

Date: 24th August 2021



Dear Planning Inspector,

APP/H6955/A/21/3277974 – Happy Days Coaches, Little Green, Bronington, SY13 3HQ

Thank you for receipt of the LPA Case and Third-Party objections received on 11th August 2021.

Whilst it is considered that there is limited requirement to respond on the main planning issues. Additional comments are being made where necessary, not to introduce any new matters or repeat what has been provided in the Appellants Statement, but to reaffirm those areas where inaccuracies have been made.

Site Location

The Council at 1.0 of their Statement refer to the site as being 1.3km north-west of the Bronington, whereas in the very next paragraph they distance the site as 1km from Bronington. The latter would confirm with the distances provided in the Appellants Statement.

Highways and Access

At 7.13 the Council provide that this appeal proposes a new access onto Mill Lane. This is incorrect. The access point is shown as being retained for this is an existing access currently used to access the site for coach/minibus and car movements.

Furthermore, the site is currently used by 14 coaches and minibuses that operate 24 hours a day, with no restriction on operating hours. The site is also accessed by 16 members of staff all with their own private vehicles.

Ordinarily, the Coach Depot does operate all year round; however, due to the COVID-19 restrictions on international travel, certain school holiday operations are not operating this year. Throughout the school term-time, the coaches are used for school pick-up and drop-off routes, whilst during the holiday periods, the coaches are used to transport international students to and from the airports, to their accommodation and are in-use daily for excursions and extra-curricular trips throughout the school holidays. It is fully expected that holiday time operations will fully recommence when restrictions allow.

The coach depot is re-locating to a new premises in Whitchurch in the coming months and construction is already under-way for the new coach depot buildings. The appended Elevation Plan (Appendix 1 below) approves the Appellants new signage on their new depot building as part of Shropshire Council planning Ref: 20/04934/FUL, confirming them as the end-user and with relocation expected to happen in spring 2022.

Public Bus Stops

The LPA remain to be insistent of the view that the Appeal Site is not served by any public bus stops. The contents of the Appellants Statement at paras 2.7, 5.2.1 and 5.2.2 remain true as do the consultee comments provided from the Councils own Highways Authority, of which an extract has been copied in below (the full comments can be found at Appendix 2 below):

Public Transport

I have spoken with our Transport Section (contact: Andrew Mytton) who have advised that there are 2 informal bus stops along the site frontage which are currently serviced by a Council funded 2 hrly. bus service.

The LPA in their Statement appear to be ignoring the advice of their Highways Authority and ignoring publicly available information on bus routes, schedules and timings. Furthermore, the public representations have confirmed to the presence of bus stops immediately adjacent the Appeal Site.

Whilst the public representations in regard to the bus routes are noted, they are not agreed with on the basis that there is nonetheless a council funded bus service. The reliability of which is subject to change, as is any bus route across the country – however, it can only be taken that the published timetable remains accurate until such time that timetable is superseded. The presence of new residents through occupation, will support these bus routes and ensure their longevity as there will be more users, removing the threat of closure or re-routing due to inactivity.

Education Contribution

As has been provided by the Council at 7.14 of their Statement, conversations were had in regards to the education contribution required to be secured through legal agreement.

This email trail is included at Appendix 2. As can be seen, contact was made with both the Planning Case Officer and the Access and School Places Manager. However, the Access and School Places Manager was confusing the s. 106 Agreement process with the planning appeal Unilateral Undertaking (UU) process and provided that the Agreement would be drawn up with the Council's legal team. The Planning Case Officer then proceeded to provide us with a recent UU that had been previously accepted by the Council and allowed on appeal – which sought an education contribution, amongst others.

The Appellants Solicitor drafted up a UU on this basis and adopted the same contribution formula. This was signed by the necessary parties to the UU and submitted to PINS on 13th August 2021 via email.

The Councils Statement then followed and within this the correct contribution formulas were highlighted and it transpired that the example UU sent through from the Planning Case Officer included the formula for Primary School Contribution, whereas the evidenced need on this appeal was for a Secondary School Contribution.

Subsequent to receiving the Councils Statement, contact was made again with the Access and School Places Manager; however, it appears that they are now on annual leave until the end of August. Resultantly, the appeal Case Officer confirmed that an amended UU could be submitted at the same time as this further comment letter.

To confirm, the Appellant is more than willing to enter into a legal agreement to support the provision of essential education infrastructure.

Drainage and Flood Risk

At the time of application, the Planning Case Officer raised no concern over the surface and foul water drainage of the site and accepted that this could be reasonably conditioned. However, since that time,

the LPA have set a procedure for phosphate screening of applications, similarly the Appeal Case Officer sent through a request from the Inspector that further information be provided in regards to drainage.

The Appellant instructed GeoSmart to undertake a Drainage Strategy. This has subsequently been concluded and previously submitted to PINS and the Council, in full support of this appeal.

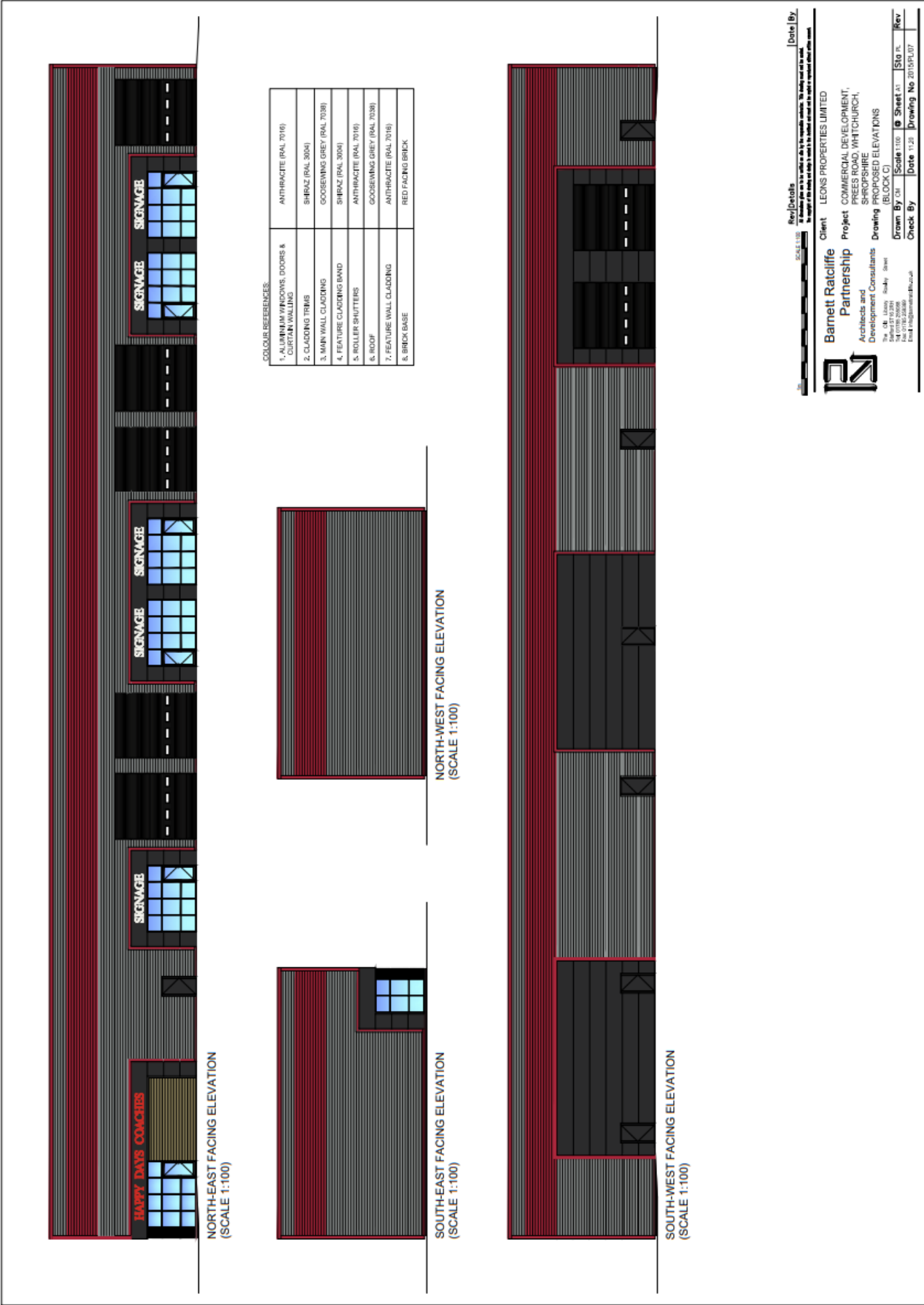
Whilst we are aware that this constitutes new material, the submission of this Drainage Strategy was at the Inspectors request and therefore it is taken that this will be considered in the determination of this appeal.

Yours faithfully,



Ollie Thomas BSc (Hons) MSc MRTPI

Appendix 1 – Approved Elevation Plan to show Happy Days Signage, confirming relocation to Whitchurch. Shropshire Council LPA Ref: 20/04934/FUL



Appendix 2 – Highways Authority Consultee Comments provided at the time of application confirming presence of council funded bus stops.



MEMORANDUM

From: Chief Officer, Environment & Technical **To:** Chief Officer Planning & Regulatory

Our Ref: ET/DC/P/2021/0137 **Your Ref:** SJG/P/2021/0137

Date: 31st March 2021

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: O. S Grid Ref: 480 405 Happy Day Coaches, Mill Lane, Little Green, Bronington.
Development: Demolition of existing building and outline application (All Matters Reserved Except for Access) for 9 dwellings

I refer to your consultation / email dated 30/03/2021 including revised layout plan (Drg. No. HPT11007-002 Rev B) in respect of the above.

Access

The proposed development site is located on a rural, classified road subject to a 60mph speed limit. However, I would estimate typical vehicle speeds at being around 30mph given the geometry of the road.

Based on typical speeds of 30mph, any proposed / existing accesses along this section would normally require visibility splays of 2.4 x 43m measured to the nearside edge of the adjoining highway.

The site is served by 2 no. existing access points which provide adequate visibility

The revised layout plan indicates splays of 2.4 x 43m measured to the nearside edge of the adjoining highway from the proposed access which would be considered acceptable.

I would normally recommend an access of this nature is a minimum of 4.8m wide with 6m kerb radii.

Layout (Reserved Matter)

Assuming the proposed estate road is intended for adoption, I would recommend that the development site is laid out in accordance with Manual for Streets / WCBC adoptable standards.

I would normally recommend the construction of a 2.0m wide footway along the site frontage.

Appropriate street lighting will be required for the estate road / frontage of the site. I would recommend that the applicant agrees this detail with our Street Lighting Section – contact Paul Rogers on Tel:01978 729673.

A suitable turning head will be required within the curtilage of the site to accommodate the turning movements of an 11.2m long refuse vehicle.

Adequate parking and turning provision would need to be provided within the curtilage of the site in accordance with LPGN 16 requirements.

Public Transport

I have spoken with our Transport Section (contact: Andrew Mytton) who have advised that there are 2 informal bus stops along the site frontage which are currently serviced by a Council funded 2 hrly. bus service.

If the application is supported, our Transport Section have requested that the developer provides / funds raised bus stop kerbs, shelter, pole fronting the site and raised bus stop kerbs, shelter, pole and hardstanding on the opposite side of the road. This could be delivered via a s.38 / 278 agreement.

Sustainability

The development site is located on a remote, rural, classified road along which there is limited footway provision leading to the village centre ie/ Bronington. It may be considered that the proposed development site is in an unsustainable location and does not support the opportunity for residents to walk safely to local facilities and public transport stops.

The proposed development may not be considered to meet the requirements of the settlement policies detailed in TAN 18. These policies require residential developments to provide safe walking and cycling routes to local facilities and public transport stops.

Public Rights of Way

Public Footpath No.16 - Bronington passes through the development site and should not be interfered with. I would strongly recommend that the applicant liaise with our Public Rights of Way Section to discuss the proposed development. Please contact Mr. Sean Hanratty on Tel: 01978 729761.

Surface Water Drainage

A suitable scheme for the disposal of surface water will need to be submitted. I assume that our Flood Management Section will be approving any proposed scheme.

Construction Traffic Management Plan (including details of contractor parking)

In order to construct the proposed scheme, the applicant will need to submit a Construction Traffic Management Plan including details of contractor parking for further approval. This could be included as a planning condition.

Supplementary Notes

The applicant's attention should be drawn to item nos. 1, 2, 3, 4 & 5 of the supplementary notes.

Note to Applicant:

Public Footpath No.16 - Bronington passes through the development site and should not be interfered with. I would strongly recommend that the applicant liaise with our Public Rights of Way Section to discuss the proposed development. Please contact Mr. Sean Hanratty on Tel: 01978 729761.



Chief Officer, Environment & Technical