



APPENDIX A

Date: 14th September 2021

-- Bridgnorth Town Council
College House
4 St Leonards Close
Bridgnorth
Shropshire
WV16 4EJ

Our Ref: 20/02056/FUL
Your Ref:

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER SECTION 78

| | |
|------------------------------------|---|
| Site Address: | Former Council Offices, Westgate, Bridgnorth, Shropshire. |
| Description of development: | Demolition of existing buildings; erection of mixed residential scheme of 30 dwellings; highway works; landscaping scheme to include felling of trees; all associated works |
| Application reference: | 20/02056/FUL |
| Appellant's name: | Mr Sepp Sargeant |
| Planning Inspector ref: | APP/L3245/W/21/3269206 |
| Appeal reference: | 21/02949/REF |
| Appeal start date: | 13 September 2021 |

I refer to the above details. An appeal has been made to the Secretary of State against the decision of Shropshire Council to refuse to grant planning permission for the above proposal.

The appeal will be determined on the basis of a **hearing**. The procedure to be followed is set out in the Town and Country Planning (Hearings Procedure) (England) Rules 2000, as amended.

We have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to make comments, or modify/withdraw your previous representation, you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to: **The Planning Inspectorate, Room 3D, Temple Quay House, 2 The Square, Bristol, BS1 6PN.**

All representations must be received by 18 October 2021. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

The appeal documents can be inspected on the Council's online Planning Register <https://pa.shropshire.gov.uk/online-applications/> and click on the Appeals section before searching or <https://pa.shropshire.gov.uk/online-applications/search.do?action=simple&searchType=Appeal>.

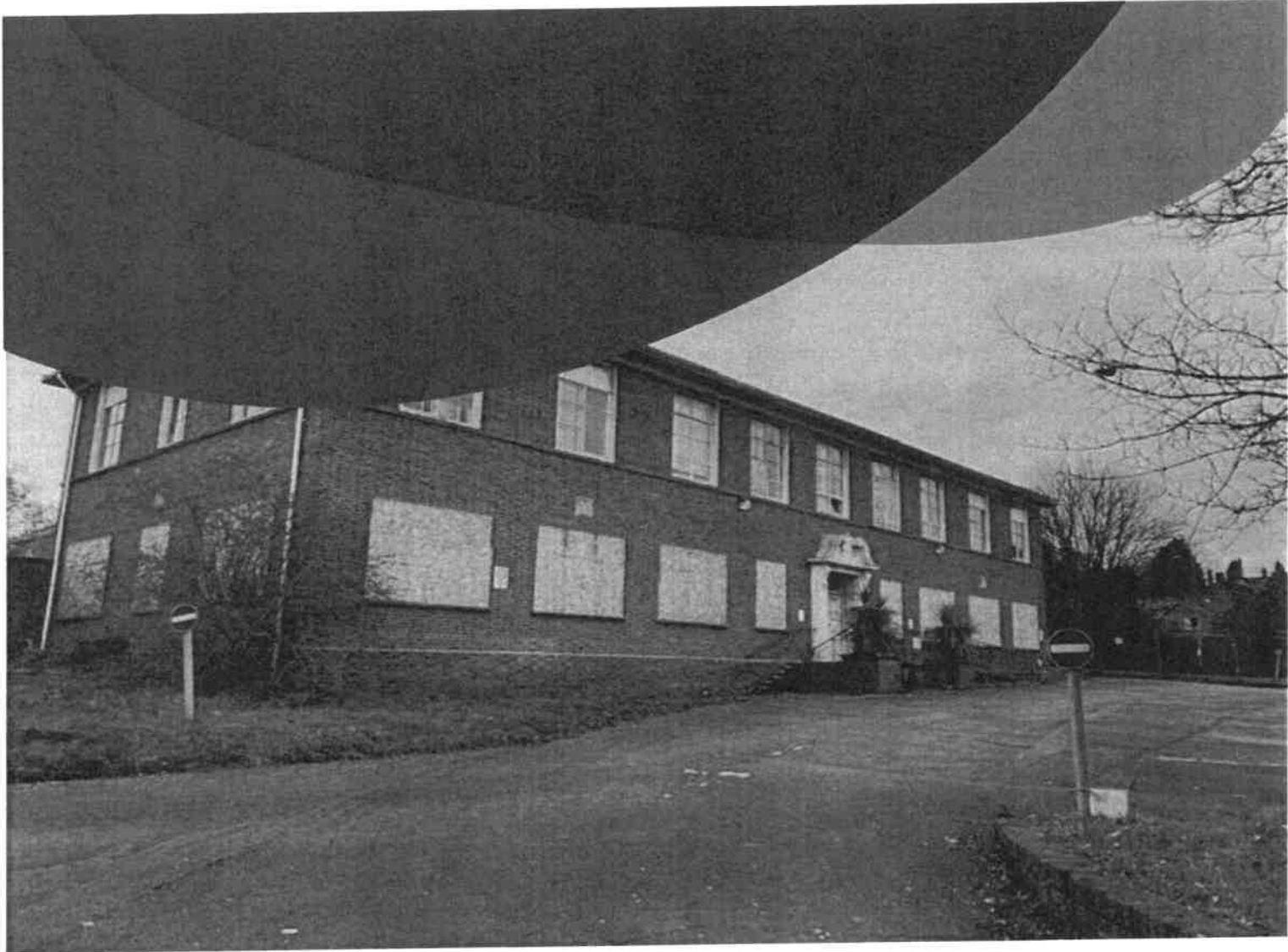
You can get a copy of the Planning Inspectorate's "Guide to taking part in planning appeals" booklet free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>

For further information, please email appeals@shropshire.gov.uk.

Yours faithfully

Gill Fuller
Planning Business Support Technician
Contact No :- 01743 258920
Planning Services
Shropshire Council



APPEAL STATEMENT

in respect of
Former Council Offices, Westgate, Bridgnorth
on behalf of
Housing Plus Group

17 February 2021
Client Reference: RCA698c
Last User: SG

QIVS

DATE 17/02/2021 17:15:35

FILE LOCATION [https://rcaregeneration.sharepoint.com/sites/intranet/rcashare/Shared%20Documents/Jobs/G%20%20/Housing%20Plus%20Group%20\(RCA698\)/Former%20Council%20Offices.%20Bridgnorth%20\(F](https://rcaregeneration.sharepoint.com/sites/intranet/rcashare/Shared%20Documents/Jobs/G%20%20/Housing%20Plus%20Group%20(RCA698)/Former%20Council%20Offices.%20Bridgnorth%20(F)

AUTHOR SG

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VERSION ISSUED TO

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Other

VERSION FOR

Checking

Submission

Client



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I. INTRODUCTION

- 1.1. This statement is made in support of a planning appeal for *'Demolition of existing vacant office building and redevelopment to provide a residential scheme of 31 dwellings (including 6 affordable dwellings) with associated works'* against the refusal of planning permission by Shropshire Council.
- 1.2. The appeal is made by South Staffordshire Housing Association (which is part of Housing Plus Group), who are a Registered Affordable Housing Provider and a charitable community benefit society company.
- 1.3. Whilst the appeal proposals are for a 'policy compliant' level of affordable housing to be delivered as part of a market-led scheme of housing, as set out in the Planning Statement that accompanied the application, the delivery of this scheme would generate sales proceeds from the market dwellings, which will be used to cross-subsidise the Housing Plus Group affordable housing programme throughout Shropshire.
- 1.4. The description of development changed during the determination of the application, resulting in the following description: *'Demolition of existing buildings; erection of mixed residential scheme of 30 dwellings; highway works; landscaping scheme to include felling of trees; all associated works.'*
- 1.5. The application (LPA ref 20/02056/FUL) was submitted on 20 May 2020 and refused on 20 January 2021.

Main Issues and Background

- 1.6. The refusal reasons (RR) are set out as follows:

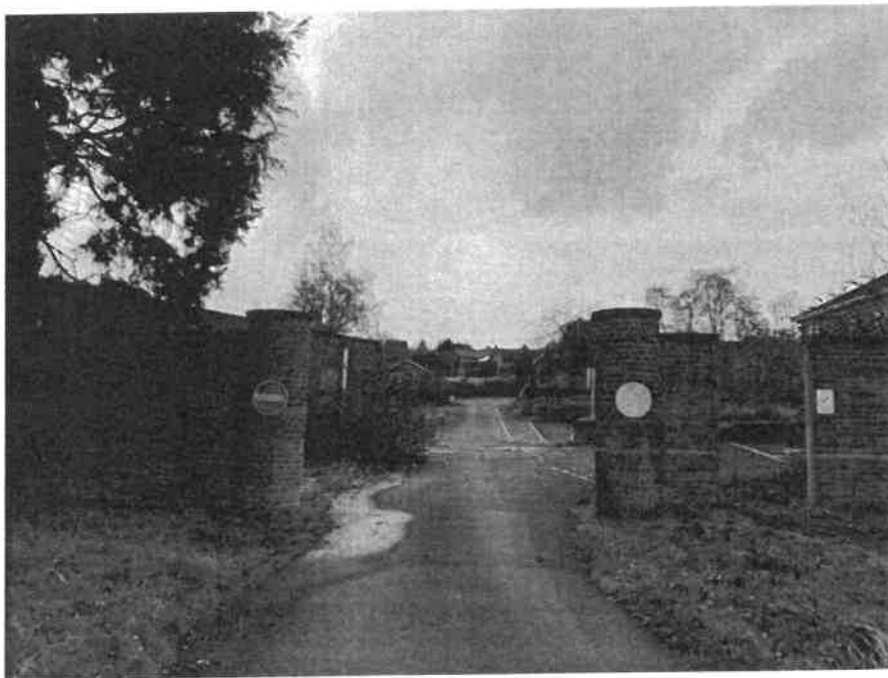
Refusal Reason 1 (RR1) - As a result of the linear form of the development proposed it does not present a single cohesive site layout due the lack of connection between the element fronting Ludlow Road and the green space along the Wenlock Road and the remainder of the site, with the result it does not make best use of the full potential offered by this key focal point site in the Bridgnorth townscape. The resulting layout does not satisfactorily take into account the local context and character, contrary to Core Strategy policy CS6 and Site Allocations and Management of Development (SAMDev) Plan policy MD2.2, and would not function well and add to the overall quality of the area as required by paragraph 127 of the National Planning Policy Framework.

Refusal Reason 2 (RR2) - The proposed site layout in relation to the vehicular access arrangements for the development fronting Ludlow Road with tandem driveway parking, notwithstanding the proposed use of reinforced grass areas adjacent to the drives facilitating vehicle movements within the plots, would be likely to result in vehicles reversing on and off the highway and the temporary parking of vehicles on the highway, in close vicinity to a bend and road junction where there is restricted visibility and vehicles tend to move at high speed due to the highway alignment when vehicles are swapped around, creating an unacceptable impact on highway safety. Consequently the proposed development would be contrary to Core Strategy policy CS6 which seeks to secure safe developments and paragraph 108 b) of the National Planning Policy Framework in not providing safe and suitable accesses to the site for all users.

1.7. The main issues are therefore considered to be:

- The effect of the development on the character and appearance of the area.
- Whether the proposed development would result in the creation of a safe and suitable access.

- 1.8. The appeal site is previously developed, being the location of the former council offices. The buildings have been vacant for some time. The appeal site also includes the car park and associated green spaces surrounding the building.
- 1.9. The appeal proposals would offer a mix of market housing and affordable housing (20%) and would range from 2 bedroom to 5 bedroom houses. The redevelopment would result in the loss of some trees, but this is mitigated through a well-considered planting regime (landscape strategy) which seeks to preserve trees in situ and plant new specimens in appropriate locations.
- 1.10. The scheme evolved during the determination of the application, culminating in an officer recommendation to approve, subject to conditions, S106 and traffic regulation order. The officer's report recommending approval is included with the submitted appeal documents.
- 1.11. The remainder of this statement makes the case for the appellant in respect of each of the main issues, which reflect the two RRs.
- 1.12. The statement is also accompanied by a draft Statement of Common Ground, which will be copied to the council and negotiated in order to assist the Inspector. This document will also include a list of planning conditions acceptable to both parties.
- 1.13. Finally, the appeal is accompanied by a S106 Agreement in order to deliver the required affordable housing and ongoing management for the public open space within the scheme.



2. MAIN ISSUES

- 2.1. This section goes through the case for the appellants having regard to the main issues set out earlier, together with a discussion of other matters which the Inspector may consider to be material to the determination of the appeal.
- 2.2. Firstly, it should be noted that the appeal site has been subject to an earlier resolution to grant (subject to a S106) for residential redevelopment of the site in 2015, under ref 14/02693/OUT. This permission was never formally issued, as the council were seeking to sell the site and presumably in order to avoid entering into a S106 agreement with themselves.
- 2.3. Having regard to this, at para 6.1.5 of the officer's report relating to the application associated with this appeal, it should be therefore noted that '*There has been no material change in planning circumstances since 2015 concerning the retention of the site for employment purposes to now warrant a different conclusion on this issue. The principle of the development proposed in the current full application is considered acceptable*'. In this respect, we consider the principle for the redevelopment of the site for residential purposes is accepted by the council.

The effect of the development on the character and appearance of the area.

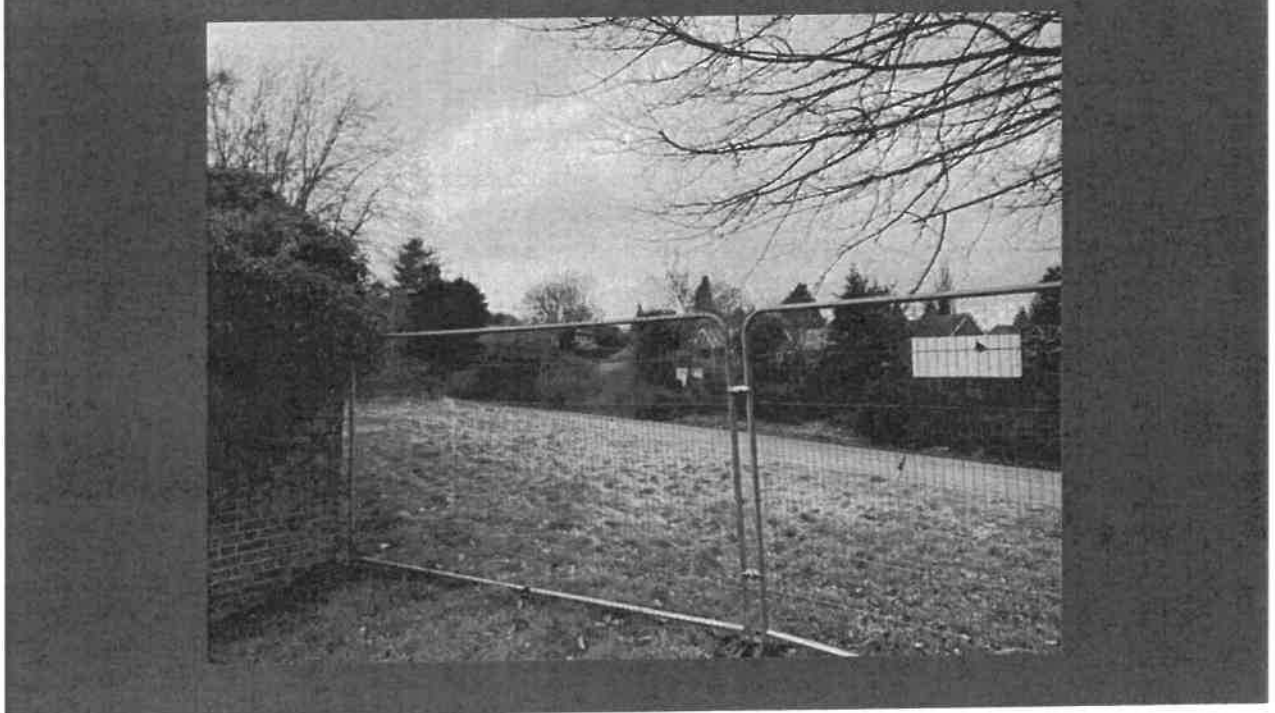
- 2.4. The appeal site is flanked by the Wenlock Road and Ludlow Road, which are main routes heading from the west, into the town of Bridgnorth. The office building within the appeal site itself is a 1960s brick built, two storey municipal structure with shallow pitched roof and is fairly unremarkable in its appearance. It is surrounded by car parking to the front and rear with small areas of open space and bounded by areas of trees and hedgerow.

View of Ludlow Road from Appeal Site:



- 2.5. The character of this part of the town is pleasant and suburban, with a significant amount of trees and hedgerows interspersing detached and semi-detached houses along the Ludlow Road. The housing in this area was constructed during the inter-war and immediate post-war periods.
- 2.6. Wenlock Road is generally less developed, with houses backing on to the road (partly as a function of the topography) screened by vegetation. To that end, this aspect of the immediate surroundings of the site appears greener and less built up. To the west of the appeal site is the police station, and to the right a single detached cottage which addresses the junction of the two roads, which fall from west to east, heading into the town. There are no heritage assets within or affecting the appeal site.

View of Wenlock Road from Appeal Site:



- 2.7. Policy CS6 (Sustainable Design and Development Principles) of the Shropshire Core Strategy (2011) (CS) seeks high quality development that respects local distinctiveness and is inclusive and accessible, responding positively to the climate change agenda.
- 2.8. Policy MD2 (Sustainable Design) of the Site Allocations and Management of Development Plan (2015) (SAMDev) supports development which responds positively to local character, and also embraces contemporary design which takes references from the local area.
- 2.9. The National Planning Policy Framework (2019) (Framework), at paragraph 127 supports visually attractive mixed development, sympathetic to local character which establishes a strong sense of place.
- 2.10. The proposed layout is heavily influenced by the challenging topography of the site, as well as the shape of the site which is wider in the west than it is the east. This irregular shape and topography has led to the creation of a dual 'aspect' scheme, where there is a row of detached and semi-detached houses directly addressing Ludlow Road, mimicking the existing building

hythm along this section of the road and being set back to the same degree as the existing houses to the east of Ludlow Road.

- 2.11. To the north and accessed from Wenlock Road, is a cul-de-sac arranged in a T shape, which provides two internal streets with a suburban character set behind the green space at the entrance. This part of the site offers a mix of detached and semi-detached houses, all with front gardens, driveways and private rear gardens. At the T junction, there is a further formal area of open space (which acts as a 'focal point'). However the key characteristic of this part of the site is the distinctive area of green open space along the frontage to reinforce this part of Wenlock Road, which as described is less developed than that of Ludlow Road.
- 2.12. The two character areas are separated by a central retaining wall, which is required because of the existing gradients within the site. The drawings pack includes a sectional drawing of this, demonstrating the difference in site levels.
- 2.13. RRI sets out that the design of the layout is not 'cohesive', citing that it lacks connection between the element which fronts Ludlow Road and the green space along the Wenlock Road. As previously mentioned, as the application was considered by the council, the appeal proposals evolved from the original submission to take account of officer feedback, resulting in the reduction of the scale of development from 31 units to 30, and additional open space being included within the scheme.
- 2.14. The fact that the dwellings fronting Ludlow Road do not have immediate access to the open space within the site is not considered to be a particularly negative characteristic and in any case the occupiers of the entire site have easy access to a substantial amount of public open space within walking distance (the officer's report at 6.3.3 mentions the large Crown Meadow open space within 300m) and the proposed open space within the development is in any case accessible by walking less than a minute around the corner.
- 2.15. It is therefore considered that the proposed layout includes a better balance of development and open space, which would positively contribute to the leafy suburban character of the area.
- 2.16. The fact that the proposed development is divided into two character areas, merely reinforces that the design responds to the constraints of the site in a clear and cogent manner. Had the site been developed via a single access point, the space would have been used more inefficiently and would have resulted in the development 'turning its back' on the Ludlow Road. This would have attracted its own attendant issues, potentially undermining the character of the Ludlow Road as an active suburban street.
- 2.17. The appellant therefore does not feel there is any offence to policies CS6; MD2 or paragraph 127 of the Framework.

Whether the proposed development would result in the creation of a safe and suitable access.

- 2.18. RR2 specifically cites the arrangement of tandem driveways for plots 24-30 which front onto the Ludlow Road. The driveway arrangements are similar to those serving the existing dwellings along Ludlow Road, which would, in most cases, necessitate a reverse manoeuvre onto the carriageway in order to get out of the drive.
- 2.19. The appeal proposals would provide additional turning opportunities through the use of reinforced grass front garden areas (Grasscrete or similar) to allow turning and egress in a forward gear, if required.

- 2.20. The officer's report, at paragraph 6.5.2 states that in respect of this part of the layout: *'The revisions shown on the amended site layout drawing in respect of the Ludlow Road frontage move the vehicular access of the plot closes to the junction of the Ludlow Road with Wenlock Road further from that junction, easing visibility at that point. The amount of off-road parking in the development would remain a minimum of two spaces per plot. It remains the officer view that a refusal on the grounds of the proposed development being detrimental to highway safety could not be sustained in this case.'*
- 2.21. There is limited detail in RR2, such that it is difficult for the appellants to add much more to their case for the layout in this regard. The council have not provided accident data or any robust justification for this particular RR, and it appears it is more motivated by the perception of safety on the grounds that members of planning committee determined that speeds were excessive and visibility poor. Whilst the latter may be the case, the council has not provided 85th percentile speed data to support their claim. The RR simply refers to certain vehicular movements being 'likely' and where vehicles 'tend' to move at high speed, without any reference to evidence on this point.
- 2.22. The Transport Statement submitted with the application discusses one accident (slight) recorded in the vicinity of the site (para 2.6.5), it also states that *'it is clear from the analysis that the 1 recorded accident is not related to the existing junctions accessing the site via Wenlock Road, or a result of the existing highway layout. Therefore, no evidence has been established to indicate any specific problems with the operation of the junction...'*
- 2.23. Further, in relation to vehicle speed, both roads are 30mph limited roads and the Transport Statement states clearly that where 85th percentile monitored traffic speeds are less than 37mph (as is in this case), that Manual For Streets II applies and the Transport Statement and access design has been written with this advice in mind.
- 2.24. The appellants therefore do not consider the proposals would offend CS6 insofar as it would relate to the highways design impact of the scheme, nor para 108(b) of the Framework (which seeks a safe and suitable access for all highway users), and that the council have simply not justified their reasoning for RR2, other than to point out their perceptions and interpretations without evidence.

Other Matters

- 2.25. The appellant is aware that the town council have objected to the proposals, and their objections largely relate to the main issues, however they also cite density as a reason for their objections in addition. It is not clear what density the town council consider is appropriate for the site, but they claim that there is insufficient turning space within the site for fire appliances and refuse vehicles, and the incorporation of the T shaped cul de sac design is not considered acceptable. However, the town council do not make it clear why they consider the carriageway widths and T shaped turning head within the cul de sac is insufficient in highways design terms, leading the appellant to conclude that such claims are not supported by robust evidence.
- 2.26. We therefore do not consider the appeal proposals should be dismissed on that basis.
- 2.27. Finally, it should be noted that the Framework, at paragraph 11 sets out that proposals which accord with an up to date development plan, should be approved without delay. It is considered by the appellants that the proposals do accord with the development plan, and that the council have not provided sufficient evidence to justify their case in respect of either RR.

3. CONCLUSIONS

For the reasons given, the appellants do not agree with either RR1 or RR2 and consider there is very little justification provided for either.

The appeal site was also subject to an earlier officer recommendation to approve (in 2015). It is clear from both proposals that the principle for residential development is acceptable.

The appeal proposals have been carefully considered by the appellants and have been subject to a collaborative approach with officers during the determination process. This culminated in an officer recommendation to approve as set out in the officer's report. The application was refused on grounds that the council, in our view fail to substantiate.

The scheme design has been carefully considered and are designed in light of the constraints of the site, in particular the topography and local character.

The highways authority did not object to the proposals and it is not clear what other evidence the council has to justify the position they now take.

The appellants maintain the proposals are aligned to the policies set out earlier and consider that there is no justifiable reason why the appeal should be dismissed, subject to appropriately-worded conditions and a completed S106 agreement.

The appellants therefore respectfully invite the Inspector to find in their favour and allow this appeal.