

NORTH PLANNING COMMITTEE
SCHEDULE OF ADDITIONAL LETTERS

Date: 10th December 2019

NOTE: This schedule reports only additional letters received before 5pm on the day before committee.

Any items received on the day of Committee will be reported verbally to the meeting

Item No.	Application No	Originator
5	Application to register land known as Greenfields Recreation Ground, Falstaff Street, Shrewsbury as a New Town or Village Green	Applicant

Prior to the publication of the Report and following its publication, the applicant has emailed the Council on numerous occasions. There is some repetition in the correspondence, but the points raised by the applicant are summarised below:

1. The area of land subject to the Village Green is a portion of what has been known as Greenfields Recreation Ground and is known locally as 'The Meadows'. The Report does not refer to this.
2. The Applicant asserts that their application is in relation to the whole of the land purchased from Mr Barker and Mr Capper in 1926.
3. The Applicant has made reference to the 'disposal/change of use' of a third of the Greenfields Recreation Ground by the Town Council. The Applicant does not recognise this disposal/change of use. The Applicant asserts that the disposal/change of use has never been accounted for by the Town Council in their submissions in relation to the Village Green Application and that until such documents are provided the legal status of the land is 'in suspension'
4. The Applicant challenges the evidence provided by the Town Council in their submission that the land has been used 'by right' and not 'as of right', that the Town Council have provided no witness statements or corroborating evidence but simply a subjective statement accepted by the Officers Report
5. The Applicant has requested that the Town Council evidence must be supported or withdrawn until further legal documents are provided that establish the use of this land post disposal/change of use. The Village Green Application must be deferred or accepted unless these documents are provided by Fully Disclosure, Duty of Candour or FOI. The decision on the Application should be based upon their 'as of right' use and not for that more recent access and that all of the Applicant's points of 'as of right' access should be reflected in the Officers Report.

Officer comments:

1. The Village Green application refers only to the Greenfields Recreation Area and not The Meadows. The land is identified by a plan at Appendix 1 of the application. The plan at Appendix 1 of the Report identifies the same area of land, save for the small area which was excluded due to the occurrence of a trigger event.

2. The Village Green Application does not cover the whole of the land purchased in 1926 as shown on both the plan at Appendix 1 of the Application and Appendix 1 of the Report.
3. The disposal by the Town Council of part of the land is not relevant to the Village Green Application.
4. Sufficient documentary evidence has been provided by the Town Council to support their position that the Recreation Ground has been used 'by right and not 'as of right'.
5. The status of the land disposed of by the Town Council is not relevant for the determination of the Village Green Application, there is no justification for the Application to be deferred. The Report contains all relevant submissions made by the Applicant

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5	Application to register land known as Greenfields Recreation Ground, Falstaff Street, Shrewsbury as a New Town or Village Green	Applicant

Prior to the publication of the Report and following its publication, the applicant has emailed the Town Clerk at Shrewsbury Town Council (copying in Shropshire Council) on numerous occasions.

In the correspondence between the Applicant and the Town Council there is some overlap in the comments and requests made with the Village Green Application and the Court proceedings in respect of Applicant's judicial review of the Council's planning decision. The points raised by the applicant in relation to the Village Green Application are summarised below:

1. The Applicant has commented on the production of the byelaws by the Town Council as part of their final submissions and to request disclosure of documents relating to the whole of the Greenfields Recreation Ground together with the Town Council's documents and information to show that the land has 'never been' park land.
 - 1a. The Town Council have responded that they have never disputed the land subject to the Village Green application is Greenfields Recreation Ground and that the byelaw was created on the same basis of the land as current.
2. The Applicant has requested confirmation that the Greenfields Recreation Ground remained in public ownership until 2017 or if not, to provide relevant legal documents confirming any changes.
 - 2a. The Town Council has confirmed that 'all information presented as part of the Village Green Application forms part of the Annexes to the Northern Planning Committee Agenda on Shropshire Council's Website'

Item No.	Application	Originator
6	19/04715/FUL	Public comments
<p>7 additional letters of objection have been received which raise the same or similar issues to those already received and summarised in the committee report.</p> <p>One new comment states the following:</p> <p><i>I have personally tried to contact the applicant with a view to renting the property as a Photography studio & he has not returned any of my calls</i></p> <p>One comment refers to observations on the committee report as follows:</p> <p><i>7.1 Having been rejected previously by the planning committee and inspector, I find it difficult to understand how this proposal could be considered as acceptable. The revised off road parking provision actually represents a change that is even more detrimental to local residents. The previous application was given careful consideration by both the Council's Planning Committee and duly reviewed by the Inspector. A main reason for rejection was the issues around parking. This application appears to be exactly as the previous one but involving a reduction in both the off-road and on-road parking provision. I therefore fail to see how it actually addresses the that issue when, in reality, it makes the parking situation even worse.</i></p> <p><i>6.3.5 I suggest that closing at 2300 is not the same as ceasing all activities at 2300.</i></p> <p><i>I would challenge the point that it would not result in any significant increase in noise and activity as it involves additional traffic generated by delivery vehicles, customers' cars, and customers on foot. Bearing in mind the close proximity to residential properties these are bound to have an impact on local residents.</i></p> <p><i>6.4.3 The vehicular activity relating to the previous 3 businesses located there has primarily during daytime hours and therefore have not had a particularly negative impact on local residents or provision for parking. Even during evening opening hours the vehicular traffic was very low, most likely due to the difficulty in finding parking spaces. (I note the explanations provided by the Inspector that have been referenced in 6.4.5)</i></p> <p><i>6.4.9 (1) I am not sure that the point about the 3 parking spaces in the original were solely to be used for staff parking. This would also appear to be inconsistent with the indication that staff would be transported to the site. This transporting in of staff would also indicate the much mentioned employment opportunities would not actually benefit local people. (Also the benefits of any increased employment would need to be balanced against the potentially negative impact on the scope of employment at the existing Indian takeaway located 100m away.)</i></p> <p><i>6.4.9 (2) It is incorrect to state that the provision of two off-road spaces will now provide 3 on-road spaces. As stated, those three on-road spaces already exist and are likely to be used by local residents. In fact the new proposal will remove an</i></p>		

existing on-road parking space, thus exacerbating the existing parking difficulties in Wood Street.

6.4.11 That reverting back to the previous use of the property could result in greater traffic flows is, I suggest, a questionable point as I've already indicated that the pattern of traffic using the previous 3 businesses was considerably different to the likely pattern for an Indian takeaway.

6.4.10 I suggest that the argument about traffic flows can only be based on actual usage and, as already stated, historically the level of vehicle traffic created by the three previous businesses has been very low. Virtually all of the vehicular traffic (deliveries and customers) for those 3 was actually very low and made during non-peak daytime hours.

6.4.13 The reference to 4 on road spaces is inaccurate as there are actually only 3 (as mentioned elsewhere in the report). I would argue that this section also downplays the danger and disruption caused by customers when attempting to locate a very limited number of on road parking spaces (if available at all). Nowhere in the report is any consideration given to the specific parking and traffic issues related to the premises being located on a cul de sac where during the evening cars are parked on both sides with only one passing place - the entrance to Wood Street Gardens, which is adjacent to the location of the proposed off street parking.

6.4.16 I find it surprising to see that any illegal parking, for whatever the time period, could possibly be considered as acceptable. I also fail to see how the proposal could possibly include any improvement in the existing provision of on-road spaces. Not only does it involve the removal of an existing on-road space, it increases significantly the demand for spaces at the time when they are most used by local residents.

6.4 (between 6.4.16 & 6.4.17) The statement that all cars remain permanently parked after 6 pm is inaccurate.

6.4.17 The suggested level of deliveries appears to be high compared to that of the existing Indian takeaway located nearby (NB which has more than a dozen off-road parking spaces available for use by customers and delivery vehicles).

All correspondence received is available to read in full on the planning file.

Members will be updated verbally at committee in response to any questions raised by members with regards to these observations.