

**BRIDGNORTH TOWN COUNCIL**

**Minutes of the Planning Committee Meeting of Bridgnorth Town Council held in the Annexe, College House on Monday 11<sup>th</sup> October 2021 at 7.15pm**

Present: Councillors, D Cooper, Neal, Sawbridge and Wellings

In attendance: Lee Jakeman, Town Clerk

*(Draft until signed at a subsequent meeting)*

0187/2122 **APOLOGIES FOR ABSENCE**

Nil

0188/2122 **DECLARATIONS OF INTEREST**

Nil

0189/2122 **PUBLIC QUESTION TIME**

Nil

0190/2122 **MINUTES**

**RESOLVED:** that the minutes of the Planning Committee meeting held on 7 June 2021, having been previously circulated, be signed by the Chairman as a true record.

0191/2122 **PLANNING APPEAL**

- i) Members noted correspondence relating to an appeal of the decision by Shropshire Council to refuse planning permission (21/02949/REF – *Former Council Offices, Westgate, Bridgnorth. Demolition of existing buildings; erection of mixed residential scheme of 30 dwellings; highway works; landscaping scheme to include felling trees; all associated works*) and the applicant’s Appeal Statement.
  
- ii) Members agreed that they should formulate a response to the subject appeal. Members considered a background brief prepared by the Chairman as the history of the planning application pre-dated the current council membership.

- iii) Members further considered a draft response to the appeal and

**RESOLVED:**

**To approve the submission of the draft comments to the planning appeal in respect of planning application 20/02056/FUL (subject to a few minor amendments made at the meeting) that being:**

General

1. We note from the applicant's Planning Statement dated May 2020 that the applicant held initial discussions with the local planning authority in October 2016 and July 2017 about the potential development of the site (at that stage also including the adjacent Bridgnorth Police Station site) and that there had been subsequent communications and exchanges of Masterplan documents (para 5.3).
2. We note that at the pre-application meeting held on 8th February 2018 *"It was suggested that a public consultation meeting would be welcomed. It was suggested that this could take place in the Town Council."* (Para 1.10 of Appendix A to the Transport Statement). No such consultation took place. We consider that a public engagement exercise would have elicited many of the issues about the proposed development which we have expressed in our comments on the planning application and in this document.

Density of development and open space provision

3. Para 5.5 of the Planning Statement indicates that discussions between the applicants and Shropshire Council about a 31unit development (not including the Police Station site) took place in March 2020.
4. Para 5.7 of the Planning Statement indicates that: *"In relation to the provision of public open space we noted that the scheme provided circa half of the level required by the Council's policy and that this was necessitated by the number of units to be incorporated within the Council Office Site having increased. Officers noted that the application would need to make clear why public open space could not be provided in full policy compliance and the impact that would have on the scheme."*
5. It appears to us that the applicant was thus aware that the proposals did not accord with SAMDev policy MD2.
6. This is further commented on in paras 7.39 to 7.45 of the Planning Statement. In particular, 7.41 states that *"However, as set out earlier within this statement, the conditions of the purchase of the Site are such that, to deliver a viable scheme of development at the Site, it is necessary to deliver a minimum of 31 dwellings at the Site; even when the developer is willing to proceed on the basis of a lower level of development than would normally be accepted by an open market developer. It is worthy of note here that the Site is not a straightforward one and requires the demolition and remediation of the existing Site."*
7. 7.42 of the Planning Statement states that *"The layout of the Site has been proposed to maximise the efficiency of the development to deliver the greatest level of public open space possible at the Site and maximise its benefit. Moreover, the primary aim of the open space is to deliver mitigation for tree loss and to deliver biodiversity enhancements and to provide an informal area of open space that provides a green buffer to Wenlock Road; which the proposed open space will achieve. The public open space, for those reasons would not provide opportunities for formal play or sport and it is not considered that an ability to deliver further open space would deliver materially different benefits to the space proposed now."*
8. Whilst the applicants may consider that the statements in 7.42 explain why they have planned the open space at the development in the way they have, it is not clear that this reflects the intent of the guidance set out in Policy MD2 that development is required to:

*“.....Consider design of landscaping and open space holistically as part of the whole development to provide safe, usable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set, in accordance with Policy CS17 and MD12 and MD13, including;*

*i. Natural and semi-natural features, such as trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, geological and heritage assets and;*

*ii. Providing adequate open space of at least 30sqm per person that meets local needs in terms of function and quality and contributes to wider policy objectives such as surface water drainage and the provision and enhancement of semi natural landscape features. For developments of 20 dwellings or more, this should comprise an area of functional recreational space for play, recreation, formal or informal uses including semi-natural open space;.....”*

9. Whilst we appreciate that development has to be financially viable in order to proceed, it appears to us that in this instance the planning authority is being invited to accept a development which is not policy compliant on the grounds that it is not financially viable on the basis of “the conditions of the purchase of the Site” (para 7.41).
10. We have not had sight of the viability calculations for this proposed development. However, we would point out that H.M. Government Guidance (available at <https://www.gov.uk/guidance/viability-standard-inputs>) suggests that a “Benchmark Land Value” should be used and this need not necessarily be the price the developer actually agreed to pay for the site.
11. Whilst the amended scheme submitted in December 2020 did increase the open space proposed for the development to 1656 sq.m. (as per p34 of the part 2B of the revised Design and Access Statement) this is still well below the policy requirement of 30 sq. m. per bedroom (3,090 sq.m., per the table included in drawing 001-A-100-41-P) and it remains the case that the planning authority and the local community are apparently being asked to accept a non-policy compliant scheme on viability grounds.
12. We would further note the reference in 2.14 of the applicant’s Appeal Statement to Crown Meadow open space being within 300 metres. This is not the case. A path measured on Google Earth from the development to the edge of the Crown Meadow open space indicates a distance of around 460 metres, and around 600 metres to the general area of the Skatepark and Play Area. Whichever route is taken would involve crossing Westgate and either Ludlow Road or Victoria Road, all of which are quite heavily trafficked but do not have the benefit of pedestrian crossings which could be used when making such a journey on foot. A path which uses the nearest pedestrian crossing (on Salop Street) would involve a walk of around 900 metres to reach the open space. Diagrams indicating this are included in Appendix 1.
13. We note proposed condition 18 (Planning Committee report of 19/1/2021) refers to tactile crossing points at The main access into the site and in the vicinity of the main site access off Wenlock Road. We would consider that a full crossing (e.g. a Zebra crossing) across Wenlock Road would be required to enable safe access to nearby open space (Crown Meadow) and in view of the volume of pedestrian access on Ludlow road a similar crossing (e.g Zebra crossing) is required.

#### Highways and Access

14. The proposal includes 7 dwellings fronting onto B4364 Ludlow Road with direct access from their driveways onto Ludlow Road.
15. Para 7.32 of the Design Statement states: “The Transport Assessment submitted in support of the Application provides a robust cumulative impact assessment of key existing local junctions within proximity to the Site. The assessment demonstrates that the proposed development would have a negligible impact in terms of additional vehicle trips along the local highway network and would therefore, not have a “severe” impact on the local highway network. As such, the proposed development cannot be refused on highways grounds in accordance with paragraphs 108 and 109 of the NPPF.”

16. The key issue in relation to the 7 properties directly accessing Ludlow Road is whether vehicles can safely and conveniently enter or leave the driveways on the front of these properties.
17. The applicant's Transport Statement comments at 5.3.3 that "The individual accesses / driveways relating to the five dwellings will adhere to the appropriate pedestrian visibility splays of 1.5m x 1.5m to allow drivers to see pedestrians as they emerge from their accesses / driveways.". It is assumed that this is intended to refer to the 7 properties on the Ludlow Road frontage.
18. 5.3.4 of the Transport Statement says that "A swept path analysis of a large car has been undertaken within the proposed site layout. This swept path is illustrated in Appendix E". The swept path analysis deals exclusively with vehicles entering or exiting parking spaces on the 2 legs at the end of the proposed estate road, at the internal junction, and at the Wenlock Road junction. It does not address vehicles entering or leaving the driveways of the homes fronting Ludlow Road.
19. Neither the Transport Statement nor the applicant's Appeal Statement address the practicality of the driveway layout along the Ludlow Road frontage in any detail, though there are some generalised statements.
20. The Appeal Statement at 2.18 states "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."
21. We disagree with the statement at 2.18 that the proposed accesses are similar to those of the existing dwellings along Ludlow Road and that those driveways in most cases necessitate a reverse manoeuvre into the carriageway. The properties along the opposite side of Ludlow Road to the proposed development generally have large surfaced areas suitable for turning a vehicle within the curtilage of the property, and 2 of the 7 homes along the section on the section of Ludlow Road between Westgate and Conduit Lane on the SE side of Ludlow Road have twin entrance and exit driveways. This should be readily apparent from a site visit or satellite imagery.
22. The Appeal Statement makes reference to Manual for Streets II at 2.23 and states at 2.19 that: "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."
23. Whilst we are aware that Manual for Streets recommends at 7.9.5 that "the limit for providing direct access on roads with a 30 mph speed restriction is raised to at least 10,000 vehicles per day" it does not address issues of the proximity of direct accesses to each other nor whether such direct accesses should be structured so as to facilitate vehicles entering or leaving a carriageway in a forward direction. Shropshire Council's design specification within its Manual for Adoptable Roads and Transport does. This is available on the Shropshire Council website at <https://shropshire.gov.uk/media/5683/specification-for-industrial-and-housing-estate-roads.pdf>
24. Shropshire Council's Design Specification addresses "Residential Distributor Roads" (through routes which distribute traffic within large residential areas) at 2.3.2 and makes it clear that frontage access onto such a road will not normally be permitted. Clearly, such a restriction would also be applied to higher order roads such as the B4378 Ludlow Road. It also states at 2.6.2 that if access is permitted to properties from residential distributor or major collector roads "the access must be constructed in accordance with Drawing TS/11/4 and provided with a turning space".
25. The applicants have not demonstrated that it would be feasible to turn a normal sized car within the curtilages of the proposed dwellings along the site's Ludlow Road frontage and it appears to us that the front garden areas of these properties simply are not large enough to accommodate turning areas complying with drawing TS/11/4. A copy of drawing TS/11/4 is included for reference at Appendix 2.
26. The swept path analysis for a large car included at Appendix E does not indicate the path required for vehicles entering or exiting the parking spaces along the main section of the site's internal access road and the shared space area. This was a requirement stated at the pre-application meeting held on 8th February 2018. The notes of that meeting are included as Appendix A to the Transport Statement and state at 1.13 that "The proposed highway layout will require highway tracking drawings to be produced to demonstrate full accessibility of the shared surface by large cars, vans and refuse vehicles."
27. The Transport Statement does include a Swept Path Analysis for a large refuse vehicle at Appendix F. However, this simply demonstrates that a large refuse vehicle would be able to enter the site access road from Wenlock Road (if travelling towards Bridgnorth from the Tasley

direction) and would be able to execute a 3 point turn at the "T" junction within the site. It does not address whether such a vehicle would be required to reverse whilst carrying out collection activity – clearly it would have to unless it were parked at the "T" junction and the operatives required to move waste from individual properties to that location.

28. Manual for Streets states at 6.8.8 that "Reversing causes a disproportionately large number of moving vehicle accidents in the waste/recycling industry. Injuries to collection workers or members of the public by moving collection vehicles are invariably severe or fatal. BS 5906: 2005 recommends a maximum reversing distance of 12 m. Longer distances can be considered, but any reversing routes should be straight and free from obstacles or visual obstructions." It further states at 7.10.3 that "Routeing for waste vehicles should be determined at the concept masterplan or scheme design stage (see paragraph 6.8.4). Wherever possible, routing should be configured so that the refuse collection can be made without the need for the vehicle having to reverse, as turning heads may be obstructed by parked vehicles and reversing refuse vehicles create a risk to other street users."
29. The applicant does not appear to have considered the possibility of vehicles being parked on the roadway within the estate and the effect it would have on access for either cars or larger vehicles such as delivery vehicles or refuse collection vehicles. Whilst the proposal does feature 2 car parking spaces per dwelling, these are almost all on property frontages and would appear to be dedicated to use for vehicles associated with those properties. This is an inflexible arrangement and would appear to us to be likely to result in delivery and visitors' vehicles parking on the roadway.

#### Conclusion

Whilst we would support the principle of bringing this important site back into productive use, most notably the inclusion of much needed affordable housing, we do not feel that the current proposals are acceptable and alternative design options which address the issues we have raised should be considered and consulted on prior to any future application for the site.

- iv) Members were asked to receive and consider a notification of a planning appeal hearing (in relation to the above application) scheduled for Thursday 25<sup>th</sup> November 2021.

#### **RESOLVED:**

**That Councillor Sawbridge and the Deputy Town Clerk be authorised attend the hearing on behalf of the Town Council.**

#### 0192/2122 **RESPONSES TO PLANNING APPLICATIONS SINCE 7 JUNE 2021**

#### **RESOLVED:**

**To note the summary of applications received, Town Council responses (submitted under delegated authority) and Shropshire Council decisions since the last meeting of the Town Council Planning Committee (7<sup>th</sup> June - as per Appendix C of the agenda).**