

WYRE FOREST DISTRICT COUNCIL

PLANNING COMMITTEE

17TH SEPTEMBER 2019

ADDENDA AND CORRECTIONS

REFERENCE NO.	PAGE	ADDENDA AND CORRECTIONS
PART A		
19/0242/FULL	25	<p><u>Highway Authority</u> - Recommends that this application is Refused. The justification for this decision is:</p> <p>It should be noted that the Highway Authority recommended an initial refusal of the application on the single issue of the lack of accessibility of the site by sustainable modes which cannot be adequately mitigated for and this position remains unchanged.</p> <p>The applicant has sought to address the sustainability issue firstly by providing details from a local recruitment agency of 272 'live' Operative candidates within 1 mile of DY11 and 156 'live' Administrators within 1 mile of DY11 to show that there are potential employees available within walking and cycling distance of the site. However DY11 covers a comparatively large post code area and this is a snapshot of the numbers available at a specific time. This cannot be considered as hard evidence as there nothing to prove the link between the potential employees available and those who are successful in achieving employment and those retained in employment on a long term basis. Moreover even if it were possible to recruit staff from the local area their chosen mode of transport cannot be guaranteed and as described above, the lack of infrastructure and poor road conditions are likely to be a deterrent to walking and cycling and future employees are likely to be reliant on private car use.</p> <p>Secondly, in the document 'Applicant's Response to Statutory Consultee and Third Party Representations' the applicant has proposed that <i>in order to encourage car sharing and non-car travel to work</i> the on-site parking provision will be reduced from 45 spaces to 20 general spaces plus 2 limited mobility and 2 visitor spaces.</p>

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		<p>However there is a lack of clarity as the submitted Application Form refers to 40 spaces reduced by 16 to 24 and details via email indicate 16 spaces retained plus 2 visitor spaces; 2 accessible spaces and 2 electric vehicle spaces making a total of 22. Nonetheless this results in an under provision of parking and whilst the applicant suggests that in line with policy <i>the applicant is best placed to understand their parking needs based on their business operation</i> they have not provided an acceptable justification for a reduction in parking which isn't in line with policy. Moreover, there is no link between the reduction in parking and the uptake of sustainable modes of travel which need to be incentivised and the lack of adequate parking is likely to result in displacement parking on the highway network in a location that is already constrained which is unacceptable. Therefore this constitutes a further reason for refusal.</p> <p>With regard to the HGV movements, the applicant states that <i>it is very significant that the Highway Authority is not raising an objection in relation to HGV traffic</i> however the Highway Authority is alert to the safety concerns in this location and the advice from Highway Safety colleagues is that some of the routes are not suitable for HGV movements due to the gradient, road widths and lack of appropriate signage and lineage. The junction from Sladd Lane onto Kingsford Lane has been highlighted. Whilst the proposed HGV movements are considered to be small scale based on the figures presented, there are known issues on the highway network in this area which cannot be easily remedied.</p> <p>The applicant has offered to control vehicle movements via a routing agreement however such agreements are not easily enforced and consequently are unlikely to be effective. Similarly as previously stated the applicant makes reference to running a minibus service to pick up and drop off staff from further afield however this is also unlikely to be effective logistically as a long term means of transport for staff and cannot be regarded as a proven method of addressing the sustainability issues associated with the site and questions remain about how this will function on a day to day basis.</p>

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		<p>As previously outlined, there is a very limited bus service (No. 580) 3 days a week which cannot function as a daily commute for staff members therefore the only potential sustainable travel option is car sharing and a high uptake of this option would need to occur in order to mitigate for the reduction in parking.</p> <p>The lack of adequate parking provision is contrary to local policy in the adopted Streetscape Design Guide and the resulting displacement parking represents a highway safety hazard which is contrary to Paragraph 109 NPPF.</p> <p>The lack of infrastructure to support access by sustainable modes mean that safe and suitable access to the site cannot be achieved for all users contrary to Paragraph 108 NPPF. Moreover the lack of sustainability of the site location means that priority has not been given first to pedestrian and cycle movements which is contrary to Paragraph 110 NPPF.</p> <p>The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties, the Highway Authority concludes that contrary to Paragraph 109 NPPF, there would be a severe impact and therefore recommends that this application is refused.</p> <p><u>Agent's response</u> to the Highway Authority comments – <i>Please see comments attached on Pages 6-9</i></p> <p><u>Corrections</u> – Proposal to read: Change of use of approximately 285,000 sq feet ... (and not 225,000 sq feet)</p> <p>Paragraph 1.3 to read: The proposed development seeks to reuse part of the tunnels (approximately 266,000 sq ft ... (and not 225,000 sq feet)</p>

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		<p>Paragraph 1.10 to read: The application has also been revised to provide a public museum within part of the tunnels, approximately 19,000sq ft, ...(and not 30,000sq ft)</p> <p>Paragraph 4.10 to read: The proposed development is for a relatively large scale warehouse, which would require the use of approximately 266,000 sq feet ... (and not 225,000 sq feet)</p> <p>Paragraph 5.3, b), 3. to read: Restrict hours of operation of warehouse to between Mondays to Fridays (7:30 – 1800) and Saturdays (07:00 – 14:00), with no operations on Sundays ('no' was omitted in the condition)</p> <p><u>Add two additional conditions –</u> 18. Approval of Travel Plan 19. Approval of the Car Parking Management Plan</p>
19/0268/FULL	47	<p><u>Add additional condition –</u> 11. Side facing windows to be obscure glazed</p>
<p>PART B</p> <p>19/0451/FULL</p>	66	<p><u>Add additional condition -</u> 17. An amended site layout plan is required to show revised access road to serve the 9no. holiday lodges</p>
19/0458/FULL	76	<p><u>Neighbour</u> : one additional comment has been received from a nearby occupier stating the following -</p> <ul style="list-style-type: none"> • There is an existing parking issue in Church Walk which is a much wider problem and needs further investigation and consideration by the Council before adding to the parking problems. • This is not a large garden that is capable of having an infill development, as it relates to a small area to the side of a three bedroom terraced property that is used for essential parking and has a very small garden. This is not in the spirit of infill building but for personal gain only. • Lack of garden space for the existing and proposed dwellinghouse. • The two-storey rear extension would impact other residents. • Members of the Planning Committee are invited to visit the site before making a decision on this application to consider the parking issue and impact of the build on neighbouring residents.

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		<ul style="list-style-type: none"> • The officer's report does not acknowledge the impact of incorrect car insurance, the implication that has on low income families if they have to increase their car insurance. • Impact on highway safety as the access into Church Walk at the road junction is narrow and difficult, and increasing the numbers of properties in Church Walk would increase traffic flow and increase the need for illegal manoeuvres at the road junction. • The reinstatement of the footpath would make it difficult to park in front of the residential property directly opposite the site. • Construction noise and nuisance. • Impact on mental wellbeing. <p><i>(Officer Comments - The impact of the proposed development on parking demand, highway safety and on the amenity of neighbouring residents has been fully taken into account and considered to be acceptable. The comments on car insurance is not a planning matter and cannot be taken into account as a material consideration. Planning conditions have been recommended to require a construction management plan to be submitted to ensure no harm on the amenities of neighbouring residents during the construction phase).</i></p>

19/0242/FULL

Agent's response to the Highway Authority's comments

The latest representations seek to argue that planning permission should be refused on the grounds inter alia that the local routes are not suitable for HGV movements *due to the gradient, road widths and lack of appropriate signage and lineage*. This conflicts with the original representation from the County Highway Authority dated 24th May 2019, which objected to the proposal only on the grounds of the alleged unsustainable location of the site.

Nothing has changed in relation to the development proposal so far as HGV traffic is concerned. There is clearly no basis at all for the County Highway Authority to alter its position in relation to the adequacy of the local road network. That altered position is, as is demonstrated below, factually incorrect and not based on any proper analysis.

The County Highway Authority's response takes no account at all of the benefits of removing from the local network the existing large forestry vehicles which are associated with current activities on the site and which will cease if the wine storage use is approved.

The Authority's representations completely ignore paragraph 103 of the NPPF (2019) which advises that *The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making [my emphasis]*. This advice is particularly relevant to a development proposal which seeks to bring a commercial site in the rural area back into commercial use in order to provide 40 full-time, permanent and much-needed jobs.

I can respond to the points now made by the County Highway Authority as follows :

- (i) *Some of the routes are not suitable for HGV movements due to the gradient, road widths and lack of appropriate signage and lineage.*

There are no warning or advisory signs on Sladd Lane warning of steep gradients or that the route being unsuitable for use by HGVs, and no width or weight restrictions. The local network is currently used by large agricultural and forestry vehicles plus WFDC refuse collection and delivery vehicles without any safety or other issues arising. There is no record of any injury accidents along Sladd Lane for the past 5 years and in fact only 1 slight injury accident since 1991.

Sladd Lane and Kingsford Lane form part of the 580 Kidderminster-Kinver bus route which is used by 2 services each way on 3 weekdays per week. Until recently, that route was operated by full size 12m long single deck vehicles. The service has changed to minibuses for operational reasons and not because of any perceived difficulties in relation to the local highway network.

- (ii) *The junction from Sladd Lane onto Kingsford Lane has been highlighted.*

It is not at all clear what this sentence means. The County Highway Authority has completely failed to take into account the fact that commercial HGVs, equestrian vehicles and agricultural traffic are using this junction with no reported incidents in the last 5 years.

- (iii) *There is nothing to prove the link between the potential employees available and those who are successful in achieving employment.*

It is correct to say that LCB cannot guarantee that the 40 full-time permanent jobs which will be available at this site will **all** be taken by local people who are able to walk or cycle to the site. However, that is a criticism that could be made of any development proposal, even one in a highly sustainable location. The most that a developer of a town centre employment site could ever say is that such a location provides the opportunity for employees to walk, cycle or use public transport if they choose to. Even a town centre employment site could not guarantee that its employees would not drive to work from elsewhere in the town or from other towns.

The applicants stand by their assertion that this operation will provide a clear opportunity for local people to walk or cycle to work. The data that has been supplied to you in relation to potential employees within 1 mile of the site who are looking for local work comes from the largest and most respected recruitment agency in Kidderminster.

- (iv) *Lack of infrastructure and poor road conditions are likely to be a deterrent to walking and cycling.*

Any employee who lives in Blakeshall/Solcum could walk or cycle to the site and access the site via a bridleway and footpath and therefore never have to use Sladd Lane. A resident of Wolverley village could access the site via Drakelow Lane or Solcum Lane. Access from the Park Homes on Kingsford Lane is available along the grass verge/footpath to the Tunnels and from the Park Homes on Sladd Lane via the grass verge and footpath to the Tunnels.

- (v) *This results in an under provision of parking which is likely to result in displacement parking on the highway network.*

The County Highway Authority's policy appears to be that on-site car parking should be provided for every employee. Such a policy is the complete opposite of a sustainable strategy - complying with its requirements would do nothing at all to reduce car use.

The reduction in the on-site parking provision from 40 spaces to 16 general employee, 2 limited mobility employee and 2 visitor spaces (plus 2 electric vehicle charging points) was in fact suggested by you and your colleagues in order to reduce the extent of car travel to the site. I have previously made the point that this very significant reduction in on-site parking will directly encourage employees to share car journeys and use non-car means of travel to the site.

This process will be greatly assisted by the implementation and continual monitoring of the Travel Plan, which will promote car sharing by staff and identify if there is demand for a minibus shuttle from Kidderminster.

Employees will not be permitted to park anywhere except in the designated on-site spaces. Parking outside the site on local roads, verges etc will not be allowed. I have already confirmed that LCB are quite content to accept a planning condition requiring the implementation of a detailed parking management plan which has been agreed with the District Council.

- (vi) *A minibus service ... is unlikely to be effective logistically as a long term means of transport for staff.*

LCB have made it clear that they will operate a minibus service from the centre of Kidderminster if there is sufficient demand from employees. There is no reason at all why such a service should not be effective in transporting any employees who live in or close to the centre of the town.

Although the County Highway Authority's letter does not refer to traffic from the Museum, I should point out that the Museum will only operate at weekends when (apart from very occasional Saturday morning work) the LCB storage site will not be operational. The weekend Museum traffic will displace the existing traffic in relation to ghost hunting, paranormal and air soft gaming activities which currently generate about 100 cars per day at weekends.

I also need to repeat the point that the County Highway Authority has taken no account of the removal from the local highway network of traffic associated with the current woodland operations which includes HGVs and tractors with trailers.

The position in summary is therefore that :

- (i) The objection that is now submitted by the County Highway Authority is completely contradicted by its previous representation which raised no issues at all in relation to the adequacy of the local road network. The position now adopted by the County Highway Authority is factually incorrect and is not based on any proper analysis.
- (ii) There are no warning or advisory signs on Sladd Lane to warn of steep gradients or that the route is unsuitable for use by HGVs and no width or weight restrictions. The local network is already used by HGVs, buses and agricultural and forestry vehicles without any safety or other issues arising. There is no record of any injury accidents along Sladd Lane for the past 5 years.
- (iii) The LCB operation will provide 40 full-time permanent jobs which will all be available to local people who would be able walk or cycle to the site. Safe walking and cycling routes to the site from the surrounding areas exist.

- (iv) The reduction in the on-site parking provision will significantly reduce car travel to the site by encouraging employees to share car journeys and use non-car means of travel. This process will be greatly assisted by the implementation of the Travel Plan whose operation will be continually monitored. The instrumentation of the detailed parking management plan will prevent parking taking place outside the site.
- (v) LCB's offer to operate a minibus service from the centre of Kidderminster if there is sufficient demand from employees remains a firm commitment.
- (vi) The Museum will only operate at weekends and will displace significant existing visitor traffic.
- (vii) The impact of the proposed storage operation in traffic terms is satisfactorily controlled by limiting HGVs to 3 per day (12 per week) on Monday to Friday and outside the AM and PM peak and limiting delivery vans to 10 deliveries per day.