



Date: Tuesday, 13 December 2022

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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## SOUTHERN PLANNING COMMITTEE

### TO FOLLOW REPORT (S)

#### 8 **Date of the Next Meeting (Pages 1 - 6)**

To note that the next meeting of the Southern Planning Committee will be held at 2.00 pm on Tuesday, 17 January 2023

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<b>SOUTH PLANNING COMMITTEE</b>		
<b>SCHEDULE OF ADDITIONAL LETTERS</b>		
<b>Date: 13 December 2022</b>		
<b>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</b>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	21/01963/FUL Smithfield, Bridgnorth	Officer
<u>Clarifications:</u>		
<p><u>Open space</u> – It is confirmed that the proposals meet relevant standards for external open space for this type of C2 use class residential development and exceed industry standards for internal private and public space.</p> <p><u>Heritage</u> – SC Conservation acknowledge in their most recent comments (Nov 22) that amendments to the proposed building represent a significant improvement. However, they would prefer to see a more U-shaped building with a stronger gateway feature and end gables rather than a hipped roof. They had requested this in earlier comments and accordingly, they maintain that, whilst an improvement, the proposals would still result in ‘less than substantial harm’ to the setting of the Bridgnorth Conservation Area which is protected under section 72 of the Listed Buildings and Conservation Areas Act 1990.</p> <p>The officer has inspected the site and disagrees that any harm would be ‘less than substantial’, concluding instead that there would be negligible harm and that, filling in a visual gap between Sainsburys and Bridgnorth Hospital may in fact be visually beneficial. It is considered that the amended building is now sensitively designed and landscaped and if there is deemed to be any ‘less than substantial harm’ then this would be at the very lowest end of the scale. This is having regard to the location of the proposed building which is set back within an existing car park area and between other large buildings (Sainsburys, Health Centre, Hospital). It should also be recognised that permission for 5 large retail units was approved here by the Secretary of State in 2018 and this forms relevant context for any assessment of visual impact.</p> <p>Notwithstanding this, the NPPF requires that if there is ‘less than substantial harm’ to the setting of a Conservation Area then this should be weighed against the public benefits of the proposals giving substantial weight to heritage protection. In this case the officer concludes that any harm is very limited and that the benefits of the proposals in terms of need for this type of specialist accommodation significantly and demonstrably outweigh the residual heritage concerns of the Conservation Officer.</p> <p><u>Parking</u> – Loss of town centre parking is a major concern for objectors. However, in deciding to approve an application for 5 retail units at the same site in 2018 the Secretary of State established a baseline for what was acceptable in parking terms. He advised that there should be a residual number of 145 places in the remaining parking area. The landowner has re-marked the parking within the residual parking area and this criterion is met. The applicant has agreed to accept a further legal agreement clause creating additional space through re-marking at the Council’s car park at Innage Lane (see officer comments on highway response below).</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	21/01963/FUL Smithfield, Bridgnorth	SC Planning Policy
<u>Comments regarding need for the proposed assisted living accommodation:</u>		

The applicant has undertaken due diligence and has confirmed that there is a significant demand for the type of care that they are proposing.

Shropshire Council has undertaken an assessment of the need for specialist housing (including Care Homes) within the Strategic Housing Market Assessment (SHMA) Part 2. This assessment concluded that there was no specific evidence of current unmet need for specialist housing, but that over the period to 2038 there would be a need for around an additional 3,500 specialist older persons accommodation units and around 2,500 additional units of residential care provision. The provision of a care home within this location will contribute to meeting the longer-term needs of Bridgnorth and Shropshire and generally aligns with the strategy for meeting such need within the adopted Development Plan.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	21/01963/FUL Smithfield, Bridgnorth	SC Highways

Consultation response:

As you may be aware the previous application reference 16/02739/FUL for retail units resulting in the application being called in by the Secretary of State, and determined at a public inquiry. One of the main issues was the loss of parking as a result of the development. Planning permission was granted by the Secretary of State, but subject to a Section 106 agreement. Within the Section 106 agreement the land owner was required to fulfil a number of obligations. These obligations included;

- Allow Shropshire Council to operate a short stay car park on the land not developed for retail.
- Provide improvements to Innage Lane car park to maximise available spaces.
- Provide additional signing at Smithfield car park to direct vehicles towards Innage Lane
- Improvements to pedestrian signage at Innage Lane
- Provide signage to improve traffic management to car parking spaces in Bridgnorth and support increased capacity at peak times.

Whilst the principal of the development is generally acceptable for the location, as the traffic associated with this scale of development is unlikely to create “severe harm” (NPPF) on the adjacent highway network. There does not appear to be any reference with regard to the loss of parking and how this will be mitigated. The submitted transport statement provides a breakdown of the proposed level of parking the development will provide within the curtilage of the site, which seems appropriate in view of the location and proximity of car parking within the vicinity. It is recommended that further consideration is given to the likely impact the development will have on available parking in the area. The applicant may want to consider undertaking their own car parking survey to help evaluate the impact of the development. As this will be key factor in determining the application from a highways perspective.

It is also noted that the extent of the application does not incorporate the existing car park to the south of the development. We would seek further clarification with regard to this area, and if it falls within the applicants control and there are any proposals to make localised improvements to the layout to maximise available parking to offset any loss of parking as a result of the proposed development. Due to the position and layout of the proposed development, the circulation of vehicles within the retained car park will be compromised. Therefore, details of the proposed alternative internal arrangement for the car park will be required, for assessment. To determine their appropriateness for the safe vehicular and pedestrian movements. As well as determine the new operational capacity of the retained car park.

Details have been submitted in relation to the proposed joint access to the development and existing car park. The submitted details are not considered suitable to both manage the movements to/from the care home and the adjacent existing public car parking facility. The proposed modified access arrangement has not been demonstrated to accommodate simultaneous entry/exit of the largest vehicle likely to access the car park (i.e. refuse/recycling lorry/ fire tender). No dimensions are given to the radius proposed for the tight U-Turn required to exit the site. In addition, the proposed access to the “care home” takes precedence over the public car park. This is not acceptable, in this instance, as the higher vehicular demand, would be to serve the adjacent car park and not the care home.

In the circumstances, it is recommended that the proposed, temporary access arrangement proposed in suitably modified to create a permanent access/exit for the car park. With the existing access being downgraded to serve only the care home. Alternatively, a new permanent access is created where the car park movements take precedence over the care home. Notwithstanding the above, the layout of the car parking and servicing for the proposed care home development appears acceptable. However there appears to be no facilities to accommodate the storage and charging of any mobility aids (electric wheelchair, scooters, etc.)

Also, the site plan does not show any continuous pedestrian footway linking the care home with the wider network. It may be extremely useful for this site to have some form of direct link to the adjacent medical facilities.

Item No.	Application No.	Originator:
5	21/01963/FUL Smithfield, Bridgnorth	Officer (highway response)

In response to the above comments from SC Highways the applicant has agreed to accept the following additional legal agreement clauses:

- To pay a sum of £10k to re-mark parking places at the Council’s public car park Innage Lane to maximise available spaces.
- To provide additional / improved signing on highway land at Smithfield car park, including to direct vehicles towards Innage Lane

Additionally, the applicant has confirmed that an existing Unilateral Undertaking exists between the landowner and the Council which maintains a minimum of 136 parking spaces in the residual parking area at Old Smithfield which is not occupied by the proposed development. This Agreement applies to any subsequent owner of the area in question. The land has been since acquired by a car parking specialist and the spaces have been re-marked to achieve the 136-space requirement.

SC Highways has confirmed that there are no objections subject to these provisions.

Item No.	Application No.	Originator:

Item No.	Application No.	Originator:
6	22/01264/FUL Stanmore Business Park	Public Protection

Response (red text) by Public Protection to comments from local resident Mr Wilson in objecting to the proposals in an email dated 5/12/22:

Members have recently received an email from Mr Wilson who is objecting to the proposed development. This is principally on the basis of concerns that the applicant's air quality modelling is inadequate and / or results have not been made public. Mr Wilson made similar comments to Public Protection in an email dated 5<sup>th</sup> December 12. Public Protection have responded to Mr Wilson's comments in red text below:

1. *Mr Pierce was clear that the applicant had carried out emissions monitoring (themselves and an independent specialist) and that he had received the results. He was going to analyse the results on his return from holiday. Please confirm that the emissions monitoring was undertaken and that Regulatory Services have copies of the results.*  
**The emission monitoring was carried out and Environmental Protection have received the results.**
2. *Assuming the emissions monitoring results are with your team, have the results been analysed in the absence of Mr Pierce. If yes, what do they show? Are any hazardous substance being emitted, yes or no? If yes, at what level?*  
**The monitoring results will be considered when determining the environmental permit application this process will be completed when Mr Pierce returns.**
3. *Why were the emissions monitoring results not referred to in your professional judgement sent to the planning team?*  
**The monitoring results are not relevant to the planning process. The modelling assumed the emissions from the stack were the maximum they could be to comply with the environmental permit and based on that assumption they modelled what the exposure would be at the nearby properties. The monitoring just measures what is coming out of the stack. If the permit is being complied with this should not exceed the maximum that was modelled, in reality emission levels are normally significantly lower than the maximum limits.**

**Even if the monitoring showed levels in excess of the maximum permit requirement it does not necessarily mean planning should be refused as planning just permits that use and assumes it is compliant with other legal requirements. The permit legislation should be used to ensure that the emissions comply with the emission limits and the modelling has shown that if it does comply with these limits there is likely to be negligible impact on air quality.**

**I understand queries were also raised about the noise report regarding why the background noise level used in the noise assessment included existing industrial noise. The current nature and character of the area is that there is an existing industrial park with associated noise, the BS4142 methodology used for such assessments makes it clear that background measurements should be representative of what is typical for the area without the noise under consideration present and this can include industrial and/or commercial sounds that are present as separate to the specific sound. Therefore, Environmental Protection agrees with the methodology used in this assessment.**

Item No.	Application No.	Originator:
6	22/01264/FUL Stanmore Business Park	Officer
<p>Worfield &amp; Rudge Parish Council refer to concerns about noise and odour. The officer and public protection officers have inspected the development and have both independently witnessed trial pyrolysis tests using a typical feedstock batch. No issues in relation to noise or odour were observed by the officers. Complaints in relation to these matters are not anticipated on the basis of this inspection and understanding of the details of the process. Notwithstanding this, a condition has been recommended in Appendix 1 which provides a formalised procedure for dealing with any amenity related complaints which may subsequently be received. Any planning conditions would be supported by additional stringent controls which would be applied under any Environmental Permit issued by SC Public Protection.</p>		

The Parish Council is concerned that the criteria specified in emerging Policy DP18 (Pollution and Public Amenity) are not met on the basis that a baseline for existing air quality on the site and surrounding area has not been measured and established. This condition has not yet been adopted and can be accorded limited weight at this stage.

Public Protection (Regulatory Services) have however reiterated that 'the air quality assessment has assumed emission levels at the maximum permitted legislative limit, modelling based on this assumption predicted that the impact on air quality would be negligible and the emissions would not result in any predicted exceedances of national Air Quality Standards for the protection of human health'. As such, relevant criteria are deemed to be met for the purposes of planning. Any further detailed assessment including with respect to baselines and future air quality will take place as part of the Environmental Permitting process.

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