Bausley with Criggion Community Council
/ Cyngor Cymuned Basle hefo Chrugion

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20th February 2025

Dear Richard Edwards,

Reference: Planning Application 24/1877 - Residential Development Of 30 Affordable Dwellings on Land North of the B4393 and West of Oakland, Crew Green, Powys

On Monday 17th February 2025, The Community Council met with local residents, Neil Jones representing the Developer (SJ Roberts) and Mike Lloyd from Berry's representing the Applicant at a Community Council Meeting where this matter was discussed at some length.

As an indication of local feeling, other than the Pre Application Consultation submitted by this applicant in June / July 2024 and 2 previous individual applications from another developer – which received approval from the Community and Community Council, the average attendance at our meetings is 2-3 people.

The meetings referred to above have been attended by 30 – 45 people such is the strength of local feeling.

I am submitting the minutes generated by this meeting (020/2025) so that You and Powys are aware of any background matters that our Community and Community Council feel are relevant and should be treated seriously.

Redactions - The first issue raised was the inordinately high number of redactions in the documents. It was accepted that personal information was withheld for sound reasons, however the document containing residents to the feedback was entirely redacted, 11 out of 12 pages completely blanked out. Initially Mike Lloyd explained that Powys undertook the redactions, then admitted that the applicant could suggest redactions, which they had done on a few issues, but that Powys had the overall say. This was disputed by the Council as the Document 24 which purportedly was the results of the PAC had been blanked out presumably by the Applicant and then Powys had merely followed suit. This suggested that the Applicant had decided that the 11 out of 12 pages should be concealed?

Mike Lloyd stated he was unable to explain why so many pages had been redacted by Berry's, but that all the information would be considered by Powys CC.

The audience was not at all happy with this answer and it was raised several times from the floor, that the essence of a process in the UK was "open and transparent", this gained trust in the community and ensured a fair process. By so many documents being redacted – far beyond the remit of personal information, it was preventing the public from knowing the views previously submitted.

Councillors also raised why the Community Council report had been redacted – By the Applicant - in favour of the Applicant – when the Full and unedited version had been published on the Community Council Website for the past 7 months? The information was in the public domain and gave a true and accurate and verifiable account of the Community and Community Councils concerns regarding the landowner, developer and applicant.

Mike Lloyd stated he was unable to explain why so many pages had been redacted by Berry's, but that Powys had overall responsibility.

Notices - Residents were unhappy about the lack of information / notices that had been published prior to this meeting by the Applicants. It appears one notice had been posted in a less than obvious position and in a location that was difficult and dangerous to get to – this again seemed a ruse designed to block residents from knowing the facts.

Mike Lloyd stated that the posting of Notices was not the responsibility of the developer but by Powys.

Several residents stated that they strongly believed, that with a development of this size, that householders and landowners adjacent to a site SHOULD be formally notified, and if the proper process was not followed it rendered the process void.

Mike Lloyd stated this was a matter for Powys.

Footpaths & Drainage - A resident raised concerns about the impact on the footpath route – Neil Jones stated that the Powys footpaths officer was happy with the proposals. This was disputed by the resident who stated he had spoken with the Footpaths Officer, highlighting that the Footpath would form a 'S' shape and was substantially longer than it had been, and it was agreed that this was not in keeping with guidance / legislation. Also, that the proposed drainage would impact on the riverside footpath route along the northside.

Neil Jones stated that the drainage would be reviewed under SABS and SUDS by Powys and they would base their findings on historical data from the locality.

A resident stated that this sounded fine at face value BUT in reality, residents knew the drainage situation better than someone in an office 50 miles away, and stated that watercourses that appeared on maps were not accurate and specifically the proposed drainage suggested would discharge straight onto adjoining fields before reaching the Severn.

Access Road - Residents raised the issue about the new suggested access road. ALL the comments – based on local knowledge of traffic patterns etc deemed it to be totally unsafe. Neil Jones from SJ Roberts stated that they had achieved all the necessary Visibility splays required, but this was strongly contested by everyone, Councillors and residents present.

It was also suggested from the floor that Welsh government guidelines made it clear that new roads emerging onto Fast roads should be discouraged due to safety and the use of feeder roads should be encouraged – there was no response from the developers.

Hedgerows - This also highlighted the existing hedgerow – in the PAC the applicant stated "*The site is currently devoid of features that positively contribute to the local environment aside from a mature hedgerow*" suggesting this was worthy of retaining, and was listed as a valuable and natural way to screen any new houses from the road and to help them "settle" into the environment.

The applicant now admits that this only "redeeming feature" will need to be removed to achieve the visibility required, and suggests a new hedgerow be placed in a different position instead. Residents immediately highlighted that a new hedgerow would NOT mature for another 8-15 years.

The statement about "devoid of features" was raised by attendees as being deliberately misleading, as the land had been historically agricultural – and most agricultural land, by design was not meant to contain features of note!

All attendees were of the opinion that in the PAC the retention of the hedgerow suited the developers,

when objections were raised regarding access via Severn View the developers were now happy to completely reverse their thoughts and discard the hedgerow. This again highlighted the sentiment that the developers could not be trusted and that this was purely about developing NOT Crew Green.

Disinformation regarding PAC responses - Neil Jones stated that following on from the PAC residents had stated, they would "*like*" more parking and would "*like*" a different access point and that this revision addressed these requests.

This was immediately rebutted by the audience who strongly argued that in the PAC people did not say they would "*like*" alternatives, they were saying the development should NOT go ahead because of limited parking and very poor and inconsiderate access. The audience felt that the developers were playing with words to appear that they were addressing concerns, when the main concerns were being ignored – the development was in totally the wrong location, had inadequate parking, would blight an existing development, and overall did not demonstrate any firm and real need by residents of Crew Green for such a large amount of affordable housing.

Ecological and Environmental report - Returning to the point of hedgerows / drainage and environmental impact, the developers were asked why an updated Eco / Environmental report had not been included as the report used was dated March 2024 and clearly states this is NOT an ideal time to conduct such a report? Presumably with the following 4 seasons including Spring / Summer and Autumn a new report would be more accurate?

Attendees queried the report as not accurate, it states there is no evidence of badgers however many residents use the footpaths and have evidence – in recent weeks of many badger setts adjacent to the proposed development site. Also, there is a large well documented badger sett just at Melverley, which following animal trails was very easy for badgers – who wander widely – to reach this development.

Neil Jones responded that if a new report was required it was down to Powys to request it.

Amenities, Transport, Employment - Residents again queried the suggestions of Amenities, Public transport, employment in our area.

The Community know that the local bus service does not meet the need for residents, it cannot assist students or workers to get to their workplaces at the suitable times, it is difficult to even get to Shrewsbury and shop or attend medical appointments in the limited time span available.

The statement in the application of employment, is again misleading as it suggests employment opportunities are local and then goes onto to loosely mention Shrewsbury, Oswestry and Welshpool. These towns are on average 10 miles each away from Crew Green. Acknowledging the poor Public transport situation leads to only one conclusion that residents have to drive, and this development is likely to put a minimum of another 50 – 60 vehicles onto our local roads – This is contrary to Welsh Government Guidelines.

Housing Need - Residents and Councillors felt very strongly that the need for housing was being misrepresented by the Applicants. Taking into account the information from Powys housing and the Tai Teg register it appeared that there were 51 households on the Powys register who are looking for housing 50 of which only One household has crew green as their first preference, the remaining 50 Households have other preferences as first choice. The Tai Teg register has 41 households, only 4 have nominated Crew Green.

Of Note, but obscured by the Applicants is that there are a number of Local housing schemes –

- Four Crosses: 24 social rented,
- Welshpool: 16 social rented,

- Llandrinio: 24 social rented,
- 66 extra care apartments in Welshpool at Neuadd Maldwyn,
- 28 social rented homes in Guilsfield,
- 17 social rented in Trewern.

This totals 175 properties, which makes no account for the 2 x Affordable houses at Severn View that have failed to be commenced by Salop Leisure despite the remainder of the development being constructed, and the 12 additional Affordable houses proposed by Primesave and gaining majority support by the Community and Community Council in Crew Green.

Residents feel that it would appear that this very small corner of Powys accounts for 189 properties (20%) of the possible 952 needed all across Powys which is the largest county in Wales, having an area of 5,181 km^2 (2,000 sq mi)

This also raises an issue that Welsh planning guidelines make it clear that housing need should be based on the local area NOT an Overall area such as Powys. Again, this has been obfuscated by the developers who argue that Crew Green need this housing and fail to clarify that actually their argument is based on an "Overall need" NOT a local need.

Large Village Status Rescinded - At this stage the Community Council raised an Agenda item listed for later in the meeting as it seemed relevant ; - following the submissions to the October 2024 Local Development Plan Consultation process, The Community Council had submitted an argument to Powys that the Classification of Crew Green as a "Large Village" was inappropriate and not based on empirical evidence.

Powys "*have accepted our challenge made to the classification as a Tier 3 settlement within a Local Cluster "Large Village" and the reasoning set out has been considered. As a result, there is now a recommendation that Crew Green is re-classified into a Tier 4 Rural / Non-Cluster settlement for the Deposit Plan RLDP. This has been advised to the LDP Working Group*".

A Tier 4 Rural / Non Cluster means that ***"Development permitted in these settlements will be smaller scale, focused on meeting identified needs and achieving sustainable rural communities".***

Although this decision will not formally apply until 2026 it is a clear indication that the continued argument by the developers that Crew Green is a "Large Village" is wrong. Powys are stating that Crew Green will be a Tier 4 Rural / non Cluster settlement. Logically, if we will be in 2026, then essentially we should be viewed as that category now.

At this stage the Chair Darren Jones explained that if no further issues were identified he would bring this meeting item to a conclusion, but before he did so he asked the developers if they could clarify what was fundamentally different in this full Application to that in the Pre Application Consultation to ensure attendees were fully aware of any amendments.

Neil Jones responded ; -

- The highway access point had been moved,
- There were now an additional 15 parking spaces,
- There had been some tweaks to the footpath route.

The Chair Darren Jones asked the attendees if they felt this new Full Application addressed the main points raised in the Pre Application Consultation : -

- Was it desirable?
- Was it necessary?

- Did it meet a local need?
- Would Crew Green benefit?

The Chair concluded by asking if there were any further questions, and then asked that if there was ANY support for this application – there were **NONE.**

The audience made it clear at the meeting that in the past 4 years, the Community has broadly supported the developments of 5 + 2 + 12 = 19 Affordable homes to assist people in the locality to have their own home, and take into account the financial pressures on younger families.

This clearly displays that the overwhelming rejection of this development is NOT Nimbyism it is because;-

- This proposed development is in the totally wrong location,
- It does not meet a local need,
- It fractures the Community by encouraging Urban Sprawl and Ribbon Strip development,
- The reclassification as a Tier 4 Rural settlement merely strengthens that Our village is not able to absorb a large development without harm to our community,
- We have no amenities other than one small school,
- There is no meaningful employment opportunity within at least a 5 mile radius,
- Any travel HAS to be done by private transport, as the bus service and ability to cycle / walk is virtually non existent.

An overwhelming factor regarding this application is the total inability or refusal of Powys to recognise the wider picture. The Community feel that this application is pure financial speculation.

All attendees believe this is part of a strategic plan by Salop Leisure / SJ Roberts to force an entry corridor into adjacent land for further widespread development to consume Crew Green. The submissions of the Community Council and the Community to the LDP process and the Candidate sites process are further evidence of how this attempt to force a way into surrounding land and open it up to development at the Cost of the Community. Councillors and the Community remain amazed and disappointed at the lack of vision by Powys in managing this speculative and continual series of applications.

Community Councils Response taking into account the views expressed by the Community.

It is accepted by the applicant that the site is not appropriate for open market housing. This was confirmed at paragraph 1.4 of the Planning Application Supporting Statement submitted at the pre-application stage. The updated version submitted with the current application has paragraph 1.4 redacted, but it is likely to be the same text based on other similarities between the two documents.

The pre-application document states at paragraph 1.4 "*A pre-planning application enquiry was submitted to the Local Planning Authority (ref. 23/0124/PRE). This enquiry sought the Council's view on the provision of both affordable and open market housing on the site. The response received detailed that, whilst open market housing could not be supported, affordable housing on the site is policy compliant."*

Assuming it is the same text, it is unsurprising that the text has been redacted within the application documents available on the website, as the blanket statement that "affordable housing on the site is policy compliant" is potentially misleading.

Whilst affordable housing on exception sites does comply with some policies, it does not mean exception sites comply with all policies to be considered when assessing and determining planning applications. If that in-principle point were the only consideration, that would effectively create an 'open door' for any piece of land that is not allocated for development as being acceptable for affordable housing, which is clearly not the case, as any reasonable review of policy in the wider context confirms.

Despite that fact, it does appear that the applicant's team has misguidedly ignored many other relevant policy documents when seeking to justify the proposal, by relying heavily on the principle that exception sites can be released for affordable housing, without considering other relevant factors.

As this response to the application will demonstrate, the proposed development fails to comply with policy on numerous levels and should therefore be refused.

Affordable Housing Need

Whilst there may be a requirement for affordable housing, it should be located where there is a local need. It appears the applicant has concluded that there only has to be a need anywhere within Powys to justify a local requirement in Crew Green, rather than assessing the needs locally within the different areas within the County, as the Policy is intended to be read and applied.

This is clear from paragraph 4.2.26 of Planning Policy Wales 12th Edition February 2024 (PPW), which states, under the sub-heading "Affordable Housing": "*A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications."*

It appears the applicant has considered the community to mean the entirety of Powys, as it has not considered the more local need to the community in and around Crew Green.

Paragraph 4.2.28 of PPW adds: *"It is important that authorities have an appreciation of the demand for different types of affordable housing (i.e. intermediate and social rented) in relation to supply, so that they are well informed in negotiating the required appropriate mix of dwellings for new developments. To support policies and decisions on planning applications, planning authorities should refer to their LHMA to help determine the need for affordable housing, including any evidence of localised affordability issues such as the impact of second homes and short-term lets."*

Paragraph 4.2.35 of PPW provides advice on exception sites: *"The provision of affordable housing exception sites must be considered to help meet identified requirements and ensure the viability of the local community… The affordable housing provided on exception sites should meet the needs of local people in perpetuity. Sites must meet all the other criteria against which a housing development would be judged, such as the national sustainable placemaking outcomes. Affordable housing exception sites are not appropriate for market housing."*

The applicant references Policy H6 of the LDP within its submissions. Policy H6 is clear:

"Proposals for the development of affordable housing to meet a proven, unmet local need in Towns, Large Villages, Small Villages and Rural Settlements will be permitted where:
1. The proposed development is of a size, scale and tenure commensurate with the defined need and appropriate to the settlement tier, and accords with the requirements of Policy H1; and
2. The site is solely for affordable housing and there are clear and adequate arrangements to ensure that the benefits of affordable housing are secured for initial and subsequent occupiers, in accordance with the requirements of Policy SP3."

As is apparent, it is the local community need, not the wider community that is the key consideration. The Applicant has not in any way considered or justified the local need in Crew Green within the submitted documents, which is unsurprising as it does not in any way support the proposed development in this location.

In terms of the local community, Powys County Council's own data demonstrates there is no current need in the locality of Crew Green. Based on the Local Plan allocations, current permissions and another live application, Crew Green has already delivered sufficient capacity to exceed the identified local need in this part of the County. The local need is met / exceeded by:

22/2032/FUL (23 homes including 5 affordable. Primesave), which is currently under construction;

24/1446/OUT (12 affordable homes. Primesave), which is pending consideration and lies directly adjacent to that above; and

P/2016/0603 (8 homes including 2 affordable. Salop Leisure)

In terms of P/2016/0603, whilst the 6 open market homes have been constructed, no commencement has been made on the 2 affordable dwellings within the approved scheme. This is contrary to the original permission and the associated reserved matters application (Ref: 19/1238/RES) prepared by Berrys (the current applicant's Agent). The submitted Reserved Matters Application Statement to discharge conditions 6 and 7 relating to the affordable housing states at paragraph 1.7 under the sub-heading 'Condition 7': "*The construction of the affordable dwellings on plots 6 and 7 of the site will commence once the first two dwellings have been built"*

A subsequent revision to the Reserved Matters permission was made under application ref: 20/1028/REM, which relocated the plots of the 2 affordable dwellings to the eastern end of the site, but there was no suggestion within the documentation that the revision was to delay or in any way alter the timing of construction of the affordable units or vary condition 7 relating to the timing of their delivery under P/2016/0603, as approved under 19/1238/RES.

It therefore appears that the development is in breach of P/2016/0603 and 19/1238/RES because the affordable units have not been provided as approved. It is also apparent that the old, established hedgerow forming the eastern boundary of the application site was removed in order to provide access to a contractors' yard, where hardstanding was laid, despite that area already having direct access to the highway at an established gateway directly adjacent to the site.

I will return to the need point shortly, but consider this may be an appropriate point to raise general concerns regarding the adherence to the planning process, as the above is typical of a pattern of failings by Salop Leisure, whose Directors have confirmed to neighbours that it is the landowner behind the current planning application, despite not being the actual applicant.

The disregard for the planning system is evident when reviewing the planning history at its neighbouring Seven Oaks Holiday Home park.

Application 2018/0529 for the change of use of amenity land to site an additional 18 holiday home pitches included three plans; all of which defined the western extent of the development as being the established field boundary, which was a mature hedgerow. However, the development has gone beyond the red line of the application area at its northwest corner, which resulted in the removal of a significant length of the mature, established hedgerow, to allow the construction of larger plots, resulting in the northwest plot and access road / turning head extending beyond the planning application boundary.

This strategic tactic was also used when constructing the previously approved extension to the park, which was also supposed to remain within its western boundary; but again, during its construction, the hedgerow forming the application boundary was deliberately removed to create an opening to facilitate the provision of an extended tarmac access / turning area into the next field, in preparation for the future expansion now occupied by 2018/0529.

Application 2018/0529 also required the provision of a footway and crossing under condition 3: *"Prior to the commencement of development, detailed engineering drawings for a footway link and tactile crossings along the Class II B4393 and associated works, shall be submitted to and approved in writing by the Local Planning Authority*." Despite this, the development has been built and occupied, but the required highway works have still not been undertaken.

In March 2024, four large, mature trees adjacent to the public footpath along the river bank were felled and left on the bank, without securing a felling licence. Some of the trees were left with their tops hanging in the water and were subsequently removed by the river when it flooded. These included at least three mature oak trees of considerable girth, having taken may years to grow. They formed part of the local character of the area and were believed to provide wildlife habitat. It is understood that some of caravan owners complained that the trees obscured their views, and one of the trees is understood to be the reason a plot was left unsold for a considerable period. Since the trees were felled in March 2024, the long-vacant plot has now been sold and occupied.

Returning to housing need, to clarify the position on local need in the Crew Green Area, one of the documents associated with this planning application is ***Consultee Comment – Housing Policy***, which is from Powys CC's Strategic Housing Authority. This document shows the demand for Affordable Housing in Crew Green AND the neighbouring council areas.

There are a total of 37 households who are registered – however, the author of that document (Henk Jan Kuipers) has confirmed to me that the **only 4** households are from Crew Green. This means that the developments listed above would not only but exceed the entirety of the truly local need within Crew Green, but also alleviate some of the demand from other parts of Powys.

However, new houses are only of use if people want to live in them. In this regard, the same document confirms only 1 household is registered with Crew Green as their preferred choice for social housing. This is unsurprising given the limited facilities within Crew Green and the limited access to other essential services by alternative travel modes to the private car, which I will consider in the next section.

In terms of requirements within Powys, Powys CC's target for affordable housing in the current LDP is 952. Data provided by Henk Kuipers to me shows the actual figures achieved year by year. If we include 2017/18 figures, then it is 955 i.e. above target. If we exclude 2017/18 figures to be cautious then the council has still achieved 891, leaving a requirement of just 64 dwellings within the whole County - with nearly 3 years still to go until the end of the plan period.

Overall, it is clear that the 12 house Primesave development, along with the 2 that Salop Leisure are obliged to build, when added to recent builds, would mean that Crew Green more than shoulders its share of the burden. In terms of the Primesave development, that site at least falls directly adjacent to the allocated development area, being closer to the primary school and the centre of the village; thereby reducing urban sprawl along the B4393.

As a final consideration relating to housing needs the Applicant states that Crew Green is a "Large Village" and uses this point as an argument that it is therefore suitable for further development. Powys LDP process has now confirmed that this status was applied historically, perhaps some 20 – 25 years as a casual and convenient label at that time, with no factual or empirical basis.

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Following the October 2024 LDP submissions, Powys "*have accepted our challenge made to the classification as a Tier 3 settlement within a Local Cluster "Large Village" and the reasoning set out has been considered. As a result, there is now a recommendation that Crew Green is re-classified into a Tier 4 Rural/ Non-Cluster settlement for the Deposit Plan RLDP. This has been advised to the LDP Working Group*".

Although this change of status has been scheduled in the next LDP from 2026, the determination by Powys is as relevant today as it will be in 12 months. As a Tier 4 Rural / Non Cluster settlement it is clearly stated that ***"Development permitted in these settlements will be smaller scale, focused on meeting identified needs and achieving sustainable rural communities"***

ACCESSIBILITY

The applicant has failed to adequately consider the acceptability of the location of the proposed development in terms of the requirements of accessibility to services and facilities or the national policies applicable to the topic.

Planning Policy Wales – Edition 12 – February 2024 (PPW) is clear in its requirements to reduce the need to travel, particularly by private car. In section 3 "Strategic and Spatial Places" under the sub-heading "Accessibility" paragraph 3.49 states: *"Spatial strategies should support the objectives of minimising the need to travel, reducing reliance on the private car and increasing walking, cycling and use of public transport. Spatial strategies should be informed by the development of an integrated planning and transport strategy, which takes into account the transport considerations set out in the Active & Social Places chapter 4, as well as the transport infrastructure considerations contained in the Productive & Enterprising Places chapter 5."*

In Section 4 "*Active and Social Places*" it confirms in the introductory pages:

"*A Healthier Wales can be achieved through the reduction in emissions and air pollution by minimising the need to travel and maximising provision of sustainable forms of transport*…

Globally Responsible Wales is promoted by locating and designing developments which reduce trip lengths for everyday journeys and supports sustainable modes of travel which in turn will reduce our carbon footprint. For example, by locating new housing developments within existing settlements enables people to take advantage of the shorter trip lengths to places of employment, retailing and other community services by walking, cycling or public transport…

New development should prevent problems from occurring or getting worse such as the shortage of affordable homes, the reliance on the private car and the generation of carbon emissions

The key issues in this theme include:

…reducing reliance on travel by private car, and the adverse impacts of motorised transport on the environment and people's health, by prioritising and increasing active travel and public transport;"

More specific guidance is provided within the paragraphs of the section.

Within subsection 4.1 "Transport" paragraph 4.1.1 states: "*The planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. By influencing the location, scale, density, mix of uses and design of new development, the planning system can improve choice in transport and secure accessibility in a way which supports sustainable development, increases physical activity, improves health and helps to tackle the causes of climate change and airborne pollution…"*

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Under the sub-heading "Sustainable Transport" paragraph 4.1.8 states: *"The Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Delivering this objective will make an important contribution to decarbonisation, improving air quality, increasing physical activity, improving the health of the nation and realising the goals of the Well-being of Future Generations Act."*

Paragraph 4.1.10 confirms: *"The planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:…are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;…"*

Paragraph 4.1.12 adds: *"It is Welsh Government policy to require the use of a sustainable transport hierarchy in relation to new development, which prioritises walking, cycling and public transport ahead of private motor vehicles."*

Paragraph 4.1.13 explicitly advises: *"The sustainable transport hierarchy should be used to reduce the need to travel, prevent car-dependent developments in unsustainable locations, and support the delivery of schemes located, designed and supported by infrastructure which prioritises access and movement by active and sustainable transport."*

Paragraph 4.1.14 confirms: *"The sustainable transport hierarchy must be a key principle in the preparation of development plans, including site allocations, and when considering and determining planning applications."*

Whilst the application is not for an allocated site, the principle when considering site suitability is restated at paragraph 4.1.15: *"Careful consideration needs to be given in development plans to the allocation of new sites which are likely to generate significant levels of movement, to ensure that access provisions which enable walking and cycling, as well as for public transport, are included from the outset and that any implications associated with airborne pollution can be addressed."*

A requirement of PPW, which has not been addressed within the submitted application documents is stated at paragraph 4.1.18: "*Design and Access Statements should show how the design of the scheme has responded to the sustainable transport hierarchy."*

A further consideration relates to compliance of the development with legislation. Paragraph 4.1.27 of PPW advises: *"The Active Travel (Wales) Act 201323 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or education establishment, or in order to access health, leisure or other services or facilities."*

A duty is placed upon the local Council's within paragraph 4.1.32 of PPW: *"Planning authorities must ensure new housing, jobs, shopping, leisure and services are highly accessible by walking and cycling. The design of development proposals should, in accordance with the sustainable transport hierarchy, start with identifying the shortest, most attractive walking and cycling connections and then addressing the other transport needs."*

Under the sub-heading "Public Transport", Paragraph 4.1.36 confirms: *"The availability of public transport is an important part of ensuring a place is sustainable. It enables people to undertake medium and long journeys without being dependent on having access to a car. The planning system should facilitate this by locating development where there is, or can be, good access by public transport…"*

Paragraph 4.1.37 confirms: *"Planning authorities must direct development to locations most*

accessible by public transport. They should ensure that development sites which are well served by public transport are used for travel intensive uses, such as housing, jobs, shopping, leisure and services, reallocating their use if necessary. In rural areas, planning authorities should designate local service centres, or clusters of settlements where a sustainable functional linkage can be demonstrated, as the preferred locations for new development."

Paragraph 4.1.39 confirms: *"Planning authorities should consider whether public transport services are of a scale which makes public transport an attractive and practical travel option for occupiers and users travelling to and from development sites."*

The use of alternative travel modes is key to the requirements of reducing road traffic and/or slowing its growth. Under the sub-heading "Traffic Management" paragraph 4.1.143 states: *"The Road Traffic Reduction Act 1997 requires local authorities to produce a report setting out an assessment of the traffic on the roads for which it is the local highway authority and a forecast of expected changes in traffic levels. The report should also contain targets for reducing levels of local road traffic or the rate of growth of those levels."*

Whilst this is a wider remit, it is clear that locating a development for new housing where car travel is necessary due to the absence of alternatives, is clearly contrary to the principle of reducing car use.

In terms of Crew Green, whilst there is a bus service, it is limited and does not facilitate commuting to and from employment, leisure, retail, medical or secondary educational facilities in practical terms.

The 74 service operates between Shrewsbury and either Llanymynech or Llanfyllin. The timetable on the Tanat Valley Coaches website confirms it normally travels Monday to Saturday from Shrewsbury at 12:00, arriving at Crew Green at 12:27 and Llanymynech at 12:47, where it stops. The second journey leaves Shrewsbury at 13:55, arrives at Crew Green at 14:23 on route to its arrival at Llanfyllin at 15:02. On Saturdays, there is an additional service departing from Shrewsbury at 17:15, Crew Green at 17:43 then terminating at Pant at 18:03.

The journeys to Shrewsbury initially leave Llanfyllin at 09:10, Crew Green at 09:54 and arrives at Shrewsbury at 10:25. A second service leaves Llanymynech at 12:55, calling at Crew Green at 13:13 before terminating in Shrewsbury at 13:40. On Saturdays, an additional service leaves Llanfyllin at 15:26, Crew Green at 15:52 and arrives at Shrewsbury 16:16.

These are the normal services, which are subject to change when the connecting routes are subject to flooding, which is unfortunately a fairly regular occurrence.

These are the only buses to / from Crew Green. To access anywhere other than the local villages along the route, which also have limited services and facilities, it is necessary to use service 74 to connect at other services at different locations.

The footways, such as they are, do not extend beyond Crew Green to the west or Coedway to the east, which limits pedestrian access top anything other than the limited local services. Similarly, the larger conurbations of Shrewsbury, Welshpool and Oswestry are all beyond typically accepted cycling distances, based on the information within the CIHT document "Planning for Cycling", which advises: "*Cycle use is more seasonal than for other modes, with up to twice as many cyclists in summer compared with winter. The majority of cycling trips are for short distances, with 80% being less than five miles and with 40% being less than two miles."*

This lack of realistic alternative modes of travel to access services and facilities effectively forces residents into private vehicles, which contradicts policies relating to sustainable transport.

This has a direct, negative impact on those on lower incomes requiring affordable housing, not only

in terms of purchasing a vehicle, but also paying for extra fuel required to travel the additional distances necessary to access the services and facilities they need. These additional costs would not be incurred if the houses are located in the sites within or adjacent to the main towns, where travel distances are reduced and a greater choice of sustainable modes available.

It is clear, due to the limited range of bus services and lack of accessibility by alternative modes to a wide range of essential services and facilities, that the site is in a location that is car dependent and therefore contrary to PPW guidance and Policy T1 part 3 of the LDP, which requires development to ***"Minimise demand for travel by private transport and encourage, promote and improve sustainable forms of travel including Active Travel opportunities in all areas."***

ECOLOGY AND CHARACTER

As part of the pre-application documents, a Preliminary Ecological Appraisal was submitted, which was prepared by Turnstone Ecology. It reports a site visit was undertaken on 6th March 2024, but recognises at 2.4: *"March is not an ideal time for Phase 1 Surveys as certain flowering plants may not be present or identifiable. However, for a site of this size, location and habitat composition it is not considered that this would have had an effect on the survey results or assessment of the site."*

At 3.3.2 It describes: "*A dense, well managed mature hedgerow forms the southern site boundary (Plate 2)…The eastern boundary hedgerow (Plate 3) continues from the southern boundary hedgerow and is dense and mature with a similar species mix, although with less recent management visible."*

Under the heading "Protected Fauna" section 3.4.1 states: *"No Badger setts or evidence of activity were recorded within or immediately adjacent to the boundaries of the proposed development site*." This stated lack of Badgers is now rejected based on information and photographs from local residents and physical evidence of Badger setts in the locality and highlights the report is out of date. Section 3.4.2 states: *"There are no features suitable for roosting bats on or adjacent to the proposed development site.*

The boundary hedgerows provide suitable habitat for foraging and commuting bats, however the short sward improved grassland that dominates the development footprint is unlikely to be of importance for foraging bats."

Section 3.4.3 states: *"Suitable breeding bird habitat within the application site is limited to the boundary hedgerows.*

Due to the close proximity to hedgerows and short sward of the grassland it is considered very unlikely that ground nesting birds will occur within the development footprint.

There is no suitable habitat on, or adjacent to site for nesting Barn Owl and the short sward grassland provides limited suitable habitat for hunting Barn Owl."

It is unclear to what extent Turnstone considered "adjacent", but it is known the field and those adjacent to it are passed over / through by badgers (with setts lying close to the application site) barn owl and bats. Tawny owls are also often heard in the trees in the field to the north belonging to Seven Oaks Farm. There are two large oak trees to the northeast of the application site which also often have bats flying under the canopy.

Whilst indicating that there had been no records of Great Crested Newts within 2km of the site, section 3.4.4 stated: *"Optimal habitat is limited to the boundary hedgerows which provide suitable cover and opportunities for foraging, dispersing and hibernating Great Crested Newt."*

Section 3.4.5 considered reptiles and indicated there are no apparent records of reptiles within 2km

of the site, but also recognised: *"Suitable habitat is limited to the boundary hedgerows, which provide suitable cover and opportunities for foraging, hibernating and/or dispersing reptiles."*

When considering the impacts of the proposed development, the report states *"The existing mature hedgerows are to be maintained as part of the development site boundary."* It also advises: *"The proposed areas of groundworks will need to be confined to areas that will not impact on the root systems of the existing and retained hedgerow. An appropriate buffer (as detailed in BS5837:2012) will need to be established."*

Under section 4.3.2 it states: *"The existing hedgerows will be retained and unaffected by the proposals and this will ensure suitable bat foraging and commuting habitats around the site are maintained."*

4.3.3 states: *"The boundary hedgerows are suitable habitats for nesting birds but given the habitat types present on site it is considered extremely unlikely that any ground nesting birds will occur within the project footprint and no Schedule 1 breeding birds will be impacted."*

In terms of Great Crested Newts, 4.3.4 states: *"The boundary hedgerows do provide some opportunities for foraging, hibernating and dispersing."*

4.3.5 states: *"The boundary hedgerows do provide more suitable cover for foraging, hibernating and/or dispersing reptiles but will not be directly impacted by the proposals."*

Turnstone also produced a Green Infrastructure Statement as part of the pre-application documents, which largely reflects the descriptions and comments within the Preliminary Ecological Appraisal.

It is clear from the foregoing assessments undertaken at the pre-application stage that the hedgerows are of merit and value from an ecological perspective.

The pre-application Planning Application Supporting Statement reinforced the value of the hedgerows from a planning perspective. Under Section 2 'The Site and Surrounds', paragraph 2.5 states: *"Given that the proposed development site lies below the level of the road and will be accessed through the existing residential development to the west, the existing mature hedgerow on the roadside boundary will be retained and will screen the proposed development from the road."*

The importance of the hedgerow is reinforced in terms of its contribution to 'Character (including appearance, layout and scale)', which states: *"The site is currently devoid of features that positively contribute to the local environment aside from the mature hedgerow on the roadside boundary, which will be retained."*

This statement by Berry's is unequivocal. The mature hedgerow on the roadside boundary positively contributes to the local environment in terms of its character and appearance.

The retention of the hedgerow is highlighted when considering the proposed access at 3.7 of the report: *"The proposed access for the development is via the adjoining residential access road to the west of the site. Utilising this existing access ensures that the existing established hedgerow on the site's boundary with the B4393 need not be removed. The existing access accords with current highway standards and can therefore accommodate the development with ease. As previously stated, existing footways are available on the B4393 which provide pedestrian linkages to local facilities in Crew Green and Coedway."*

The report reiterates the ecological benefits of the hedgerow set out in the Preliminary Ecological Appraisal and Paragraph 5.15 states: *"The Green Infrastructure Statement details that the retention of the roadside hedgerow… will ultimately have a significant positive impact on biodiversity on the site…"* having recognised at paragraph 5.10 that the retention of the hedgerow formed part of the

mitigation strategy for “any minor adverse impacts” associated with the scheme.

Given the clear and recognised value of the existing roadside hedgerow highlighted during the pre-application stage, it is surprising that the scheme now applied for involves the creation of a new access, which would require its complete removal.

When describing the local area, the current Planning Application Supporting Statement retains the text from the same paragraph 2.5 as the pre-application documents, recognising: *“There is also a variety of boundary treatments, including hedgerow, timber fencing and brick walling. However, along this stretch of the B4393 hedgerows predominate and are appropriate to the rural setting of the settlement.”* Where the comparable paragraphs differ is that the pre-application version states: “*the existing mature hedgerow on the roadside boundary will be retained and will screen the proposed development from the road*”, whereas the application document states: *“the roadside boundary will be replaced by a new hedgerow to the rear of the new access visibility splay, the proposed development will be partially screened from the road.”*

It is therefore apparent that the proposed scheme would have a greater impact on the character of the area than the pre-application scheme. This impact would be exacerbated by the construction of a new pedestrian footway along the road edge, which would sit in front of the roadside hedge, resulting in a more urban appearance to the route.

The construction of additional dwellings beyond the hedge by the infilling of fields which separate the existing clusters, fundamentally changes the character of the area, creating a more continuous ribbon of roadside development with a suburban appearance, which detracts from the rural character beyond the established development boundaries.

Much of the document repeats the points made within the pre-application report, including paragraph 3.3 which recognises the positive contribution of the existing mature hedgerow, but adds “*which will be replaced*”. There appears to be no consideration of the time taken for a newly planted hedgerow to mature to the level of that which currently exist and makes a positive contribution to not only the character of the area, but also provides ecological value.

Paragraph 3.3 of the report also contradicts itself, as the first bullet references “*dwellings at a density similar to that of the surrounding development, making best use of land*;”, whilst it continues to state: *“Whilst the development seeks to make best use of land, it is at a density of approximately 18 dwellings per hectare. This density of development is below the guideline within the adopted LDP which details that residential development in large* villages *such as Crew Green should be at 27+ dwellings per hectare. The reduction from the LDP figure is due to the need to accommodate drainage infrastructure, open space for recreation and adequate highways access. Nonetheless, the development is at a density which is comparable or higher than recent development in the local area.”*

The fact that the proposed development cannot achieve the density requirement of the LDP due to its physical constraints, simply highlights the fact that the site is not suitable for residential development; hence it has not been included within the local plan allocations.

Rather than develop an unsuitable site at an undesirable and low density, it would be more appropriate to identify a site without the physical constraints applicable to this particular site, where a scheme meeting the LDP density requirements can be delivered, in order to avoid the loss of open, agricultural land to a development that cannot achieve the adopted density requirements. Delivering a lower than required density is not an efficient use of what is, in absolute terms, a finite resource of physical land area, as is recognised in paragraph 4.6.11 of the LDP, particularly in a location where there is no proven local need.

The report continues to consider Environmental Sustainability at 3.4, again claiming best use of the

land, having highlighted its sloping characteristics and the fact it is free from flooding. This is a material consideration in terms of its agricultural value, as its sloping nature means it drains faster than the lower areas of the field, making it more suitable for the grazing of livestock when compared with the majority of land at the lower levels, much of which can be subject to flooding.

The proposed development, being located in the upper area of the field, therefore has the maximum detrimental impact in terms of the loss of local improved agricultural grazing land. This detrimental impact does not appear to have been considered by the applicant beyond suggesting its loss would be minor, due to the limited scale of the development.

A similar lack of consideration is apparent when considering Movement at 3.5 of the report. Whilst mentioning the school in Crew Green, the pub in Coedway and the bus stop, there has been no review of the actual services and facilities available locally or the practical implications for residents in terms of their travel patterns to access employment and other essential services. As is apparent from the review I have undertaken, only very limited services may be accessed by non-car modes from the site, resulting in unnecessary travel distances and costs being incurred by residents and visitors.

At 3.6 it is suggested that the proposed development will enhance pedestrian safety as it *"Reinforces the form of this cluster of dwellings therefore increasing the motorist's perception that they are travelling through a settlement, assisting in ensuring adherence to the local speed limit; and The proposed development will increase opportunities for natural surveillance in the development cluster."*

It appears that the applicant recognises there would be a significant change in the local character as a result of the proposed development, as it would require the same for driver's to change their speed along the route. This appears to be in direct conflict to the suggestion that there would only be *"…a resultant minor landscape impact*" at paragraph 5.12.

Paragraph 5.9 refers to the 'Severn Landscapes Farmland Character Area', and states: *"The only key characteristic of the area identified as being in any way impacted by the proposal is therefore the provision of improved grassland and arable fields. However, any adverse impact on this key characteristic will be minor in nature given the scale of the proposal, the topography of the surrounding land and proximity to adjoining residential development."*

This is not representative of the content of the landscape character assessment or the impact of the proposed development upon it. The 'Key characteristics' contained in the referenced document within the 'Vegetation cover' section references: "*Hedgerows and mixed broadleaved woodland, much of ancient semi-natural origin, contributes to a strong landscape structure*." Under 'Agricultural land use and field patterns' it states: *"A combination of improved grassland and arable land, with fields varying in scale from small to large with well-defined boundaries of managed hedgerows or post and wire fencing."* Under 'Semi-natural habitats' it states: *"Important habitats present are lowland hay meadows, ancient/species-rich hedgerows, eutrophic standing waters, lowland mixed deciduous woodland and aquatic communities."*

The old, established hedgerow along the site frontage clearly contributes to the landscape character and are proposed to be removed to form a new access. However, paragraph 5.10 of the application document contradicts and fails to consider the impact of the current proposal, stating: "*…the proposed development seeks to mitigate any minor landscape impacts, and reinforce and enhance the local landscape and settlement character, through the following measures:… Retention of the existing mature hedgerow along the site frontage… Utilising the existing residential access road of the adjoining development."*

This clear misrepresentation of the proposed development may be the reason it is claimed the proposal would only have a minor impact on the area as suggested at paragraph 5.9, despite it being a sufficient change to cause drivers to modify their behaviour, as paragraph 3.6 claimed.

The suggestion at paragraph 5.11 that: "*The proposal is not considered to conflict with any of the 'development management guidelines' provided for this area in the Local Landscape Character Assessment'* is also clearly flawed and based on inaccurate information, as the same paragraph highlights "…*the proposal, together with the above mitigation measures* [which were inaccurately represented in paragraph 5.10]*, will implement a number of guidelines, including:… Conserving and managing valued ancient/species-rich hedgerows as important wildlife habitats and landscape features."*

The Landscape Character Area Assessment also confirms: *"The LCA experiences dark night skies as indicated by the Natural Resources Wales (NRW) map of Dark Skies and Light Pollution in Wales, which are locally reduced in proximity to settlements, notably at Newtown, Welshpool, Four Crosses, Llanfyllin and Llansantffraid-ym-Mechain."*

Beyond suggesting the site would provide "…a sensitive, wildlife-friendly, lighting scheme" at paragraph 5.10, the impact on the Dark Skies has not been considered. In this context, paragraphs 4.2.47 and 4.2.48 are relevant, particularly as the latter suggests: "Applicants should consider whether: the development could proceed without lighting;".

No assessment of lighting impact has been undertaken beyond the light-touch comments included within the various reports forming the application documents.

When taking into account the apparent errors and omissions, it is considered the actual impact of the proposed scheme would be significantly greater than the applicant suggests.

The Planning Application Supporting Statement then moves to Environmental Impact. It refers to the Preliminary Ecological Assessment and Green Infrastructure Statements, which were updated in December 2024. It is clear that the applicant relies upon these documents to support the conclusion at 6.4 that "*No unacceptable adverse impacts have been identified as arising from the proposed development."*

When referring to the updated Preliminary Ecological Assessment, it is apparent that it is also inaccurate. Much of the document is the same as that submitted at the pre-application stage. However, it is noted that when describing the hedgerows at section 3.3.2, the Author has revised its description to read: "*The roadside hedgerow is unconnected at its western end and although it connects to the eastern field boundary hedgerow, there is no connectivity beyond that."* This appears to be a direct attempt to reduce the importance of the roadside hedgerow, when compared with the description in paragraph 3.3.2 of the pre-application version I previously quoted within this objection letter.

It is noteworthy that the absence of a hedgerow connection at the western end of the site is a direct result of the creation of the contractor's compound created when developing the landowner's neighbouring site of 8 dwellings (6 of which have been built, apparently in contravention of the planning permission due to the absence of the required affordable housing). The lack of connectivity at the eastern end is due to the same landowner extending the most recent phase of its caravan park beyond the boundary of the planning permission, as previously described.

Had the hedgerows been left intact by containing the respective developments within their planning boundaries, connectivity to "*the well-vegetated corridor alongside the River Severn*" would still exist on both sides of the field. These breaks could and should be replanted, irrespective of the outcome of this planning application.

As there was an obvious intention by the applicant to proceed from the pre-application stage to a formal planning application, it is surprising that no further site visits were undertaken as part of the

update, given the scheme has changed and that the spring, summer and autumn were available to carry out further surveys. Section 2.4 reiterates that "*March is not an ideal time for Phase 1 Surveys*", yet it was not considered prudent to utilise April to November to obtain more representative information regarding flora and fauna that may be affected by the development.

At section 4.2.2 the document confirms *"The existing hedgerows along the eastern and western site boundaries are to be maintained as part of the development site boundary but approximately 180m of roadside hedgerow will need to be removed to create the access and pedestrian walkway… The roadside hedgerow will be replanted further back from the road. A new hedgerow will also be planted along the northern site boundary, which will connect to the eastern boundary hedgerow and a section of hedgerow that leads down to the well-vegetated corridor alongside the River Severn."*

A review of the Proposal Site Plan does not show any hedgerow connecting to the west along the northern site boundary. As that to the east does not connect to the well-vegetated corridor alongside the River Severn, for the reason described above, this appears to be an error in the assessment undertaken and reported.

Despite confirming the removal of 180m of roadside hedgerow elsewhere in the document, section 4.3.2 states: *"The existing hedgerows will be retained and unaffected by the proposals and this will ensure suitable bat foraging and commuting habitats around the site are maintained."* As the retention of the hedgerows would maintain suitable conditions for bats, the loss of the hedgerow along the road frontage must logically have a detrimental effect on them.

Section 4.3.3 acknowledges: "The boundary hedgerows are suitable habitats for nesting birds". Whilst it also states: "*Habitat creation, enhancement and management, such as the planting of new trees will have a positive impact on nesting birds at the site, providing further cover and food for a variety of farmland and garden species*", no balanced assessment, taking into account the loss of 180m of established suitable roadside hedgerow habitat, has been undertaken in order to qualify the positive impact claimed.

Section 4.3.4 states: "*The boundary hedgerows do provide more suitable cover for foraging, hibernating and/or dispersing reptiles but will not be directly impacted by the proposals*."

This misrepresents the proposed development and its impact, as it fails to consider the loss of the roadside hedgerow on the southern boundary of the site.

The Green Infrastructure Assessment is also similar to that submitted at the pre-application stage. It does not make any changes to the description of the eastern boundary hedge to seek to reduce its importance and value, as was done in the Preliminary Ecological Assessment.

Section 3.1 updates the proposed scheme and access arrangements, confirming *"…replacement hedgerow planting is required to offset the loss of the roadside hedgerow."*

As with the Preliminary Ecological Report, Paragraph 3.2.3 advises: *"The roadside hedgerow will need to be removed for access visibility purposes but will be replanted further back from the road. A new hedgerow will also be planted along the northern site boundary, which will connect to the eastern boundary hedgerow and a section of hedgerow that leads down to the well-vegetated corridor alongside the River Severn."* As previously stated, a review of the Proposal Site Plan does not show any connection between the northern boundary hedge and the western field boundary. Given it is claimed there is no connectivity beyond the eastern hedgerow, this also appears to be an error in the assessment presented by the applicant.

As is apparent from the foregoing, the applicant has not presented a true and independent assessment of the scheme's impact. As a result, the application should be refused due to inadequate

information being provided.

Changes to the Public Rights of Way

This development proposes to change the route of a public right of way (PROW), one that is used regularly by members of our community. The Welsh Government Guidance for Local Authorities on Public Rights of Way October 2016 is the key document outlining how and to what degree changes can be made.

We draw notice to paragraph 6.27;

Before confirming an Order, the authority, or the Welsh Ministers if the Order is opposed, must be satisfied that:
*• That the diverted path will not be substantially less convenient to the public (which can include, for example, comparing the **lengths** of the current and proposed paths and the difficulty of walking them).*
• That it is expedient to confirm the order having regard to the effect which: The diversion would have on the public enjoyment of the path or way as a whole.

The proposed change would result in changing a straight and direct path which links up with the riverside path into a convoluted 'S' shaped path that is significantly longer proportionately.

It also seems to be the case that the Pre-application process has not been correctly followed. We draw notice to paragraph 7.7;

Where pre-application discussions are undertaken, the rights of way officer should be included in all meetings. Any consultation at this stage should include the prescribed organisations as a matter of course.

Annex 1 Prescribed Organisations
Ramblers' Association All orders made in England and Wales
Ramblers' Association, 2nd Floor Camelford House, 87-90 Albert Embankment, London, SE1 7TW

It appears the Ramblers Association have not been consulted as they should have been.

Additionally the proposed re-routing of the PROW does not wholly meet the obligations of paragraph 7.9;

When an existing right of way needs to be revised to accommodate the planned development, any alternative alignment should avoid the use of estate roads, drives, gardens or other private areas wherever possible and preference should be given to the use of made-up estate paths through landscaped or open space areas away from vehicular traffic. The potential of alternative routes to encourage sustainable transport and active travel should also be considered.

Although not strictly relevant to the application itself, the landowner might want to take note of their obligations which have been sorely lacking. Their key obligations are outlined below.

Keep public rights of way clear of obstructions

As the owner or occupier of land with a public right of way across it, you must:

- *avoid putting obstructions on or across the route, such as permanent or temporary fences, walls, hedgerows, padlocked gates or barbed wire*

- *make sure vegetation does not encroach onto the route from the sides or above, bearing in mind the different clearances needed for users of different types of route, for example by horse riders*

The current PROW is not easily accessible due to a padlocked gate, which when surmounted, you are then immediately faced with a sheep fence. The landowner does arrange for the hedge to be cut but NOT where it encroaches from the side. Indeed, members of the community have had to clear access by cutting and strimming for the past few years.

DRAINAGE

We understand that this scheme currently does not meet SAB requirements (based on consultee comments to that effect by Johanne Williams from Land Drainage).

We have severe doubts that the drainage proposals will work effectively and will certainly not be sustainable. The current proposal is to channel surface water drainage from the 30 houses and associated driveways and access roads into an "existing watercourse". This watercourse, whilst shown on OS Maps is in reality merely a ditch. Dry in summer and a trickle of water in winter. Whilst this ditch is reasonably well defined on the applicant's land, it disappears entirely once it enters neighbouring land to the north.

The final section before any water would enter the River Severn is flat and crosses an existing public right of way. This means that in reality the drainage proposal is likely to create a quagmire across the public footpath. Please see attached photo of the watercourse just before it meets the footpath. Additional surface water drainage from a 1.71 hectare development being channelled here does not seem sensible or sustainable to the Community.



This aspect requires and an on-site assessment rather than a desk survey.

Bausley with Criggion Community Council / Cyngor Cymuned Basle hefo Chrugion

PROPOSED SITE ACCESS

The pre-application scheme proposed access to the site via the existing, approved access serving the neighbouring development and highlighted the benefits that provided in terms of retaining the mature roadside hedgerow to the benefit of local ecology, landscaping and character impacts. Paragraph 3.7 of the pre-application Planning Application Supporting Statement advised: *"The existing access accords with current highway standards and can therefore accommodate the development with ease."*

Paragraph 3.7 of the equivalent report submitted with the planning application states: *"In order to address concerns expressed by the local community during the statutory pre-planning application consultation exercise, a new access onto the B4393 is proposed to serve the development. The proposed access accords with current highway standards and can therefore accommodate the development with ease. A proposed footway across the site frontage will link to the existing footway further along the B4393 and will provide pedestrian linkages to local facilities in Crew Green and Coedway."*

Given that junctions and accesses represent the points of greatest potential for conflict on the highway, due to the speed differentials associated with turning and through traffic, the provision of an additional, unnecessary junction correspondingly results in an unnecessary adverse impact on highway safety in addition the other unnecessary adverse impacts on local ecology, landscape and character previously identified.

This principle is highlighted in paragraph 2.1.3 of CD 123 "*Geometric design of at-grade priority and signal controlled junctions",* which states:

"The number of priority junctions providing access to the all-purpose trunk roads should be minimised.

NOTE Minimising the number of junctions on a road can be achieved by connecting side roads and accesses to a collector road running parallel to the main road.

Based on the current application scheme, contrary to paragraph 3.7 of the Planning Application Supporting Statement, the proposed new access does not accord with current highway standards, resulting in an adverse impact on highway safety.

The submitted Access Visibility Assessment drawing shows visibility splays extending 160m in each direction from a 2.4m setback along the proposed access centreline. The visibility splays are annotated "*2.4m x 160m VISIBILITY SPLAY TO CD 123*". The plan also helpfully provides long-sections of the visibility splays in each direction, which confirm a driver's eye height at the access position of 1.05m looking to an object height of 0.6m at the far end of the splay from the access.

At NOTE 1 of paragraph 3.4, CD 123 states: "*Visibility is measured from the eye heights and to the object heights given in CD 109 [Ref 5.N]."*

The visibility splay requirements in CD 109 "Highway link design" are contained in Section 3 "Sight Distance". Paragraph 3.1 confirms "*Stopping sight distance as identified in Table 2.10 shall be measured between driver's eye heights of 1.05 metres and 2.00 metres to object heights of between 0.26 metres and 2.00 metres measured from the road surface, as shown in Figure 3.1."*

Whilst the submitted plan has considered the driver's eye height of 1.05m for car drivers, it has not looked towards the required object height of 0.26m specified in CD 109 (and therefore by definition CD 123). Based on the submitted long-section, it appears that the verge alignment will prevent the view to 0.26m from being achieved from the site access when looking east (left) from the access.

Notwithstanding this, the purpose of the visibility splay is to provide inter-visibility between drivers travelling along the priority route (B4393 in this case) and those using the access. The visibility splay therefore needs to be checked in both directions.

Based on the long-section for the eastern visibility splay, it appears that the profile of the intervening land between the far end of the splay and the access would prevent both the 0.26m and even the elevated 0.6m object height at the access being achieved for oncoming drivers travelling west along the B4393. As a result, the visibility standards acknowledged by the applicant to be provided for safety (i.e. CD 123) are not achieved by the proposed scheme.

The proposed access would also have an adverse impact on the safety of the existing neighbouring residential and agricultural accesses, as any vehicle waiting to join the B4393 from the proposed development would obstruct the visibility to their right / west for drivers leaving the existing driveways of the two adjacent properties and the field gateway beyond them to the east of the proposed access. Similarly, a vehicle in the proposed new access would also obstruct the forward visibility of oncoming drivers travelling eastbound towards those emerging from the existing accesses.

As the eastbound oncoming traffic is in the near lane, approaching from the right of the existing accesses, the potential for conflict is increased.

This concern is raised at paragraph 2.4 of CD 123: *"New priority junctions shall not be sited where they encroach on the visibility requirements of adjacent priority junctions…*"

Manual for Streets also considers Obstacles to visibility and advises:

"7.8.5 Parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice. Ideally, defined parking bays should be provided outside the visibility splay. However, in some circumstances, where speeds are low, some encroachment may be acceptable.

7.8.6 The impact of other obstacles, such as street trees and street lighting columns, should be assessed in terms of their impact on the overall envelope of visibility. In general, occasional obstacles to visibility that are not large enough to fully obscure a whole vehicle or a pedestrian, including a child or wheelchair user, will not have a significant impact on road safety."

The same text appears in Manual for Streets 2.

As the proposed access sits near the crest of the hill, the potential for a vehicle emerging from it entirely obstructing the view towards or from an oncoming eastbound vehicle is significant, as the emerging vehicle effectively creates an artificially high crest within the respective visibility splays.

The crest in the highway also provides a potential constraint to visibility towards pedestrians crossing the road. With the footway along the roadside of a realigned hedgerow, pedestrians could cross to that opposite at any point along the frontage to that on the opposite side of the road. It appears from the submitted long-section that a pedestrian crossing to the west of the access on the downward slope could be beyond the clear view of a westbound driver approaching on the B4393 due to the crest in the existing carriageway.

Under the pre-application scheme, the footway was located on the inside of the existing roadside hedge, which was to be retained. As a result, pedestrians would walk along the footway inside the site and cross at the existing access where visibility is understood to be acceptable.

Bausley with Criggion Community Council / Cyngor Cymuned Basle hefo Chrugion

A further consideration regarding the eastern visibility is land ownership. It is noted that the eastern visibility splay from the proposed site access has not been drawn to the kerb tangent point, as required by paragraph 3.9 of CD 123. Doing so would move the line of sight north, further into the grass area beyond the road surface. The grass area does not form part of the adopted public highway. Householders land at this location extends to the edge of the kerb. As a result, the applicant does not have control over the land required to provide and maintain the required visibility splays.

Having considered the foregoing, it is apparent that the proposed access arrangement results in an unnecessary new access, which does not comply with the relevant standards to maintain highway safety. As a result, the proposed development should be refused on the grounds of an unacceptable highways impact, contrary to Policy T1 of the LDP which requires:

"**1. Safe and efficient flow of traffic for all transport users, including more vulnerable users, and especially those making 'Active Travel' journeys by walking or cycling;**

2. Manage any impacts to the network and the local environment to acceptable levels and mitigate any adverse impacts;"

SUMMARY

Having reviewed the application documents, it is apparent that there are a number of fundamental flaws in the assessments undertaken which demonstrate the lack of consideration given to this proposal.

In recent years, our Community has broadly supported the developments of 5 + 2 + 12 = 19 Affordable homes to assist people in the locality to have their own home, and take into account the financial pressures on younger families, clearly displaying that the overwhelming rejection of this development cannot be viewed as 'Nimbyism'.

- This proposed development is in the totally wrong location,
- It does not meet a local need,
- It fractures the Community by encouraging Urban Sprawl and Ribbon Strip development,
- The reclassification as a Tier 4 Rural settlement merely strengthens that Our village is not able to absorb a large development without harm to our community,
- We have no amenities other than one small school,
- There is no meaningful employment opportunity within at least a 5 mile radius,
- Any travel HAS to be done by private transport, as the bus service and ability to cycle / walk is virtually non existent.

The Community feel that this application is pure financial speculation and part of a strategic plan by Salop Leisure / SJ Roberts to force an entry corridor into adjacent land for further widespread development to consume Crew Green.

Yours sincerely

Steve Eccleshall
Clerk to Bausley with Criggion Community Council