

APLEY CASTLE PARK

IT'S A SPECIAL CASE

PARKLAND, WOODS & POOLS KNOWN AS APLEY CASTLE PARK

AN ARBORETUM IN THE MAKING

NO JUSTIFICATION NECESSARY FOR 348 MEMBERS OF APA

“IT'S A SPECIAL CASE”

DOCUMENT COMPILED BY APLEY PRESERVATION ASSOCIATION

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EXECUTIVE SUMMARY

In 1986, in their proposals to make Apley a Country Park the Shropshire Wildlife Trust wrote

“Two areas of land, the woodland around Apley Pool and the arboretum are designated as Prime Sites for nature conservation by the Trust”. “We feel that the whole area is important in the context of North Telford and that it is one of the few remaining areas of relatively natural open space”

The Trust went on to oppose the housing developments suggested at the time by Telford Development Corporation on the grounds that

“they will result in a fragmented greenspace subject to excessive pressure which will lead to a serious diminution of both the ecological and landscape value of the area”.

More than 20 years later they have agreed that there has been significant deterioration and would support an Ecological Survey and an Ecological Impact Assessment for the area known as Apley Castle Park. The strength of local support maybe enough to achieve this aim but certainly with a request from the LPA they would arrange for the work to be completed. Other documents contained herein indicate that the LPA are duty bound by law to complete a full bio diversity assessment but in the spirit of the Steering Committee we would prefer a consensus approach.

We seek a full bio diversity survey now before any further plans, work, discussion or submissions take place and ask that the Apley Castle Park Steering Committee recommends and approves this course of action now.

BACKGROUND

As members and participants of the Apley Castle Park Steering Committee we are in discussion with both the LPA and English Partnerships with a view to identifying the parkland, woods and pools known as Apley Castle Park as a special area of natural beauty, interest and heritage.

This is a consolidated attempt to dissuade English Partnerships from building any further dwellings in the proximity and therefore fulfil their commitment to ensure the maximum use sites and the maintenance of the natural habitat and heritage in this country.

If need be to limit any development to the absolute minimum, to ensure that the environs and atmosphere, the flora and the fauna and the entire ambience of the area is maintained for the benefit of the immediate community and then through the advanced concept of the Arboretum for the benefit of all the residents of Shropshire and the Telford environs.

In this document we have prepared a number papers that help support our proposition to identify Apley Castle Park as a special case and therefore credit it with special status, to ensure the maintenance of the environs as natural habitat for all.

KEY POINTS TO SUPPORT –“IT’S A SPECIAL CASE”

HISTORY – Apley Castle has played a vital part in the history of Shropshire and it has a fascinating and colourful tale to tell. Apley Park is the only authentic manor house park in Wellington and could – if managed sympathetically – make a powerful contribution to the regeneration of the town.

TREES – Much of the remainder of the wood needs a great deal of care and has been in decline since the advent of building on the surrounding parkland. The Tree Officer is sympathetic to the idea of creating an Arboretum and is quite willing to provide further details if asked.

ANGLING – It was estimated that for some three years the volume of water contained in the pool was reduced by some 50% and this took its toll on the fish. Half the amount of water could support only half the number of fish and sadly many thousands were lost.

BIO DIVERSITY PLANS – Shropshire is valued for its beautiful countryside and wealth of wildlife by both residents and visitors. This precious 'biodiversity' is in great need of careful protection and constant management. Even once common species such as song thrushes and cowslips have declined dramatically in numbers over recent years.

HABITAT ACTION PLANS – As a habitat Apley Castle Park falls – like Attingham Park – into the “Veteran Trees and Parkland” Habitat Action Plan definition. They have great historical and cultural value and are particularly valuable ecologically when found in association with other habitats such as unimproved grassland and wetland areas. They support a wide range of species, including invertebrates, fungi, bats and birds that depend on them for all or part of their lifecycles.

BIRDS – The attractions of this area for various recreational pursuits are obvious. But the value of the wildlife Apley contains is certainly worthy of continued protection and further study. It is to be hoped that the encroaching development will not result

in the devaluation of the area's natural assets."Unfortunately, since 1994 there appear to have been no comprehensive surveys of Apley's bird population.

BATS - The Shropshire Bat Group consider Apley Castle Park as a very important site, particularly in view of the variety of bat species to be found and the presence of the rare Noctule Bat. Apley Castle Park's bat population would also be affected by any diminution in the neighbouring grassland and hedgerows.

Apley Castle Park is a Tree and Parkland habitat which is home to many valuable species of wildlife, some of which are fighting for their long-term survival. The exact numbers and their condition are not known and an ecological audit is urgently needed to ascertain those most at risk.

HISTORICAL IMPORTANCE OF APLEY CASTLE PARK

Apley Castle has played a vital part in the history of Shropshire and it has a fascinating and colourful tale to tell. Apley Park is the only authentic manor house park in Wellington and could – if managed sympathetically – make a powerful contribution to the regeneration of the town. Apley Castle and the Charlton family are vividly recalled in Wellington’s official Coat of Arms

Medieval Origins

Apley Castle was, for almost 800 years, the home of one of Britain’s most prominent and influential families, its members holding high office over many centuries. The first mention of the Cherleton (later Charlton) family occurs around 1175 and by 1300 the name was already firmly linked with that of Apley (one of the berewicks of Wellington, mentioned in Domesday).

Apley and the Civil War

Wellington and Apley were to play an exciting role during the Civil War. It was in Wellington market square that the King made the Wellington Declaration in 1642, that he would uphold the Protestant Religion, the Laws of England and the Liberty of Parliament. (This Declaration was considered so important that the Royal Mint issued new coinage to commemorate it). The Charltons at Apley, like most of Shropshire, were strongly royalist and this and differences within the family, were to make Apley Castle the scene of two bloody and destructive incidents.

Apley and Revolution

The heir to the “slighted” Apley Castle¹, Francis Charlton, became a lawyer, spending much of his time in London. After the monarchy was restored he was invested with the Royal Oak by Charles II for his family’s support during the Civil War, but Francis became a supporter of the Duke of Monmouth and became embroiled in the Rye House Plot, a conspiracy to assassinate Charles II and James, Duke of York. (He is also reported to have offered to fund a revolt in Scotland by raising £10,000 on mortgage, presumably on his estates at Apley!) When this plot was uncovered, Francis Charlton – who became known as “one legged Charlton” having lost a leg at the age of 21 – was imprisoned in the Tower of London, but subsequently released for lack of substantial evidence. Some of the other conspirators were less fortunate and were brutally executed. He retired to his estate at Apley but continued to play an important role in the events leading up to “the bloodless revolution” and the abdication of James II in 1688. He died in 1698 and was buried in Wellington churchyard.

The Final Apley Castle

Plans for the new house were approved in October 1791. The mansion was of the Georgian style with tall Corinthian pillars to its entrance porch, from which a drive of considerable length led to the town of Wellington. St John Charlton Chiverton (born 1799) inherited the new house and married Sophia Meyrick a rich heiress in 1820. He ordered the construction of a French Gothic façade to Apley, laying out an elaborate garden with terraces and parterres. (Eventually the family name was changed to Meyrick)

The Apley Castle of this period was an imposing mansion, approached from the main road by a stone lodge and “then along a drive extending over a mile through a well wooded park..... A second gate gives access to the inner park and ornamental gardens, which are well kept and artistically arranged and will compare favourably with, if not surpass, any to be seen in the county.”

The estate also included a square walled garden whose stonework probably came from the dismantled second Castle. The garden provided a mixed crop of flowers, vegetables and fruits including, surprisingly, pineapples. Adjoining the East wall of the garden is an Ice House, which stored ice taken from the Apley pools when frozen over in winter and a Dovecote.

Throughout the 19th century members of the Charlton family distinguished themselves as soldiers in the Indian Wars and in the Crimea. Whilst serving in India, Captain St. John Chiverton Charlton, an able botanist, is credited with the discovery of the genuine tea plant, whose subsequent cultivation contributed much to the economic development of India.

Apley in Decline

The aftermath of the First War was marked by higher taxes and duties as well as rising wages and prices. It became increasingly difficult to maintain the estate and parts were sold. After the Second War the family found the financial burden impossible to sustain and on November 18, 1955 a demolition sale took place. All that remains of the second Castle is the pillared portico which was transferred to Hodnet Hall.

The site of the second Apley Castle is now marked only by a group of silver birch trees, but the gardens laid out to enhance the Georgian Mansion are still visible, although they are now sadly neglected.

The first Apley Castle still stands. Converted to a stable block around 1800, it is nevertheless of note. In 1996 the ruined second Castle was converted into modern accommodation, whilst preserving many of the 14th century features, including the Chapel mentioned above, together with many of the later 18th and 19th Stable and Coach House additions.

TREE PRESERVATION

A tour of the woods and the two fields B1 and B3 was completed with Alan Warbanks the Tree Officer of TWDC on November 9th and a small survey was completed. All large trees on the two fields are covered by Tree Preservation Orders (TPO's) and these are either individual oak trees or the lime trees in the avenue on B1.

The four chestnuts on B1 are considered dangerous and likely to drop branches at any time because they have been affected by disease which is obvious even to a layman and it is suspected the effects of mechanical ploughing in the field. These will be felled when and if development begins.

As far as the woods are concerned there are no TPOs on any individual trees because as TWDC controlled property such a measure is considered unnecessary (it is assumed that the Council will act as a responsible owner).

However there is a small area at the back of the Apley Castle House which has a general TPO which was created in 1995 (or so AW believed) to protect the area against development. It contains no specimens of note.

Within the woods we were shown the Yew tree walk which was thought worth preserving, though the process of restoring it, which AW described, would take several years of progressive trimming and growth stimulation and would be very time consuming.

A few good specimens were identified within the wood. Examples are a very fine Redwood, one or two North American Firs and a young but well formed Beech of an unusual type. Much of the remainder of the wood needs a great deal of care and has been in decline since the advent of building on the surrounding parkland. The Tree Officer is sympathetic to the idea of creating an Arboretum and is quite willing to provide further details if asked.

ANGLING APLEY POOL

Telford Angling Association have controlled the fishing rights at Apley Pool since 1968, when they took them over, together with those on several other local pools, at the request of Telford Development Corporation, so that the people of Telford and surrounding districts could enjoy them at a reasonable cost.

At that time, the pool had a constant supply of running water feeding into it and the water level in the pool was some 300 to 400 centimetres higher than today's level. It also had an outstanding reputation as one of the top carp fisheries in the Country and while its stock of wild carp didn't include any really big fish, bags of fish in excess of 100lbs were always on the cards.

At this time the Association negotiated a deal with TDC for the provision of fishing platforms and stoned paths, so that disabled anglers would be able to access the fishing, with costs being shared between the two bodies.

Unfortunately TDC did not consult with the Association on dimensions for the platforms, and commissioned an architect with no knowledge of fishing to design them. This resulted in the design being too narrow to accommodate disabled anglers. The Association only discovered this when contractors arrived on site, with all materials already cut to size, and started installing the platforms.

The Association were left to solve the problem, and a look at the platforms today shows the solution which the Association came up with, the addition of extra boards on the end of each platform, which took them to the required width.

Further road improvement schemes saw the cutting of the new Whitchurch road (Whitchurch Drive) and then work started on the Princess Royal Hospital. These contracts brought about the diversion of the water supply to the pool, without any consultation or notification.

Losing the supply was bad enough, but this was followed by two severe drought years and water levels in the pool dropped dramatically.

Water was transported to the pool by road tankers in an attempt to maintain a reasonable level, but appeals for the restoration of the original supply fell on deaf ears, and various wildlife organisations seemed to care nothing about the threat to the fish stocks in the pool.

A partial solution to the water supply problem came from a request to Maxell for help. They agreed for the surface water from their new car park to be drained into the pool, and installed a triple chamber pollution trap to ensure no contaminants reached the pool. Maintenance of this trap is paid for by Maxell, and there has never been any problem whatsoever with contamination.

It was estimated that for some three years the volume of water contained in the pool was reduced by some 50% and this took its toll on the fish. Half the amount of water could support only half the number of fish and sadly many thousands were lost.

Gradually levels improved and the Association were able to implement a restocking programme, and have to date restocked some 40,000 fish, some of which were purchased from fish farms and some transferred from other waters, such as trout fisheries, which occasionally remove coarse fish.

The latest restocking took place in October of this year, with 2000 carp being introduced. These were fish which the Association purchased as fingerlings from a fish farm three years ago, and have been grown on in a stock pool.

The pool remains popular with individual anglers and we have between 1500 and 2000 visits each year, although this was down this year due to the poor weather. Most of the regular visitors take advantage of the very reasonably priced season membership.

BIO DIVERSITY PLANS

“Shropshire is valued for its beautiful countryside and wealth of wildlife by both residents and visitors. This precious 'biodiversity' is in great need of careful protection and constant management. Even once common species such as song thrushes and cowslips have declined dramatically in numbers over recent years. If our children are to have the same chances to enjoy the natural world as we have, we must take action to stop these declines and promote biodiversity”

In 1996 Shropshire became the first county in the country to produce a Biodiversity Strategy. Five years later the Shropshire Biodiversity Action Plan (BAP) was published (and from which the above extract was drawn). This was intended to provide the framework for action to protect the wild habitats and species that together make up Shropshire's rich and diverse landscape.

APLEY CASTLE PARK

With its 50 acres or so of meadows, pools and woods, Apley Castle is a substantial example of a 19th Century landscaped parkland. Records mention woodland on this site as far back as 1300, although the present woods have been largely created during the last 200 years as ornamental gardens to the Georgian manor house built in 1792, and demolished in 1956. Its historical interest and its rich diversity of species make it unusually valuable to Telford, which has no other instance of a manor house parkland.

The trees and other plants at Apley Castle Park include species such as the Red Oak, the Western Cedar and the Nootka Cypress which are notably rare to the British Isles, while others, including the Grey Poplar, Large leaved-Lime, Rose of Sharon, Oregon Grape and Turkey Oak are unusual to Shropshire or rare in Telford. Many other native species of tree abound, amounting to a total of 71 species in all. 91 other plant species are also present at Apley.

There are three pools. The largest, Apley Pool, is fished for roach and carp, while the other two which lie to the south are frequented by a number of species of damselfly and dragonfly during the summer months. Apley was acknowledged to be a "high quality site" in the Shropshire Tree Survey of 1979. Of particular note are the trees in the Yew Tree Walk, where individual specimens are thought to be over 300 years old.

In 1986, in their proposals to make Apley a Country Park the Shropshire Wildlife Trust wrote

"Two areas of land, the woodland around Apley Pool and the arboretum are designated as Prime Sites for nature conservation by the Trust. We feel that the whole area is important in the context of North Telford and that it is one of the few remaining areas of relatively natural open space"

The Trust went on to oppose the housing developments suggested at the time by Telford Development Corporation on the grounds that

"they will result in a fragmented greenspace subject to excessive pressure which will lead to a serious diminution of both the ecological and landscape value of the area".

Sadly, it has to be recognised that the Trust was entirely correct in its assessment.

HABITAT ACTION PLANS

In focussing attention on priorities, the BAP identifies a number of types of habitat which are to be the subject of specific Habitat Action Plans. These Plans are designed to contribute to the sustainability of biodiversity in each case.

As a habitat Apley Castle Park falls – like Attingham Park – into the “Veteran Trees and Parkland” Habitat Action Plan definition.

On such habitats the BAP comments:

“Veteran trees and associated parklands are significant elements in the Shropshire landscape.

They have great historical and cultural value and are particularly valuable ecologically when found in association with other habitats such as unimproved grassland and wetland areas.

They support a wide range of species, including invertebrates, fungi, bats and birds that depend on them for all or part of their lifecycles”

To safeguard such areas BAP sets out the following objectives:–

- A. Prevent any further loss or degradation of veteran trees and parkland.
- B. Increase the extent of parkland through restoration of degraded areas and expansion of existing areas.
- C. Maintain and enhance all areas of veteran trees and parkland through appropriate management.
- D. Improve knowledge of veteran trees and parkland through survey, research and monitoring.
- E. Increase awareness of the value of veteran trees and parkland”

It may be confidently asserted that little has been done at Apley Castle Park towards meeting these objectives.

SPECIES ACTION PLANS

The BAP also identifies a number of threatened species whose sustainable development is to be fostered by a series of Species Action Plans

Many of the species of wildlife so identified are to be found in Apley Castle Park. In terms of birds and bats (and mammals), Apley is home to a number of species that are threatened or protected by law.

BIRDS

According to the records held by the Shropshire Wildlife Trust the latest year round study of Apley's bird population was undertaken in 1993/4. It found a notable variety in the bird species:-

"A total of 68 species have been observed at Apley during the year and it has been interesting to see the seasonal fluctuations in the species and their respective members. The effects of migration were particularly noticeable with flocks of thrushes and skylarks in October and November."

The study also notes "The attractions of this area for various recreational pursuits are obvious. But the value of the wildlife Apley contains is certainly worthy of continued protection and further study. It is to be hoped that the encroaching development will not result in the devaluation of the area's natural assets."

Unfortunately, since 1994 there appear to have been no comprehensive surveys of Apley's bird population. The best recent material comes from birdwatchers who, on their occasional visits, claim to have observed the species set out in the following table. (For obvious reasons this information cannot be regarded as complete; there have, for example, been recent sightings of Barn owls, Tawny owls, Fire crests, Buzzards, Kestrels, Kingfishers, Black caps and many more).

Some Birds at Apley Castle Park

All Year Visitors

Mallard, Sparrowhawk, Grey Partridge, Moorhen, Coot, Black-headed Gull, Woodpigeon, Collared Dove, Great-Spotted Woodpecker, Starling, Jay, Magpie, Carrion Crow, Jackdaw, Wren, Goldcrest, Robin, Blackbird, Song Thrush, Mistle Thrush, Coal Tit, Great Tit, Blue Tit, Willow Tit, Long-tailed Tit, Nuthatch, Treecreeper, House Sparrow, Chaffinch, Greenfinch, Goldfinch, Bullfinch, Yellowhammer.

Spring and Summer

Great Crested Grebe, Ruddy Duck, Cuckoo, Swift, Swallow, House Martin, Blackcap, Wood Warbler (Passage only), Chiffchaff, Willow Warbler, Common Redstart (Passage only)

Autumn and Winter

Dabchick, Pochard, Herring Gull, Fieldfare, Redwing, Siskin

The 2006 Review of the BAP identifies birds that are threatened, needing special measures of protection via Species Action Plans. Among them we find the following, all of which have been recently observed in the Park.

Apley's Threatened Birds

Grey Partridge
Song Thrush
Bullfinch
Yellowhammer
Skylark

Apley's Birds and the Surrounding Grassland

Many of Apley's bird species will be affected by any significant loss of neighbouring grassland and hedgerows. The Royal Society for the Protection of Birds advises that the following species are likely to use the grassland and hedgerows surrounding Apley Castle Park either for foraging or for shelter at some stage during the year,

Birds Affected by Loss of Grassland

Sparrowhawk	-in winter
Grey Partridge	- all year
Moorhen / Coot	- feed on grassland adjacent to water
Woodpigeon / Collared Dove	- present all year
Starling	- mostly in winter but can be present
throughout the year	
Jay	- present but close to woodland edges
Magpie	- mostly in autumn
Carrion Crow	- mostly in autumn
Jackdaw	- present throughout the year
Robin	- near to hedges and woodland edge
Blackbird	- mostly in winter or close to cover
Song Thrush	- mostly in winter or close to cover
Mistle Thrush	- late summer and autumn
House Sparrow	- locally in autumn
Chaffinch	- throughout the year but especially, autumn
Greenfinch	- rare in autumn
Goldfinch	- on rough grassland not normally on grazed
areas	
Bullfinch	- hedgerow or woodland species
Yellowhammer	- all year but particularly in late summer -
autumn	

(source: RSPB)

The grassland within Apley Castle Park has not been farmed for many years. As such, it offers a special habitat for wildlife and cannot, for example, simply be replaced by cultivated grassland further away at (say) Wappenshall.

BATS

According to the Shropshire Bat Group, who monitor and support the bat population at Apley, visiting the area at least once a year to establish numbers and differing roosts, Apley Castle Park is home to four types of bat,

Common Pipistrelle
Brown Long Eared Bat
Noctule Bat
Daubenton's Bat

Other observers have noted the presence of Natterer's Bat, roosting in a dead cherry tree. The Shropshire Bat Group consider Apley Castle Park as a very important site, particularly in view of the variety of bat species to be found and the presence of the rare Noctule Bat.

All of these bat species are protected by the Conservation (Natural Habitats &c.) Regulations 1994 making them European Protected Species requiring strict protection under Annex IV of the Directive. Under the Regulations, damaging or destroying a breeding site or resting place is an absolute offence, regardless of whether the act of doing so may be considered reckless or deliberate.

Bats and loss of grassland

Apley's bat population would also be affected by any diminution in the neighbouring grassland and hedgerows. The feeding habitats of the bats at Apley may be summarised in the following table.

Bat Feeding Habitats

Common Pipistrelle – Over water, open woodland, woodland edge, farmland, urban gardens

Brown Long Eared Bat– Open woodland, parkland, orchards

Noctule Bat – Deciduous woodland, parkland, pasture, water and at forest edges

Natterer's Bat –Open woodland, parkland, hedgerows, waterside vegetation

Daubenton's Bat – Lakes rivers and ponds (Source: Bat Conservation Trust)

The table indicates that four of the five species of bat at Apley would be likely to be affected by loss of grassland and hedgerows.

BADGERS

There are reported to be two badger setts in Apley Castle Park, located in Pump Wood near Apley Pool. One may now be old and abandoned but various sightings have been made at the other, which is rather closer to the Pool.

Badgers are protected by a number of laws. Badgers may not be deliberately killed, persecuted or trapped. Where badgers pose a problem, licences can be issued to permit certain activities.

Badger baiting (using dogs to fight badgers) has been outlawed since 1835. The Badgers Act 1973 afforded limited protection against badger digging, but this practice was not finally outlawed until 1981.

The Protection of Badgers Act 1992 consolidates past badger legislation and, in addition to protecting the badger itself, makes it an offence to damage, destroy or obstruct badger setts.

Badgers are nocturnal foragers over the surrounding woods and grassland.

Impact of Development on Biodiversity

The authors of the BAP lament the partial and fragmented nature of the data on biodiversity in Shropshire. Sadly this is also the case at Apley where, for some important species such as Odonata, Butterflies, Coleoptera , records only exist from the 1970s and 1980s. There have, on the other hand, been recent reported sightings of water voles.

With such incomplete and out of date information it is simply impossible to assess the impact on biodiversity of any development proposals and a full ecological audit of Apley Castle Park is badly needed.

These investigations should embrace, not just the Park itself, but the surrounding grassland and hedgerows that provide food and shelter for the Park's wildlife population

CONCLUSION ON BIO DIVERSITY

Apley Castle Park is a Tree and Parkland habitat which is home to many valuable species of wildlife, some of which are fighting for their long-term survival. The exact numbers and their condition are not known and an ecological audit is urgently needed to ascertain those most at risk. It is only when the results of such an audit are available that a proper impact assessment of any proposed development can be made.

It will be recalled that since last year, Local Planning Authorities (LPAs), as public authorities, have a duty to have regard to biodiversity. Section 40 of the Natural Environment and Rural Communities Act 2006 states.-

“(1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Further, according to the Bio Geo Circular (PPS9) 2005 Article 99. "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

And once again, at Article 84. "The potential effects of a development, on habitats or species listed as priorities in the UK Biodiversity Action Plan (BAP) 88, and by Local Biodiversity Partnerships, together with policies in the England Biodiversity Strategy 89, are capable of being a material consideration in the preparation of regional spatial strategies and local development documents and the making of planning decisions."

In such circumstances, no detailed proposals for housing development at Apley Castle, Sites B1 and B2, may be approved until a full ecological survey of the area has been carried out.

Apley Preservation Association – November 2007
John Davis Chairman & Helen Hampton Hon Sec

APPENDIX I - UNANSWERED QUESTIONS FOR LPA

Building Density - What building density are you looking for on the two sites designated as B1 and B3?

It is suggested, in the outline planning application, that the density of B3 is far greater than that of B1; we feel it is incorrect to consider them as one when they do not adjoin one another and are clearly two separate sites, being treated in a different way. We also feel strongly that existing residents surrounding the sites should not be expected to face large blocks of terraced dwellings on the opposite side of their roads and that as a minimum they should face similar, detached houses, with garages and drives.

Building Density – Numbers of Dwellings - How many housing units are you planning to propose for construction on the sites designated as B1 and B3?

It has been suggested that there will be between 180 and 200. When you study the photographs you kindly sent us and compare them with the maps we do not believe that this is possible. Frankly neither did the executive of Telford when we had a similar discussion. On ground adjacent to the A442 we think your concept of three storey buildings may work, but elsewhere would not be in keeping with the rest of the development.

Type of Housing - What will be the mix between private, affordable private and social housing designated as B1 and B3?

As a group we are of course keen to see small apartments and starter homes for nurses, doctors, police, fireman and other key workers who will take a pride in their houses. The chief executive of Telford & Wrekin has already said that they cannot stop landlords or housing trusts block buying to feed the social housing stock. We also feel strongly that existing residents should not face a reduction in the quality of the area or take a market reduction on their house values to satisfy a nebulous requirement that still needs to be proven.

Parking

Despite our questions we are quite unable to understand how the concept of “courtyard parking” works in practice, especially given the new Government guideline of providing an average of 1.5 parking spaces per dwelling. Existing residents are rightly concerned that they are likely to see the whole of B3 filled with cars in the streets on a permanent basis and that, out of necessity, many of the new residents will be obliged to park in adjacent streets.

This already happens now in the area adjacent to the Silkin Way. Leegomery and Wellington are also fraught with problems of car vandalism occurring on a daily basis and of course these new residents will face higher car insurance if they are unable to park their cars in garages. The question of parking for visitors to Apley Woods has not been addressed in the Outline Planning Application.

Where are they expected to park?

We need a much clearer picture of the provision of parking. Which dwellings will have garages, which will have a private parking area and how much space will remain on the streets for other parking requirements? In your reply could you please provide us with a clear definition of “courtyard parking”?

Schools, Doctors and Dentists

Amongst our members are a good many with children who attend local schools. We have some evidence and relevant information that suggests that all the local schools are at, or near, full capacity.

Could you please supply details of child places available in the Apley Castle Area which will be used for this Planning Application?

Can you also tell us where the residents from another 200 dwellings are going to register for doctors and dentists?

Can you tell us where and when this need is likely to be addressed in Council plans?

We are also aware that in Leegomery, opposite the Apley Wood School, a further development of some 60 dwellings and shops is planned and these will compete for these same facilities should that plan go ahead.

Are we using all available land before we build new?

Legal Agreement

We understand that a legal agreement will be in force between EP and LPA covering requirements, such as planning gain.

Could you please provide us with the necessary copy documents?

Objections

All these are very valid points raised by members of the APA residents association. They are important and I am sure that EP and APA will address them in the spirit of common sense and not slavishly follow some maxim that clearly does not suit this area.

APPENDIX II - LEGAL - SOME IMPORTANT STATEMENTS AND COMMENTS

"It's vital to note that the development of open space conflicts with many policies of the local plan including OL 7 and that once the proposal is stripped of the imagined support that it is an allocation, it is seen to be in conflict with the development plan as a whole"

"The development plan does not suggest that this site is appropriate for development, it simply reflects the fact that the Secretary of State previously considered it to be appropriate"

"When assessed properly, the disbenefit from allowing a section 7 approval to remain unimplemented contrasts with the great benefit of allowing an attractive area of open space to remain as open space on the edge of the urban area"

#1The opening statements require us to ask the following key questions:

"Why do you want to build here?"

"Why is it appropriate to build here at this time?"

"Why are you building urban density right up to the edge of the 'city' boundary?"

We do not have answers to these questions as yet and they should be addressed At no time have we asked that the development should not happen. All we have asked for is that the current application be rejected, as it is based on a 'one size fits all' concept of urban design, which has not considered the character of the area and even more significantly, is unsustainable.

We have used the Grimley report for all our comments and yet at every meeting, either with EP or the LPA, when we have referred to it we have been told it is meaningless and that we should not worry about the detail in it. It is in fact very complete and of a high standard so why is it so meaningless?

Do you have something to hide?

We are aware that out of date aerial photographs were used to inform the planners and yourselves at the beginning of the process. We are also aware that we have yet to receive an up to date traffic assessment.

#2 The planning application relied on the "commitment" in the local plan (5.4 of the statement) and the extant planning consent under section 7.1 New Towns Act 1981. The commitment in the local plan is nothing more than that. It is simply recognition that there has been a planning consent in the past. It is not to be completely equated with an allocation that is to say a positive decision by the local planning authority that a site is appropriate for development.

Whilst an application must be determined in accordance with the development plan, the development plan does not suggest that this site is appropriate for development, it simply reflects the fact that the Secretary of State previously considered it to be appropriate.

The proposal is not in complete conformity with the development plan since it is a green field site and has not been allocated for development. We do believe that it is the close link between yourselves and the LPA that has created a precedent for this development.

For them to have refused to allow a new permission on an existing site would go against years of working relationships. However just because the council have worked with EP for years does not make the application for permission right.

3 The section 7 permission. EP lawyers Grimleys rely on a "fallback" position that is to say to suggest that if planning permission were to be refused for the development that they are seeking permission for, then another, less acceptable form of development would be pursued.

However they have not demonstrated that that is the case. They are experienced planning consultants and must recognise that the legal test as to whether a fall back position is relevant is whether there is a realistic prospect of a particular form of development being implemented.

The fact that, since 1988, no development has taken place speaks volumes as to the realism of it being implemented now. In fact the development then authorised was for "good quality private housing development" at 5 dwellings per acre.

Absent any explanation, the only proper assumption to be made is that if planning permission were to have been refused for the present development, development of the housing site at 5 dwellings per acre would not proceed.

However, I am sure that you would simply deny this and say that you would have built at 5/Ha if you had not got permission and that the decision to build at higher density is in the public interest. It is not in the interest of the public in the locality.

4 In so far as it represents a commitment within the local plan, it has been considered as a site suitable for development at 5 houses to the acre and would therefore represent a very modest contribution to the overall housing allocations sought under the local plan, a loss which can be made up by development on brown field sites much more easily than is suggested in the Grimley report.

5 When assessed properly, the disbenefit from allowing a section 7 approval to remain unimplemented contrasts with the great benefit of allowing an attractive area of open space to remain as open space on the edge of the urban area.

6 From the points made above, it is vital to note that the development of open space conflicts with many policies of the local plan including OL7 and that, once the proposal is stripped of the imagined support that it is an

allocation, it is seen to be in conflict with the development plan as a whole. See the opening paragraph.

7 The second string of the argument is as to the density of development on the site. Grimleys propose a higher density development in the main area, surrounded by a buffer zone to separate this higher density area from lower densities around. They identify the density of the buffer zone as 24 per hectare but singularly fail to identify the density and character of the surrounding area. This is a serious omission. They present a supposed cure, recognising the problem but avoiding quantifying it.

The density of development even on the buffer zone will be out of character with the lower density development surrounding it and therefore in conflict with paragraphs 57/8 of PPG3.

8 The road system in the area which will serve to access the site in part was designed having regard to the then intended low density of development of the remaining site area. No adequate assessment has been prepared as to the impact of the much higher level of residential traffic that will be forced to use the internal state roads.

To summarise some questions to have answered:

1. "Why do you want to build here?"
2. "Why is it appropriate to build here at this time?"
3. "Why are you rushing this application through now?"
4. "When will you be able to produce a sustainable plan for council's approval?"

To summarise some key points:

1. Significant numbers have rejected the plan in its present form; APA, Local MP, Local Counsellor, Local Parish Council.
2. Your current plans are therefore not in the interest of the public.
3. We would like the current plan to be withdrawn, as we believe that it is significantly flawed on density, sustainability and heritage.

APPENDIX III – Additional comments relating to most recent layout.

The following additional comments relate to the final set of layout drawings which significantly altered the original drawings provided to the public. The APA objected to the drawings for both the initial and following reasons :-

1. There is an indication that the existing detached housing will be faced with new detached. However, there is no indication that the new detached will be of similar type, size and design to those already there. The Association expects that the street pattern will be preserved and objects to any design other than that.
2. Since the original application there have been numerous traffic measures introduced to the A442. These measures have made it more difficult to access and egress both junctions from the estate. The increased traffic which will be caused by this proposed development, unacceptable in itself, will now be even more of a safety concern.
3. Further traffic assessments must now be made and continued objection of this application recommended until such assessments are made. As mentioned before this is a vital issue.
4. There has been an attempt to allow for more green space in the new drawings; there is no indication, however, that density will be adjusted to take account of the resulting reduction in available building land.
5. The new drawings indicate that there will be mixed housing on both fields. The Association objects to any dwellings which do not reflect and preserve the current character of the area. Until the concept of 'mixed' is fully explained the Association objects to that proposal.
6. The removal of one access point to field B3 further raises the fact that none

- a. of the proposed access points is either appropriately or safely sited and will lead to congestion and accidents.
7. The Association continues to oppose the proposed density figures for this development and indeed, suspects that these new drawings may lead to increased density within the proposed boundary of 'detached' houses.
8. It reminds EP that planning permission for the site already existed with a density clearly stipulated to reflect the heritage, beauty and character of the site. If this application is to be effective, then it should use the original planning permission agreed to, giving the design and density already prepared which was considered appropriate to the area and reflected it's true nature, which is certainly not 'urban'.
9. Additionally we would point out that the road system was designed to reflect a volume of traffic related to the original density figures. As such it will not support a 100% increase in the density of dwellings served by those roads.
10. We vigorously recommend that EP should ensure that their proposals reflect the concerns of its council tax payers, Hadley and Leegomery Parish Council, the Ward Councillor and MP, by recommending to the LPA that this application should be rejected.
11. Any new application should be subject to the new conditions, in place since August, 2006, which would ensure that the detail needed, to truly evaluate the effects of development in this area, can be debated and discussed by all stakeholders.