpment and the Dudmaston Estate. The main landscape receptors identified in the document comprise of the Mor Brook valley; the plateau; the mature woodland; the golf course/Astbury Hall/Astbury Hall Farm/residential buildings; Chelmarsh/western farmland; Severn Valley; and Dudmaston Estate.

It is considered that this basis for the analysis is sound.

6.3.4 The measures that would be incorporated in the proposed development as a whole, to minimise or mitigate landscape/visual impact would include not just a reliance on screen planting (Which would take time to establish) but also through the creation of a gently rolling landscape by balanced cut and fill contouring. The chalet clusters on the plateau area would be set within sinuous mounding and the eastern boundary would be gently built up to provide further screening. The associated car park areas would also be cut into the ground and/or screened with “Devon Banks” and planting. In addition to the grading works native tree, shrub and wildflower meadow planting would create further screening and assimilation of the lodges into the landscape. The lodges would be cut into the ground where possible; would not go into the woodland along the Mor Brook.

6.3.5 From this context the LVIA carries out an assessment of the construction effects on landscape character, and an assessment of operational effects on landscape character. The receptors of potential visual impact assessment includes footpath and road users in addition to those listed in 6.3.4 above, with distant views (>1km); middle-distant views (0.25 – 1km); close views (0.25km) and important buildings. The viewpoints selected for the assessment are detailed and, with the amended LVIA taking account of the Dudmaston Estate, are considered to be appropriate with no significant omissions.

6.3.6 The LVIA concludes that some two thirds of the existing site can be considered “semi artificial” (golf course, former quarry, Astbury Hall/car park) with only Mor Brook Valley being regarded as landscaper and visually sensitive. The existing leisure amenity golf course and flat reinstated quarry field means that the significance of effect on landscape character during the construction period would be temporarily ‘minor adverse’, mainly as a consequence of topsoil stripping and the movement of earthworks equipment. The significance of effect on landscape character during the operational stage of the project is predicted to be ‘minor adverse to negligible’. The character of the landscape would not change from that of a semi artificial golf course and protection of the key landscape elements (The Mor Brook Valley and the woodlands) would ensure no detrimental impact on the overall character. Sensitive receptors of the Dudmaston Estate would not be

affected. It comments that the mitigation measures would, in time, see a slight beneficial impact on landscape character in the form of greater biodiversity and ecological protection/management. The location and design of the leisure facility building would not be intrusive from the landscape impact perspective. Visual impact during construction would be essentially confined to sections of public right of way and the residents near Astbury Hall, and as a consequence the significance of visual impact during construction is considered 'minor adverse'. Visual impact following completion of the project would be limited to the same receptors, and would in time be further diminished with the establishment of mitigation planting. The significance of effect on views is predicted to be 'minor adverse'.

6.3.7 The term 'minor adverse' used in the landscape impact analysis means that *"the proposals would be slightly at variance with the existing landscape character; can be largely mitigated with only small residual adverse effect."* The residents of Astbury Lane would experience a moderate deterioration in existing view which, with mitigation over time would shift to a 'moderate adverse' effect. From the Dudmaston Estate the verifiable montages supplied show that the lodges would be almost entirely unseen from this receptor. Due to the distances involved, existing and proposed topography and the lodges/landscape design the LVIA concludes that the proposals would be invisible from Dudmaston Hall and parkland, and barely visible (glimpsed views) from Lodge Farm. The impact on Lodge Farm is judged to be 'minor adverse' changing to 'negligible' with the establishment of planting. From all other locations whether off site footpaths, longer residential views or from Quatford the impact on views is defined as broadly negligible.

6.3.8 Observations made by the Case Officer during site visits and the Council's Conservation Officer concur with these conclusions of the revised landscape and visual impact assessment. The proposed layout of the holiday lodges in the Mor Brook Valley, in groups between existing tree planting screening, with the new areas of woodland planting proposed, and following the contours/topography of the land would enable them to be assimilated into the surrounding landscape satisfactorily and would not be visible from distant viewpoints. It is acknowledged that the group closest to the Crateford Barn buildings would be more visible, but they would be grouped with the existing buildings there and would not be unduly conspicuous in the landscape. (Their impact on the landscape would be less than that of those contained in planning permission 14/04010/FUL for 28 holiday units on land to the south east of Crateford Barns which also incorporated elements of those buildings). It is considered that a refusal on the grounds of the proposals contained in this application would cause unacceptable visual harm to the landscape, and the setting of listed buildings contained in that landscape, could not be sustained.

## 6.4 Impact on Heritage Assets

6.4.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities in considering whether to grant planning permission which affects a listed building or its setting to have special regard to

the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Astbury Hall is not listed and constitutes a non-designated heritage asset. Consideration must be given to whether the setting of any listed buildings would be affected by the proposed development, and whether any park land settings would be harmed.

- 6.4.2 Core Strategy policy CS6 requires developments to protect, restore, conserve and enhance the natural, built and historic environment. Policy CS17 seeks to ensure that all developments protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment, and to not adversely affect the visual, ecological, geological, heritage or recreational values of these assets, their immediate surroundings or their connecting corridors. SAMDev Plan policy MD13 advises that Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored by ensuring that, wherever possible, proposals avoid harm or loss of significance to designated and non-designated heritage assets, including their settings. Where a proposal is likely to affect the significance of designated or non-designated heritage assets, including their setting, policy MD13.2 requires applications to be accompanied by a heritage assessment. This policy accords with paragraph 189 of the NPPF which advises that local planning authorities should require an applicant to describe the significance of any heritage assets affected by a proposal, including any contribution made by their setting. It explains "The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."
- 6.4.3 The amended Heritage Impact Assessment (HIA) for land surrounding Astbury Hall submitted considers the impact of the development proposals as a whole, which have been split across the four planning applications. (The other planning applications being 18/05052/FUL; 18/05079/FUL and 18/05159/FUL which are also on this Committee agenda). It is to be read in conjunction with the Landscape and Visual Impact Assessment (LVIA) discussed in section 6.3 above in respect of the impact of the proposals on listed buildings and, in particular, those associated with the Dudmaston Estate.
- 6.4.4 The HIA has been conducted in accordance with the Historic England document 'The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning 3'. It has established from the Historic Environment Record for Shropshire (HER) that very few monuments, events/activities and listed buildings within the 1000m buffer zone of the Astbury Hall study area. There are no listed buildings or scheduled ancient monuments within the study area, although several listed buildings are recorded just beyond the range of the 1000m buffer zone. All listed buildings and monuments, local find spots and archaeological reports listed in the HER in the wider study area beyond 1000m are recorded in the document.
- 6.4.5 The HIA concludes that the proposed development sits within an area of limited archaeological potential. The level of significance of the heritage value of the site is considered as low as categorised in the NPPF. There may be an effect on

hitherto unknown archaeological remains or artefacts, of a similar nature those recovered in the local region. The location of the proposed elements of the development on recorded monuments in the area would be low, but the impact on Astbury Hall and its associated estate, which has historic origins would be considered a medium impact. The impact on views across the historic landscape would be mitigated by the cluster layout of lodges in bunded surrounds and the landscaping. From the heritage impact perspective the 'plateau' area is the least significant area of the site due to the previous quarrying and subsequent restoration. With regard to the proposed built form, the HIA concludes that the development would cause slight harm to the historic significance of the estate. This low level of harm has to be weighed against the benefits of creating leisure facilities that would have public benefits to the rural economy, creation of employment and the Development Plan aspirations to enhance the role of Shropshire as a tourist destination to stay.

6.4.6 In response to the specific concerns raised by the National Trust the HIA comments that Dudmaston Hall is over 1.6km from the closest point of the application site, and that one of the heritage assets within the Dudmaston Estate, known as Lodge Farm, is around 940m from the closest point of the application site. It observes that there is no common border between the Astbury Hall Estate and the Dudmaston Estate, and that the latter is slightly raised in comparison with the former. It asserts that the impact on views from the listed buildings and parkland associated with the Dudmaston Estate by the proposed development can be considered to be of negative to low impact, due to the considerable impact and mitigation measures, as has been explored in detail in the Landscape and Visual Impact Assessment (LVIA.) discussed in section 6.3 of this report above.

6.4.7 The Council's Conservation Officer for the area concurs with the conclusions of the HIA. An archaeological watching brief would ensure the opportunity to record any matters of archaeological interest which may be uncovered by the leisure facilities proposals and associated works contained in this particular application. It is considered that there are wider public benefits from the proposed development which outweigh the limited harm identified to the historic significance of the Astbury Estate, in applying the balance required by paragraph 197 of the NPPF.

## **6.5 Highway Safety**

6.5.1 Core Strategy policy CS6 seeks to ensure that proposals likely to generate significant levels of traffic be located in accessible locations, where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel reduced. It also seeks to secure safe developments. The NPPF, at paragraph 108, advises in assessing applications for development should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.
- b) Safe and suitable access to the site can be achieved for all users;  
and

- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 continues by stating that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.5.2 A Transport Assessment has been submitted with the planning application, which has been expanded upon in response to comments from the Council's Highways Team. The Transport Assessment considers the impact of the development proposals as a whole, which have been split across the four planning applications. (The other planning applications being 18/05052/FUL; 18/05079/FUL and 18/05159/FUL which are also on this Committee agenda).
- 6.5.3 The initial Transport Assessment references the 'fall back' position under which the hotel development, holiday lodges and holiday let barn conversions, together with an additional golf course, could be constructed without the need to obtain a further planning permission.
- 6.5.4 The Transport Assessment is based upon the number of chalets proposed, with a 5% uplift in traffic generation compared to the actual number of lodges proposed. (315). It also includes personal injury collision data, which shows there have been two collisions in the vicinity of the site in the last five years, approximately 200m and 500m east and west of the existing site access respectively, which were classified as slight in severity. With regard to access by sustainable modes the Transport Assessment acknowledges that there are no footways provided on the B4555 although there are a number of public footpaths in the vicinity of the site which could serve shorter leisure journeys. The 125 bus route passes the site which provides a service between Stourbridge and Bridgnorth via Kidderminster and Bewdley, which provides an hourly daytime service Monday to Saturday. (The applicants are also in negotiation with the Severn Valley Railway on improvements to Eardington Halt to provide access to services along the route and a mainline connection via Kidderminster railway station). The conclusion on the existing transport conditions is that the site is rurally located with limited opportunities for access by sustainable modes; with the hourly bus service passing the site there is the potential to provide new stops to serve new demand; and there are not considered to be any inherent highway safety issues on the local highway network.
- 6.5.5 Vehicular access to/from the site would be from the main access on the B4555 Road, with no use of the single track Astbury Lane for that purpose, and an underpass beneath that lane to access the land and golf course on the northern side forms part of this application. ATC traffic surveys were commissioned on the eastbound and westbound approaches to the main site access onto the B4555, which is subject to the national 60mph speed limit, and the data used to

determine stopping distances for visibility splay purposes against national standards. This has established that the absolute minimum visibility splays (2.4 x 160m) sought by those standards are achieved within the extent of the adopted highway boundary, with the desirable splay to the west of the site (2.4 x 215m) also within the adopted highway, but crossing an embankment on the southern side of the highway.

6.5.6 The likely travel demand from the proposed development has split these into four categories comprising visitor arrivals and departures at the start and end of a stay; visitor excursions during the stay; staff arrivals and departures; and servicing and deliveries. The assumptions made include 100% occupancy; while it is likely that most arrivals would be in a single car, to provide a robust assessment it has been assumed that each lodge occupants will arrive and depart in an average of 1.5 vehicles. The assumption is also made that each lodge would have two sets of guests per week (i.e. Friday to Monday 3 night stay and a Monday to Friday 4 night stay). 315 lodges x 100% occupancy x 1.5 vehicles x 2 stays per week = 945 arrivals and departures per week. It is assumed that guests would undertake two excursions to the local area per visit, with each visit involving a single vehicle. 315 lodges x 1 vehicle x 2 excursions x 2 stays per week = 1260 arrivals and departures per week. Staff arrivals and departures are calculated on the basis of 120 staff, split equally across seven days, with each employee working five days per week, which equates to 86 employees per day working on-site. No allowance is made for absences or holidays and it is assumed, for the purposes of trip generation, that all staff commute by a single occupancy car journey. 86 staff per day x 7 days = 602 arrivals and departures per week. With regard to servicing and deliveries an assumption of 10 arrivals and departures per day has been made, totalling 70 such movements per week. It is considered that the above assumptions are a sound basis for determining likely travel demand.

6.5.7 The result of the above would be a total of 2877 arrivals and departures per week (5754 two-way trips), with an average of 411 arrivals and departures per day (822 two-way trips) in periods of maximum occupancy. The periods when these movements would take place would be visitors arriving after a certain check in time; visitors departing after a certain check out time (Those times to be determined); staff arrivals and departures depending on shift patterns; and servicing which would be concentrated during the morning, but could be throughout the day.

6.5.8 The Transport Consultants have used TRICS Trip Generation data for residential holiday accommodation; surveys since 2001; have excluded sites in Greater London and Ireland; have excluded town centre or edge of town centre locations; only included sites with substantial leisure facilities (Typically at least swimming pool and bar/restaurant); and trip rates per unit of holiday accommodation. Both weekday and Saturday trip rates were extracted from that data. The resulting figures for the period between 07:00 – 19:00 of 614 two-way trips on a weekday and 661 two-way trips on a Saturday are lower than their first principles estimate of 822 two-way trips. The differences can be explained by a number of factors,

including the TRICS data using a lower number of cars for unit of holiday accommodation; a lower staff ratio; staff arriving by means other than single occupancy journey; a lower number of off-site trips per unit of holiday accommodation and trips outside the 07:00 – 19:00 TRICS survey period. However, the Transport Consultants are of the view that the TRICS outputs are useful in determining trip generation during the network peak hours of 08:00 to 09:00 weekday am peak; 17:00 to 18:00 weekday pm peak and development peak (Saturday) of 13:00 to 14:00. While it is not intended that the proposed food and drink facilities would be used by the general public, in order to be robust the Transport Assessment has included an allowance for these areas of the proposed development. The existing golf course, used to its full potential, has also been taken into account. The total development trip generation figures when the holiday accommodation; potential external trade to the pub/restaurants and potential additional use of the golf course for the entire site would be 39 two-way trips in the AM peak hour, 105 trips in the PM peak hour and 134 trips during the Saturday development peak hour.

- 6.5.9 The Transport Assessment also includes the fall back trip generation should the hotel and other facilities in the extant planning permission 98/0829 be built out. It comments that the trip generation of the hotel would be slightly lower than that of the proposed use, but comments that it would generate a volume of traffic which is broadly similar in magnitude compared to the proposed development. This is therefore a factor for consideration in the assessment of the development proposals.
- 6.5.10 The capacity of the site access junction has been tested using the Junctions 9 software package with data gathered from traffic counts on 5<sup>th</sup> September 2018 and traffic surveys between the 5<sup>th</sup> and 11<sup>th</sup> September 2018. TEMPRO software has been used to provide a growth factor to account for background traffic growth for a five year period post application (2018-2023). Traffic arriving and departing from the site is split into three categories comprising holiday visitors from across the country; staff from the local area; and golfers from the local area. The three traffic assignments tested are 50%north/50%south; 75%north/25%south; and 25%north/75%south. The capacity assessment results demonstrate that the site access would operate well within capacity in all the scenarios considered.
- 6.5.11 With regard to the Highway Network Capacity, the Transport Assessment comments that the existing B4555 is a lightly trafficked road, with a two-way average daily flow of 3700 vehicles per hour and a maximum two-way hourly flow of 300 vehicles. It is estimated that the proposed development would result in an average of 822 additional vehicle trips per day on the local highway network. It states:  
*“DMRB TD 46/97 provides advice on traffic flow ranges for use in the assessment of new rural roads. The document notes that a standard ‘S2’ single carriageway road is suitable for an Annual Average Daily Traffic (AADT) flow of up to 13,000 vehicles.*

*The proposed development would increase the AADT on the B4555 to*

*approximately 4,500 vehicles, well below the suggested threshold for a single carriageway road. On this basis it can be concluded that the existing B4555 is a suitable standard or road to accommodate existing and future development traffic.”*

The Transport Assessment conclusions are that it demonstrates the proposed development would have a negligible impact on the operation of the local highway network, both at the site access junction and on the link capacity of the B4555.

- 6.5.12 The Council’s Developing Highways Area Manager raised a number of queries concerning the Transport Assessment. With regard to highway safety the area of search needs to be shown in the report; local concerns over the safety of the B4555 in the past, and given that most traffic generated by the development is likely to gravitate to/from the north, the search area should be extended to the edge of Bridgnorth town, and a brief description of the nature of all identified collisions included, before conclusions can be drawn. Other matters raised included the location of the monitoring point for determining traffic speeds from the east and visibility due to the road geometry at Hay Bridge; the need for visibility at the proposed construction access (Into the eastern part of the site for development on the eastern side of the Rea Brook) to be considered; the Travel Demand assumptions would be impacted on by the arrival/departure times and until they are set the first principles approach should be applied to a worst-case time period; similarly a worst–case approach to staff trips also needs to be considered until the nature and shift patterns of the jobs on site is known. The close proximity of some major visitor attractions could also affect the assumptions out the level of visitor excursions. The traffic growth 5 years after the application should be adjusted to the period after full opening. She advises that the approach taken in the report is appropriate to determining the likely increase in traffic over a 24 hours period, but this is only relevant for the link capacity assessment. She does acknowledge however that the altered assessments requested would be unlikely to make any significant difference to the conclusion on the capacity assessment of the site access operating well within capacity with the more robust approach sought. The approach taken to consider traffic distribution is considered acceptable, but experience suggests that the proportion of traffic accessing the site from the north is likely to be higher than 75%.
- 6.5.13 With regard to Highway network capacity the Highways Area Manager comments that the TD46/97 document referenced is only applicable to a new road scheme built to the appropriate standards. The B4555 road does not comply with these standards and the Transport Assessment must consider this fact. It is requested that the report submitted considers potential improvements to the surrounding road network. The proposed underpass to Astbury Lane (In application 18/05052/FUL) is welcomed by the Council’s Highways Team.
- 6.5.14 In response to the queries raised the applicant’s highways consultants have submitted a Technical Note, which responds also to highway matters raised by the Parish Councils. A summary of the proposals under the topic headings are

set out below:

- 6.5.14.1 Construction Traffic: Section 59 of the Highways Act allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic during the construction period. It would typically be expected that representatives of the highway authority and the applicant will carry out a joint road survey/inspection on the roads leading to the site, noting defects, with a further joint survey following completion and any remedial works completed within an agreed timescale.

A Construction Environmental Management Plan has been prepared. Two entrances would be provided for construction vehicles comprising:

- a )The existing in access for Astbury Hall from the B4555 for development on the western side of the Mor Brook.
- b )The existing former quarry access at the north eastern corner of the combined sites for these applications for development on the eastern side of the Mor Brook

Construction traffic routes would take account of the bridge carrying the Seven Valley Railway line, with a height restriction of 3.8m and the bridge carrying the B4555 over the railway which, although it does not have a weight restriction, is narrow. Articulated heavy goods vehicles, vehicles over 3.8m in height (Including transporting machinery or lodges) would arrive from north (via Bridgnorth) to the quarry access and from the south (via Highley) to the golf club access. Wheel washing facilities will be provided within both the eastern and western sides of the site; and the highway will be cleaned or swept at regular intervals to remove any mud or deposits on the carriageway. Any damage to the highway from turning goods vehicles will be repaired to the satisfaction of the highway authority following completion of the construction phase.

Any gate controls to access the site will be a minimum of 20 metres back from the edge of the highway to allow vehicles to wait off carriageway, and circulation space provided to allow vehicles to enter and leave in a forward gear.

Deliveries by articulated vehicles or abnormal loads will be restricted to the periods 09:30 – 15:00 during school term time and 09:30 - 16:30 outside term time.

A Construction Access Speed Survey has been carried out and the required minimum visibility standards can be achieved in both directions. In addition, to improve the safety of the construction access vegetation would be cut back as far as possible on either side and it will be manned to allow site personnel to assist large vehicles entering/exiting as necessary.

- 6.5.14.2 Site Access Visibility: In response to the query raised by SC Highways, the Transport Consultant has carried out an additional automated traffic survey (ATC) some 140m to the east of the main site access. The data recorded an 85<sup>th</sup> percentile westbound traffic speed of 38mph and with allowance for the downhill

gradient, the desirable minimum stopping distance would be 108m and the distance from where the access comes into view is 140m, which shows that adequate visibility is available.

- 6.5.14.3 Trip Generation and Site Access Capacity: In response to the SC Highways request for a more robust assessment of the development' peak trip generation based on the 'first principles' assessment previously undertaken, a re-assessment has been carried out on the basis that each lodge would make six excursions to the local area per week. (An uplift of 50% on the previous assumption). This would increase the total visitor excursions from 1260 to 1890 per week. A peak period 'worst case' trip generation assessment has been undertaken which combines the period when development trip generation would be at its maximum and the period during which traffic volumes on the B4555 are highest. The traffic growth allowance period has also now been extended to the period 2018 – 2026. An additional traffic assignment at the site access has also now been added which is 90% north/10% south. The results of the site access capacity, worst case assessment 2026 is that the site access would operate within capacity in all scenarios considered.
- 6.5.14.4 Link Capacity: The existing and proposed traffic flows between the site and Bridgnorth (based on the option of 90% of trips arriving from Bridgnorth) would, in the worst case scenario, increase the PM southbound traffic flow 275 to 488 vehicles. This equates to an increase from one vehicle every 13 seconds to one vehicle every 7 seconds. The Transport Consultants comment that this shows the traffic flows can be accommodated without having a severe impact on the capacity of the road.
- 6.5.14.5 Collision Analysis: The study area has been extended in response to comments by Highways for a distance of some 8km between the B4363 in the north and Chelmarsh/Sutton in the south and an analysis given of the route character. In the most recent five year period there have been 10 collisions on this stretch of the B4555, of which nine are classified as slight and one as serious. Between the B4363 and Eardington (Section 1) there have been two slight collisions when vehicles lost control travelling through bends, with the recorded causation factors being travelling too fast for conditions. None have occurred in Eardington (Section 2). Between Eardington and Chelmarsh (Section 3) there have been five slight collisions comprising of one where a car collided with a reversing tractor; two on the bridge over the SVR when a vehicle travelling south over the bridge lost control through the bend and collided with an oncoming vehicle; one at the bridge under the SVR when a vehicle lost control on mud/rain; and one on the southern section of this road length where one driver veered onto the wrong side of the road, where one driver was recorded as being impaired by alcohol. On the section between Chelmarsh and Sutton (Section 4) the serious collision occurred at the junction of Bakehouse Lane with the B4555 with a vehicle turning right into Bakehouse Lane crossing into the path of another vehicle. The two slight collisions comprised of a vehicle travelling north to the south of the 40mph zone losing control, and a vehicle waiting to turn right into a minor track being struck from behind. The care and the speed at which motorist travel is a contributory

factor of most collisions.

6.5.14.6 Mitigation Works: A review of the existing highway has been undertaken in comparison with DMRB TA 85/01 'Guidance on Minor Improvements to Existing Roads'. The Transport Consultants comment that repairs to the carriageway would be a matter for Shropshire Council but it is proposed that the developer provide a number of measures as part of the implementation should planning permission be granted. These comprise:

Section 1 – B4363 to Eardington:

Replace existing 40mph signage with gateway feature, including 'dragon's teeth' and red road markings.

Add red surfacing to existing 40mph road markings.

Add red surfacing to existing SLOW road markings.

White line edge of carriageway markings where not already provided.

Section 2 – Eardington:

It is proposed that the developer would enhance and refresh the existing traffic calming measures.

Section 3 – Eardington to Chelmarsh:

At the bridges beneath and over the SVR it is proposed that the developer:

Replace existing 'SLOW' markings with red friction surfacing.

Resurface the carriageway with high friction surfacing to a specification to be agreed with Shropshire Council.

At the bridge beneath the SVR replace existing gravel laybys with full carriageway construction, allowing potential over-run by large vehicles, preventing observed deterioration of the edge of the carriageway, and reducing mud spillage onto the highway.

Section 4 – Chelmarsh to Sutton:

This section of road is subject to 40mph through Chelmarsh and Sutton, thereafter increasing to the national speed limit. It is proposed to replicate the existing traffic calming features provided through Eardington, notably:

Highlight centreline marking and ghost island junction to Bakehouse Lane in red and anti-skid surfacing.

Replace 40mph road markings with red anti-skid surfacing.

Edge of carriageway markings along route.

Replace SLOW road markings with red anti-skid surfacing.

6.5.15 With regard to the Section 1 proposals (B4363 to Eardington) SC Highways have raised no objections, but comment that Shropshire Council has planned maintenance works along this section and some of the works may be included within the scope of those proposed works. Further details would be required on the location of the 40mph and SLOW road markings. This matter can be

addressed through a condition on any permission that requires construction details to be submitted prior to occupation, and details to be implemented within 3 months of the first occupation or opening of any facilities subject to the planning permission. This would provide an opportunity to full review the highway conditions at the time, and sufficient notice to get the works completed.

- 6.5.15.1 With respect to the Section 2 proposals the existing village traffic calming measures should be refreshed and enhanced as proposed. As with the Section 1 proposals, this matter can be addressed through a condition on any permission that requires construction details to be submitted prior to occupation, and details to be implemented within 3 months of the first occupation or opening of any facilities subject to the planning permission. This would provide an opportunity to full review the highway conditions at the time, and sufficient notice to get the works completed. (The original proposal to provide 'chicane' traffic calming features at each end of the village was not supported by SC Highways due to the lack of street lighting).
- 6.5.15.2 For Section 3 (Eardington to Chelmarsh) SC Highways comment that all the above mentioned works are generally supported from a highways perspective, however further consideration will need to be given to the reconstruction of the gravel laybys to establish if the areas fall within the adopted highway. These details can be investigated and explored at technical approval stage, Shropshire Council as Highway authority have powers to adopt areas of highway, subject to any objections received from the land owner. As above, all works would be subject to a Section 278 agreement and It is recommended that further details are submitted to provide further information of the proposed works, A condition should be placed up on any permission that requires construction details to be submitted prior to occupation, and details to be implemented within 3 months of the first occupation or opening of any facilities subject to the planning permission. This will provide an opportunity to full review the Highway conditions at the time, and sufficient notice to get the works completed.
- 6.5.15.3 For Section 4 (Chelmarsh to Sutton) All works are acceptable from a Highways perspective, however it should be noted that Shropshire Council have planned maintenance works along this section and therefore some of the works maybe included within the scope of the works. It is recommended that further details are submitted to provide further information of the proposed works. A condition should be placed up on any permission that requires construction details to be submitted prior to occupation, and details to be implemented within 3 months of the first occupation or opening of any facilities subject to the planning permission. This will provide an opportunity to full review the Highway conditions at the time, and sufficient notice to get the works completed.
- 6.5.16 The application proposals have considered transport issues in terms of the potential impacts of the proposals on transport networks and the locality. By its very nature of being a form of tourism development that requires a rural location, the sustainable transport options to use of the private car are limited, but the site has direct access onto a B road, is relatively close to the market town of

Bridgnorth and the services available in Highley, and has the potential to utilise public transport links and to establish a rail connection via the Severn Valley Railway. There would be onsite opportunities for the holiday lodge occupants to use local footpath networks. Taking account also of the established golf course and extant permissions for hotel and holiday chalet developments that these proposals would replace, it is considered that a refusal on transport grounds as being an unsustainable location would have no prospect of being upheld at appeal. The assessment of the highway/transport matters has taken account of the environmental impacts of traffic and mitigation has been proposed to achieve net environmental gains, as may be sought under paragraph 102 of the National Planning Policy Framework (NPPF), even though the studies using nationally recognised standards and modelling have established that there would be no access junction or road network capacity problems resulting from the implementation in full of the package of applications currently under consideration. Safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree by the works and measures proposed, in accordance with paragraph 108 of the NPPF. The safe developments, from a transport and highways perspective, sought by Core Strategy policy CS6 can be achieved. There would be no unacceptable impact on highway safety, or residual cumulative impacts on the road network that would justify a refusal of planning permission in this case.

## **6.6 Ecology**

6.6.1 Core Strategy policies CS6 and CS17 seeks to ensure developments do not have an adverse impact upon protected species, and accords with the obligations under national legislation.

6.6.2 The application is accompanied by an extensive set of ecological surveys relating to badgers, barn owls, dormice, great crested newts, otters, bats, reptiles and water voles, along with a habitat enhancement survey. Ecological Summary Reports have been provided which are specific to each application. The Report provided in connection with this application focuses on a large plot (~44.6 acres) within the central portion of the Astbury Hall Estate, containing hardstanding, a mosaic of semi-improved grassland, amenity grassland and rank grassland, scrub, scattered/ continuous woodland and riparian habitats associated with Mor Brook – a running watercourse, the northern and central stretches of which are situated within the application boundary. There are no buildings present upon this application site. The report concludes that no adverse impacts are anticipated on habitats of ecological merit, that the development has been designed to be sympathetic to the landscape, and that many features (woodland, watercourse, grassland) would be retained and enhanced. It recommends that trees with bat roosting potential be retained; that areas of rough grassland throughout the site be retained and managed to provide enhanced foraging for barn owls; enhancements for kingfisher/dipper around suitable Mor Brook areas; reasonable avoidance measures (RAM) detailed in a method statement for great crested newts be followed; hibernacula creation is recommended for amphibians; new native heathland planting be provided on suitable areas; a pre-commencement

badger survey be carried out and method statement followed; sensitive lighting scheme; a 20 metre buffer area be established around the Mor Brook, with the buffer area kept free of light pollution and any works needed in the area supervised by an ecological clerk of works; the creation of otter ledges and an artificial holt be considered; enhancements to provide habitat suitable for water vole and hazel dormouse be provided, and the eradication of invasive plant species.

6.6.3 The applicants have responded to the comments made by SC Ecology and the Shropshire Wildlife Trust by amending the proposed site layout to ensure that no holiday lodges would encroach within the 20 metre buffer zone to the Mor Brook. While the proposed bridges would require work in the buffer zone, the bridge designs with their wide spans and abutments outside the flood zone would ensure that the interference during their installation is minimised.

6.6.4 The Council's Planning Ecologist, whose comments are summarised at 4.8 above, is content that these proposals would not adversely impact on protected species and ecological interests, and would maintain the environmental network of the locality, with enhancements. The applicants have subsequently submitted badger and otter pre-commencement report survey; a biosecurity protocol; brown hare method statement, details of the proposed bran owl provisions and a Construction Ecological Management Plan in response to the Planning Ecologists recommended conditions.

## **6.7 Drainage**

6.7.1 Core Strategy policy CS18 relates to sustainable water management. A Flood Risk Assessment (FRA) has been submitted with the application, which includes a drainage strategy. Package treatment plants are proposed for the disposal of foul sewage, with the treated effluent directed to ground in the east of the site where the land is suitable for infiltration. In the west treated effluent would be directed to the brook. Dichlorination units would be installed up stream of package treatment plants where hot tubs are installed. In the east surface water would discharge to ground. In the west, surface water would be directed to the Mor Brook with flows restricted by attenuation such that they would be no greater than the undeveloped run off rate for the same event, based on calculations including the 1 in 100 + 40% storm event. The FRA considers the impact on the Mor Brook. It comments that under low flow conditions, surface water flows from the site would be close to the existing greenfield rates. Additional treated flows from the foul systems would represent an increase of 0.7% at low flows and is therefore not significant. During storm events the flows from the foul system would be the same as during low flows. Surface water flows from the lodges would be restricted to greenfield rates by attenuation, and therefore the overall flow rate to the brook would be lower than normal for such events.

6.7.2 The Council's Drainage Consultants have confirmed that the FRA is acceptable in principle, and that the final foul and surface water drainage details, plan and calculations should be submitted for approval. This is a matter which can be addressed through a planning condition on any approval issued. The agents have

advised that the full details of the drainage to the leisure facilities is currently being prepared for submission and approval, with the desire to achieve this prior to the Committee Meeting. They comment that the planning process requires that the principles of the drainage design is established and agreed, but the detailed design forms part of the Building Control and working drawings stage of works. Whilst this detailed design is close to completion, the applicant is happy to accept a pre-occupation condition should details not be forthcoming in this time frame. The extent of the land under the control of the applicant would not appear to limit the drainage options in this case. It is considered that, in this case, a condition requiring the drainage details to be approved prior to occupation, and for the works to be carried out in accordance with the approved details, would be an acceptable way to ensure that the development would not adversely impact on water quality and quantity, or on flood risk.

## **6.8 Residential Amenity**

6.8.1 Core Strategy policy CS6 seeks to safeguard residential amenity. The nearest residential properties to the site are those to north on Astbury Lane. The separation distances between the proposed lodges and existing dwellings, coupled with the topography and proposed layout of the facing into the Mor Brook valley would ensure no significant privacy or overbearing impacts on existing properties. The proposed landscaping scheme would also assist in reducing further the inter-visibility between the properties. The proposed on-site parking arrangements and use of electric golf buggies would also assist in reducing noise disturbance from vehicles. Any night time noise created by the occupants of the holiday lodges would be a site management issue and not grounds for a refusal of planning permission in this case.

6.8.3 It is almost inevitable that building works anywhere cause some disturbance to adjoining residents. This issue is addressed by a recommended condition on the restricting hours of working to 07.30 to 18.00 hours Monday to Friday; 08.00 to 13.00 hours Saturdays and not on Sundays, Public or Bank Holidays, and a condition requiring the approval of a construction method statement to mitigate the temporary impact.

## **6.9 Rights of Way**

6.9.1 The proposals contained in this application would not affect the routes of existing rights of way. The Council's Rights of Way Team had noted that one section of public footpath and the alignment of others on the submitted drawings was not in accordance with the paths shown on the definitive map. The drawings have been corrected to accord with the definitive rights of way map.

## **7.0 CONCLUSION**

7.1 There is no in-principle planning policy objection to the proposals contained in this application. It is considered that the proposed built form of the holiday lodges would achieve these design objectives. While the drawings of the holiday lodges are labelled as indicative they demonstrate the design ethos for the development. The precise details of the holiday lodges installed, in the event of planning

permission being given, may change. This is a matter on which a planning condition attached to any approval would specify that the holiday lodges stationed on the land would be of the form and appearance shown on the submitted drawings, or any alternative drawings which have first been approved in writing by the Local Planning Authority. The colour and external finishes can also be controlled through a planning condition to ensure a high quality appearance appropriate to this rural setting as sought by policies CS6, CS17, MD2 and MD11. The proposed design of the bridges over the brook would be sympathetic to their surroundings. The proposed layout of the holiday lodges and their associated parking and road/paths network, coupled with the landscaping scheme, would result in a development which would not be obtrusive in the rural landscape.

- 7.2 A refusal on the grounds of the proposals contained in this application would cause unacceptable visual harm to the landscape, and the setting of listed buildings contained in that landscape, could not be sustained. With regard to the heritage impact, there are wider public benefits in terms of the contribution to the local economy, job creation and the delivery of high quality visitor accommodation sought by the Development Plan which would be provided by the proposed development which outweigh the limited harm identified to the historic significance of the Astbury Estate, in applying the balance required by paragraph 197 of the NPPF.
- 7.3 The assessment of the highway/transport matters has taken account of the environmental impacts of traffic and mitigation has been proposed to achieve net environmental gains, as may be sought under paragraph 102 of the National Planning Policy Framework (NPPF), even though the studies using nationally recognised standards and modelling have established that there would be no access junction or road network capacity problems resulting from the implementation in full of the package of applications currently under consideration. Safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree by the works and measures proposed, in accordance with paragraph 108 of the NPPF. The safe developments, from a transport and highways perspective, sought by Core Strategy policy CS6 can be achieved. There would be no unacceptable impact on highway safety, or residual cumulative impacts on the road network that would justify a refusal of planning permission in this case.
- 7.4 These proposals would not adversely impact on protected species and ecological interests, and would maintain the environmental network of the locality, with enhancements. Ecological interests and drainage can be safeguarded through the recommended planning conditions. The proposed development would not unduly harm the residential amenities of the locality.
- 7.5 This proposal, in combination with the three other related applications also on this agenda, would satisfy all three overarching objectives for sustainable development set out in the National Planning Policy Framework (NPPF)

paragraph 8). It would fulfil the economic objective by contributing to the rural economy and providing high quality visitor accommodation and leisure facilities as sought by the Development Plan and sustainable rural tourism and leisure developments sought by paragraph 83 of the NPPF; the social objective would be met through the creation of employment both directly and indirectly which is key to supporting strong, vibrant and healthy communities, and the nature of the development would be beneficial to the health, social and cultural well-being of its users; and the environmental objective would be fulfilled by the landscape and ecological enhancements it would deliver, helping to improve biodiversity.

## 8.0 Risk Assessment and Opportunities Appraisal

### 8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ☐ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- ☐ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

### 8.2 Human Rights

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.

This legislation has been taken into account in arriving at the above recommendation.

### 8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

### 9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10. Background

### Relevant Planning Policies

Central Government Guidance:  
National Planning Policy Framework

Shropshire Core Strategy and SAMDev Plan Policies:

CS1 - Strategic Approach  
CS5 - Countryside and Greenbelt  
CS6 - Sustainable Design and Development Principles  
CS16 - Tourism, Culture and Leisure  
CS17 - Environmental Networks  
CS18 - Sustainable Water Management  
MD2 - Sustainable Design  
MD7B - General Management of Development in the Countryside  
MD11 - Tourism Facilities and Visitor Accommodation  
MD12 - Natural Environment  
MD13 - Historic Environment

### RELEVANT PLANNING HISTORY:

BR/74/0254 Conversion of existing dwelling to a hotel GRANT 6th May 1974

Contact: Tim Rogers (01743) 258773

11/01035/AMP Amendments to planning permission 98/0829 to incorporate the additional lavatory block and pay station within the building GRAMP 2nd June 2011

11/01774/VAR Variation of condition numbers 21 and 34 attached to planning permission reference 93/0829 dated 7th March 2000 to allow for the provision of outdoor functions and erection of temporary marquees GRANT 10th August 2011

11/04126/DIS Discharge of Condition No.3 (appearance of marquees) attached to planning permission 11/01774/VAR dated 10/08/11 - Variation of condition numbers 21 & 34 (93/0829) to allow for the provision of outdoor functions and erection of temporary marquees DISAPP 12th December 2011

BR/74/402 The erection of two lodged dwellings for staff occupation REFUSE 5th November 1974

BR/76/0305 The erection of two extensions to provide additional bedrooms at the front of two existing cottages GRANT 5th July 1976

13/03715/DIS Discharge of condition 4 (Materials) on planning permission 06/0435 for the use of land for the stationing of holiday lodges at Astbury Hall, Chelmarsh WDN 7th March 2014

13/04958/VAR Variation of condition 2 of planning permission 06/0435 for the stationing of holiday lodges GRANT 10th March 2014

14/00794/FUL Erection of 11 holiday retreats GRANT 14th April 2014

14/03609/FUL Siting of 1no. additional holiday retreat within the context of the previously approved scheme 14/00794/FUL GRANT 16th October 2014

16/00786/DIS Discharge of conditions 6 (external materials), 7 (landscaping), 9 (drainage), 10 (protective fencing) and 14 (Ecology) on planning permission 14/00794/FUL for the erection of 11 holiday retreats DISPAR 11th April 2016

16/00798/DIS Discharge of conditions 6 (external materials), 7 (drainage), 8 (protective fencing) and 11 (ecology) on planning permission 14/03609/FUL for the siting of 1no. additional holiday retreat within the context of the previously approved scheme 14/00794/FUL DISPAR 11th April 2016

16/00800/DIS Discharge of conditions 6 (external materials), 7 (landscaping), 9 (protective fencing), 10 (habitat management plan) and 20 (construction method statement) on planning permission 14/04010/FUL for the erection of 28 residential units with a restriction for holiday use DISPAR 11th April 2016

16/04437/DIS Discharge of Condition 9 (drainage) relating to planning permission 14/00794/FUL - Erection of 11 holiday retreats DISAPP 2nd November 2016

16/04438/DIS Discharge of Condition 7 (drainage) relating to planning permission 14/03609/FUL - Siting of 1no. additional holiday retreat within the context of the previously approved scheme 14/00794/FUL DISAPP 17th November 2016

17/05426/VAR Variation of conditions 21 & 34 attached to planning permission 98/0829 dated 07/03/2000 (and 11/01774/VAR) to allow for continued use of marquee for a further five years GRANT 14th February 2018

18/05052/FUL Re-development of Astbury Hall Estate to provide; leisure and spa building comprising fitness suite, health spa, two swimming pools, farm shop, function room, restaurant and bar; external facilities comprising lido pool, tennis courts, bowls/croquet/petanque greens; landscaping scheme (removal of trees); formation of parking areas; terraced areas; amendments to existing golf course; formation of 9-hole golf course and 18-hole putting green; demolition of two dis-used outbuildings and re-build to form service buildings; with all associated works PDE

18/05079/FUL Re-development of Astbury Hall Estate to include the installation of 140 holiday let lodges with raised decked areas; car parking areas; footpaths/cyclepaths and roadways; installation of foul water treatment plants and refuse points (Plateau Lodge Phase) PDE

18/05159/FUL Redevelopment of Astbury Hall Estate - Erection of bar/restaurant building with all associated works PDE

BR/APP/FUL/03/0337 Variation of condition number 7 on planning permission reference 98/0829, approved 7 march 2000 GRANT 10th June 2003

BR/APP/FUL/06/0435 Use of land for the stationing of holiday lodges GRANT 31st July 2006

BR/APP/FUL/06/0434 Variation of condition 16 attached to permission ref 98/0829 to substitute drawing no 03/49/11A for 90/107/53 with regard to car park layout GRANT 27th July 2006

BR/APP/FUL/06/0054 Variation of condition 28 on planning permission ref 98/0829 to allow the barn conversion and extension and the timber lodges to be used 12 months a year for holiday purposes only GRANT 6th March 2006

BR/98/0829 Renewal of planning permission 91/0586 for use of land as 18 hole and 9 hole golf courses; use of and extensions to Hall to provide hotel and ancillary facilities and temporary golf club house; use of and extension of pool house to golf clubhouse; use of and extension to barn to provide holiday lets; erection of 12 holiday lodges; installation of sewage treatment plant GRANT 7th March 2000

#### 11. Additional Information

[View details online:](#)

<https://pa.shropshire.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Design and Access Statement

Heritage Impact Assessment

Landscape and Visual Impact Assessment

Ground Investigation Report

Ecological Reports

Transport Assessment

Arboricultural Report

Flood Risk Assessment and Drainage Strategy

Cabinet Member (Portfolio Holder)

Cllr R. Macey

Local Member

Cllr Robert Tindall

Appendices

APPENDIX 1 - Conditions

## APPENDIX 1

### Conditions

#### STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. No more than 135 holiday let lodges shall be stationed on land within the application site at any time and there shall be no variations to their siting from that shown on the approved drawings.

Reason: To define the permission for the avoidance of doubt and in the interests of the visual amenities of the area.

4. The construction of the holiday lodges shall comply with the definition of a caravan and shall comprise of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices and shall not exceed the length, width and height of living accommodation limits set out in Part 3, Section 13 of the Caravan Sites Act 1968, as amended.

Reason: To define the permission for the avoidance of any doubt and to comply with SAMDev Plan policy MD11.8.

5. Notwithstanding Classes C2 and C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), the caravans hereby permitted shall be used to provide holiday accommodation only and shall not be occupied as permanent unrestricted residential accommodation or as a primary place of residence.

Reason: The site is outside of any settlement where unrestricted residential accommodation would be contrary to adopted Development Plan housing policy.

6. A register shall be maintained of the names of the occupiers of the caravan units, the period of their occupation together with their main home addresses. This information shall be made available at all reasonable times to the Local Planning Authority.

Reason: The site is outside of any settlement where unrestricted residential accommodation would be contrary to adopted Development Plan housing policy.

7. Before the holiday lodges are first installed on the land details of their external finishes and any associated access decking/steps/ramps shall be submitted to and approved in writing

by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory, in the interests of visual amenity.

8. Prior to the construction of the bridges details for the facing brick to be used for the vehicle bridge and of the external finishes to the pedestrian and buggy bridges shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory, in the interests of visual amenity.

9. The access road and parking areas shall be constructed and surfaced in the approved materials, before the holiday lodges they would serve are first occupied.

Reason: In the interests of visual amenity and public safety and to secure satisfactory surface water drainage.

10. The holiday lodges stationed on the land shall be of the form and appearance shown on the submitted drawing numbers 4180 and 4187, or as shown on any alternative drawings which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a high quality appearance appropriate to this rural setting as sought by policies CS6, CS17, MD2 and MD11

11. Prior to any element of the development hereby approved being first brought into use, construction details of the improvements to the main site access shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented within 3 months of the first element of the development hereby approved being brought into use.

Reason: To ensure a satisfactory means of access to the highway.

12. The highways improvements shown on drawing numbers 03659-0102 and 3659-SK001 (Section 1); 3659-SK002 (Section 2); 3659-SK003 (Section 3) and drawing nos. 03659-0105 and 03659-106; and 3659-SK004 (Section 4) shall be fully implemented in accordance with details which have first been approved in writing by the Local Planning Authority within 3 months of any element of the development hereby approved being first brought into use.

Reason: In the interests of highway safety.

13. No development shall take place, including any works of demolition, until a Construction Environmental Management Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period and should reflect the phasing of construction. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials

Contact: Tim Rogers (01743) 258773

- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- routing of vehicles to and from the site
- communication strategy for sub-contractors
- details of local liaison and engagement with relevant representatives.

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

14. Vehicular access to and from the facilities hereby approved shall (except in emergencies) shall be solely by means of the main driveway to Astbury Hall off the B4555 and not by means of Astbury Lane.

Reason: In the interests of highway safety and to safeguard the residential amenity of properties on Astbury Lane.

15. Before any holiday lodge is first occupied the foul and surface water drainage arrangements to the cluster of lodges in which it would be located shall be installed in full in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

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

16. The development shall be carried out in accordance with the Arboricultural Method Statement to BS 5837:2012 prepared by JCA Limited (ref: 14421b/TT)), the planting schedule and specification (ref.WD808\_3009 Rev B) and the Tree Pit Detail and Tree Protection Examples (ref.WD808D01).

Reason: 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.

17. All hard and soft landscape works shall be carried out in accordance with the approved landscaping scheme. The works shall be carried out in the first planting and seeding seasons following the occupation / use of any part of the development hereby approved. Any trees or plants that, within a period of five years after planting, are removed, die or become 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.

18. The development shall be carried out in accordance with the approved ecological compliance and supervision procedures report (ref,140119) dated 14th January 2019; the biosecurity protocol (ref. 140219.BP); barn owl provision details and specifications (ref.14029.BOP); method statement (brown hare) (ref.14029.BH) dated 14th February 2019 and the badger and otter pre-commencement report (ref.180219.BOPC) dated 19th February

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2019, and the Construction Ecological Management Plan (ref.190219/CEMP) dated February 2019.

Reason: To protect and enhance features of recognised nature conservation importance, in accordance with MD12, CS17 and section 175 of the NPPF.

19. Prior to first occupation/use of the buildings, an appropriately qualified and experienced Ecological Clerk of Works (ECW) shall provide a report to the Local Planning Authority demonstrating implementation of the ecological Method Statements, Mitigation and Enhancement Strategies (Habitat Enhancement Summary report 221018JM and detailed in subsequent phase 2 ecological reports; 101018MM2 badger, 030918JM1 barn owl, 191018MMJM great crested newt, 190918MM2 bat, 030918JM2 reptile, 140918JM1 otter, 140918JM2 water vole, 101018MM dormouse). This shall include photographs of installed features such as bat and bird boxes, bat bricks/tiles, barn owl boxes and loft, dipper boxes, 10 hibernacula, otter holt, 50 dormouse boxes etc.

Reason: To protect and enhance features of recognised nature conservation importance, in accordance with MD12, CS17 and section 175 of the NPPF.

20. Prior to the use of the buildings a habitat management plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) Description and evaluation of the features to be created, restored, enhanced, and managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a works schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
- g) Personnel responsible for implementation of the plan;
- h) Detailed monitoring scheme with defined indicators to be used to demonstrate achievement of the appropriate habitat quality;
- i) Possible remedial/contingency measures triggered by monitoring;
- j) The financial and legal means through which the plan will be implemented.

The plan shall be carried out as approved.

Reason: To protect and enhance features of recognised nature conservation importance, in accordance with MD12, CS17 and section 175 of the NPPF.

21. Prior to the erection of any external lighting on the site associated with the development hereby approved, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Artificial lighting and wildlife: Interim Guidance: Recommendations to help minimise the impact artificial lighting (2014). The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To minimise disturbance to bats, which are European Protected Species.

22. A minimum 20m buffer shall be temporarily fenced off parallel to the banks along the length of the watercourse, prior to any construction related work or activity taking place in the vicinity of the watercourse. No access, material storage or ground disturbance shall occur within the buffer zone, except in accordance with any details which are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure the protection of the watercourse, and associated wildlife, during construction works.

23. Construction works and/or demolition works shall not take place outside the hours 07:30 to 18:00 Monday to Friday; 08:00 to 13:00 Saturdays. No works shall take place on Sundays, or on bank or public holidays.

Reason: To safeguard the residential amenities of the area.

24. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

### **Informatives**

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.
2. Other informatives as set out in the report on application 18/05052/FUL.