

An EGM of Great Alne Parish Council was held on Friday 30 April 2021 via Zoom at 7.30pm.

PRESENT	<p>Councillors Mr L Bowring, Mr P Clark, Mr I Millard, County Cllr Mr C Rickhards and District Cllr Mrs G Forman</p> <p>Members of the public: 15 (admitted to the meeting at 7.40pm)</p>				
APOLOGIES FOR ABSENCE	<p>None. However, Cllr Mainwaring passed on her apologies after the meeting for non-attendance.</p>				
PLANNING APPLICATION:	<p>The Parish Council considered and agreed to submit a representation on the following planning application (the Application to Vary):</p> <table border="1" data-bbox="443 667 1524 761"> <tr> <td data-bbox="443 667 683 761">21/00900/VARY</td> <td data-bbox="683 667 847 761">18/3/2021</td> <td data-bbox="847 667 1110 761">Pending Consideration</td> <td data-bbox="1110 667 1524 761">Maudslay Park Village Road Great Alne B49 6HS</td> </tr> </table> <p>The Chairman, Cllr Bowring welcomed everyone to the meeting and explained that this was an Extraordinary General Meeting which was unusual for Great Alne Parish Council (GAPC) – but due to the date for submission of representations to Stratford District Council (SDC) in relation to the above application (ie 14 May 2021), GAPC was required to meet now as the next General Meeting is not until 19 May, which would be too late for submissions.</p> <p>The Chairman proceeded to run through GAPC’s standard procedure for meetings, including online meetings.</p> <p>The Chairman explained that in order to come to a decision on the Application to Vary, the Parish Councillors requested views from Members of the Public – their help was required to determine how to treat the Application and guide them in coming to a decision. The Chairman then read the relevant wording:</p> <p>The wording of the extant Condition 20 states <i>‘Prior to the occupation of the 30th dwelling the access for vehicles from Park Lane shall be reconstructed in accordance with the details shown on plan number 123/GA/005 Rev D.’</i></p> <p>The Applicant wishes to vary the wording of Condition 20 to <i>‘Prior to occupation of 85th Extra Care unit or within six months of commencement of the permitted Phase 3 groundworks, whichever is earliest, the access for vehicles from Park Lane shall be reconstructed in accordance with the details shown on plan number 123/GA/005 Rev D.’</i></p> <p>The Chairman invited Mr David Reindorp, representing a number of residents from Park Lane and Gunn Court, to read out his statement on the Application to Vary. Mr Reindorp stated that all 14 residents he was representing would be submitting individual objections to SDC and WCC. Furthermore, all of the residents represented encouraged GAPC to also object.</p> <p>(Please note that the use of the words ‘we’ and ‘our’ in paragraphs 3, 8 and 9 below relate to the views of the residents’ group, not the Parish Council).</p> <p>There are 10 grounds on which the Park Lane and Gunn Court residents were objecting to the Application to Vary:</p>	21/00900/VARY	18/3/2021	Pending Consideration	Maudslay Park Village Road Great Alne B49 6HS
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1. **Context.** Condition 20 was based on an assessment that Park Lane is unsuitable for the additional traffic associated with the occupation of 30 or more units at GAP. There has been no physical change to Park Lane subsequently. It must, therefore, remain unsuitable.
2. **Incorrect Interpretation of Planning Law.** IV state that Condition 20 has been superseded by Condition 11. As confirmed by RITP and a specialist planning solicitor (who previously worked for SDC) this is incorrect. IV's application to amend Condition 20 supports this position, otherwise why seek to amend it?
3. **Use of Inaccurate Traffic Figures.** The increase-in-traffic figures IV offer to support their application are inaccurate in that:
 - They use traffic data gathered in 2019 i.e. from before the considerable expansion in delivery traffic caused by Covid;
 - They are based on 2 sites elsewhere in the country that do not offer valid comparators. This alone makes the figures inaccurate and suggests that IV is seeking to obscure the actual figures;
 - They offer a low additional number per minute instead of the aggregated figure per hour, which our calculations suggest may be up to 120;
 - They fail to consider the additional traffic - both customer and delivery - associated with the location of a farm shop immediately adjacent to the West entrance. This is of particular concern given this shop is no longer just a small, village-focused service, but is now being actively marketed as a regional 'destination' that people will travel to from well outside of the area;
 - They fail to consider the traffic associated with a large, 2500 patient surgery located immediately adjacent to the West entrance. This surgery is far larger than required to service both GAP and Great Alne, and will thus need to seek customers from a much wider area;
 - And they fail to consider IV's stated intention to increase revenue from GAP by holding large-scale events such as concerts to be marketed on a county-wide basis, a take-away food service from the restaurant, and establishing the restaurant as a destination for non-resident customers.
4. **Misleading Assessment of Impact.** IV's application suggests only those households immediately adjacent to the West entrance will be affected by an increase in traffic. This is incorrect; all residents and users of Park Lane and Gunn Court, and the wider village will be affected.
5. **Safety.** There are clear safety risks associated with an increase of traffic using the West entrance. Numerous near-misses have occurred over the past 6 months between vehicles using this entrance and other vehicles, pedestrians and horse-riders. Many vehicles leaving GAP do so at excessive speed and do not recognise that they have to give way to vehicles actually on Park Lane. This is exacerbated by poor visibility to the left and right at this junction. As they then accelerate towards the Henley Road junction, they are unable to see vehicles leaving Gunn Court until immediately adjacent to them. Further, the turning from Henley Road into Park Lane is on a semi-blind bend, at a spot where many vehicles begin to accelerate out of the village. Given the likely increase in traffic, this proposal can only raise the risk of a serious accident.
6. **Noise and Disturbance.** There is already a significantly increased level of noise and disturbance associated with current usage of the West entrance. This can only increase further with additional usage.

7. **Character.** Park Lane is a narrow country lane in a conservation area. The character of Park Lane will be further spoilt by this proposal, both by the significant increase in traffic and the signs IV seeks to place in order to control it.

8. **Bad Faith.** IV has a long history of promising its neighbours one thing and then doing another. It has failed to set up meetings offered to discuss its operations. And it has demonstrated that it will simply ignore any planning condition it does not agree with. So we suspect that while seeking to amend Condition 20, IV has no intention of actually abiding by any new condition regarding the closure of the West entrance. Particularly as SDC has now established a precedent by choosing not to enforce such conditions upon IV.

9. **Unworkable Mitigation.** As a risk mitigation measure, IV propose to require all directly-contracted deliveries to use the East entrance. They also propose to encourage all other deliveries (i.e. to the shop, surgery and residents) to use the East entrance. Experience suggests they will choose not to enforce the former and cannot actually achieve the latter. Signs will simply be ignored and deliveries allowed by the most expedient entrance. The occupants of the houses either side of the West entrance will be subjected to further inconvenience caused by the noise and pollution of drivers (loudly) negotiating to be let in via the West entrance intercom, and subjected to further damage to property and risk to life as these now frustrated and behind-schedule drivers turn their vans etc around. As an aside, one has to ask at this point why IV believe that it is safe for delivery drivers to use the East entrance but unsafe for their residents to do so. Particularly as the age profile of GAP residents is broadly similar to many of us who live in Park Lane and Gunn Court with our children.

10. **Unreasonable.**

- By pursuing this amendment, IV is seeking to diminish the risk and nuisance that will otherwise be experienced by their customers, by increasing risk and nuisance to the residents of Park Lane and Gunn Court. They have had four years to plan for the point at which the West entrance should be closed and failed to do so. Allowing IV to mitigate this failure by increasing harm to their neighbours is an unreasonable position for any local government body to support.
- This amendment fails to specify a point in time at which IV will close the West entrance. Occupation of the 85th unit may not occur for several years and Phase 3 development may not begin for several more years. So the West entrance could remain open almost indefinitely. This is an unreasonable position and cannot be supported.

CIlr Rickhards commented that there appears to have been a lot of procrastination and ongoing moving of the goal posts. He asked how the s278 Agreement impacts this Application to Vary Condition 20? He considers that the s278 Agreement does not prevent the West entrance being closed – he considered that both Inspired Villages (IV) and WCC are to blame for the delay. WCC Highways maintain that IV are ‘holding all the cards’ on the s278 agreement.

A resident from GAP asked how many residents live in Park Lane - and were residents on Henley Road consulted? Mr Reindorp replied there were approx. 30 residents – many feel the same way about the situation but were reluctant to get involved. Letters were put in houses along Henley Road but no-one replied.

The resident asked why IV want to keep the gate open, to which Mr Reindorp replied that he did not know; but they had been tardy in making a decision. They should be concerned that if they don't shut the gate, there will be peaceful protests – and these will ultimately hit their pockets in lost sales.

The Chairman noted that it was not unusual for directors to vary planning conditions where there is a contention. IV accept that there is non-compliance with Condition 20. The Directors will therefore try to vary the Condition so that they are compliant, but this has an impact for others involved.

Another resident from GAP asked where the figure of 120 vehicles per hour (equating to approx 1,000 per day) came from? Mr Reindorp replied that these figures were based on the data provided in the Transport Note accompanying the Application to Vary, along with an unofficial survey carried out by a Park Lane resident. Mr Reindorp also noted that although the farm shop is very small, they are attempting to encourage a large footfall and are marketing it widely. The resident suggested that although the amphitheatre will host events that require parking, an average of even one event a month over the summer could not be considered a 'regular basis'. The resident said there were very few cars on site currently. He also commented that IV had created a number of jobs for the area, invested a great deal of money and established a number of facilities. There was a disagreement as to the extent to which residents in the wider village can access the facilities – but Mr Reindorp felt that notwithstanding, the additional traffic was not justified and the situation in Park Lane was in no way altered. IV needed to build and open up the East entrance, which would solve everything. The resident concluded by referring to the GAP residents as being 'new neighbours': he hoped that as things progressed, we would all be able to live peacefully together and any aggression or conflict could be put aside.

Cllr Rickhards commented that where there are disputes regarding traffic flows, WCC can do proper traffic assessments, but they would not take future traffic flows on board.

One of the Park Lane residents concurred with all the points made by Mr Reindorp and referred to the bad faith manner in which IV have gone about their approach with planning. The resident and his wife moved into Park Lane in 2015 and were assured that the gate would be closed as soon as the Condition 20 was reached. That Condition has been breached beyond all belief and a stand now needs to be made – GAPC now needs to make a stand.

There was further discussion regarding access to Park Lane from Henley Road via a blind bend and how access to GAP is much easier from the Henley Road.

Another resident of Park Lane considered that IV are ultimately going to get what they want and his strong view was that SDC need step up to the mark. The Chairman interjected and reiterated that GAPC is not a decision maker in this process - it can provide its views but that is all.

Cllr Millard asked Mr Reindorp whether it was more of a problem because of the timing issues – it has taken roughly 10 years for the development to get to this stage, ie, from the date of the agreement to having 30 units occupied. How long would it take to get the 85th unit occupied? Mr Reindorp said he had absolutely no issue with the residents of GAP, but he had an issue with IV and being ignored: there was no progress on holding a meeting with residents, and little by way of response generally. The Park Lane residents had waited patiently until the 30th unit had been occupied and then it changed – but even then, IV will not confirm how many units are occupied. This is to do with people and emotions – it is not about the technical issue. Mr Reindorp finished by stating that SDC need to enforce their own regulations because they are destroying their own credibility if they do not.

The Clerk read out a number of written submissions from residents around the village, all citing their thoughts and observations on the Application to Vary (available from the Clerk on request). The submission by Peter Bostock was not read out as it has been submitted to SDC as an objection and is available on the SDC Planning Portal website.

The Chairman moved the meeting on to consideration by the Councillors. The Chairman reiterated that for this part of the meeting, members of the public would not be able to engage or speak unless the Councillors required them to answer a question.

The Chairman went first. He considered that the assessment in the transport analysis contained weaknesses. It was necessary to evaluate what traffic flows were actually taking place, rather than using figures taken from different sites and with different characteristics. The submitted report made no reference, for example, to traffic flow to the shop, surgery, amphitheatre – and issues such as access and parking had not been analysed. The Chairman also referred to a historical Section 106 agreement which had been previously submitted to SDC. This mentioned that once 50 units had been occupied, a shuttle bus would be implemented to e.g., Alcester; however, this plan has not appeared in any current analysis and it should have been considered if it was still relevant.

The Chairman also considered that as construction was now at a standstill, the West entrance could be closed (providing there are passing places available along the East entrance).

The Chairman felt that the application was premature; GAPC has been trying to set up a dialogue between IV, GAP and the residents to find a suitable solution for everyone and to get the variation amended such that it works for all interested parties. It is frustrating that this has not been forthcoming from IV.

In conclusion, the Chairman felt that GAPC should register an objection to the Application to Vary.

Cllr Millard concurred that an objection should be lodged for all the reasons raised by the residents. He noted that while new developments everywhere are disruptive, GAP is generally perceived as a positive addition and residents generally welcomed what it had brought to the village. However, it has been going on now for 7/8/9 years: we have a lull in building work now and then we may foreseeably have another 4 or 5 years before we get to the 85 units. The Application to Vary is not a temporary solution to the problem, but is open ended, possibly for many years to come.

Cllr Clark noted that people in GAP were no doubt looking forward to accessing the shop and the surgery. He suggested that a barrier could be put along the top of the access road by the shop and surgery for vehicular traffic. Pedestrians could be used by pedestrians, but the gate is currently locked.

The Chairman commented that Cllr Clark's comment shows the frustration with how poor the communication has been from IV. He agreed that the Great Alne residents welcome the benefits brought to the village. It is frustrating that IV have not engaged in discussions. GAPC is required to promote the wellbeing of all residents in the village. It is clear that these issues need to be resolved, ideally with dialogue. By objecting to the Application to Vary, it might act as a prod to IV to engage properly.

The Chairman concluded that the Councillors were unanimous in their objection. There was plenty of material to use to support an objection.

Cllr Rickhards concluded that with regard to the East entrance, the strongest terms need to be used to urge the conclusion of technical approvals and legal agreements asap. It needs to be addressed now. Cllr Rickhards agrees with the objection on the grounds discussed this evening.

Cllr Foreman stated that she had joined the meeting this evening to hear the views from both sides, and to hear what the Parish Councillors' views were. She would consider the views and put her comments on the website.

	<p>The Chairman confirmed that the PC's response to the Application to Vary would not include assumptions regarding IV's motivations but would be based on factual evidence.</p> <p>Mr Reindorp added that he would encourage GAPC, SDC and WCC to engage with the Board of IV and remind them of their obligations under the Companies Act 2005 – especially the impact of their operations on the local environment and the community. The Chairman considered that there was a need to escalate the dialogue as there was not much progress with the current personnel at IV who the PC is communicating with.</p> <p>The Chairman concluded that this was the first EGM that had been necessary in his time as Chairman of GAPC, but it had been extremely useful. He thanked residents for their contributions.</p>
	<p>The meeting ended at 8.45pm</p>

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