

**Minutes of the meeting held on Thursday, 7 November 2013
2.00 pm – 3:53 pm in the Shrewsbury Room, Shirehall, Shrewsbury.**

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PRESENT

Councillors: V Bushell (Chairman)
T Clarke (Vice-Chairman)

A Bannerman, D Carroll, M Kenny, Mrs P Moseley, P Nutting and K Pardy.

93. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T Bebb, Ms J MacKenzie and D Roberts.

94. MINUTES

RESOLVED:

That the Minutes of the meeting of the Central Planning Committee held on 10 October 2013 be approved as a correct record and signed by the Chairman.

95. PUBLIC QUESTION TIME

There were no public questions, statements or petitions received.

96. DISCLOSABLE PECUNIARY INTERESTS

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

With reference to planning applications to be considered at this meeting, Councillors A Bannerman and P Nutting stated that they were members of the Planning Committee of Shrewsbury Town Council. They indicated that their views on any proposals when considered by the Town Council had been based on the information presented at that time and they would now be considering all proposals afresh with an open mind and the information as it stood at this time.

Councillor P Nutting stated that, for reasons of predetermination, he would make a statement and then leave the room prior to consideration of planning application 13/02251/FUL.

With reference to planning application 13/03889/COU, the Chairman, on behalf of all Members of the Committee, stated that the applicant was Shropshire Council. All Members remained in the room during consideration of this item.

With reference to planning application 13/03903/VAR, the Chairman, on behalf of all Members of the Committee, stated that the applicant was a Member of Shropshire Council. All Members, with the exception of Councillor K Pardy who left the room in accordance with his declaration set out below, remained in the room during consideration of this item.

Councillor K Pardy stated that he knew the applicant and would leave the room prior to consideration of planning application 13/03903VAR.

97. PROPOSED RESIDENTIAL DEVELOPMENT SITE OFF SHILLINGSTON DRIVE, BERWICK GRANGE, SHREWSBURY (11/03087/OUT)

The Area Planning Manager drew Members' attention to the late representations that had been received on this application and included in the Schedule of Additional Letters circulated prior to the meeting. In introducing the application the Area Planning Manager confirmed that the Committee had undertaken a site visit that morning to view the site, had noted the proposed access and the adjoining land at Battlefield Road, and had assessed the impact of the proposed development on neighbouring properties and the surrounding area. With reference to the illustrative layout displayed, he explained the proposed layout of the site and identified the open space and the bordering land at Lion Coppice to the west, A49 trunk road to the east and residential properties to the south.

The Area Planning Manager explained that the current application was a Preferred Option Site and followed the recommendation of the Joint Members' Working Group as part of the Site and Management Development Process (SAMDev). One of the main concerns had been the inadequacy of the highway network and, in particular, Shillingston Drive, both during and post construction. Highway Development Control Officers had assessed traffic generation and had raised no objections to the proposal, subject to appropriate conditions requiring a sum of money toward local highway improvements. Other concerns had also been considered by relevant external and internal consultees and no substantive objections had been raised to the development, subject to appropriate conditions. Since the despatch of the report a further response had been received from the Shropshire Council's Ecologist who had indicated that the impact on Lion Coppice would be mitigated by the increase in the buffer zone but there was the potential for some disturbance or noise from predatory domestic animals. These potential impacts should be weighed against the benefits of meeting the decreasing land supply. Subject to adequate monitoring and appropriate management and lighting plan, no adverse impact had been identified with regard to the Ghost Swift and any other species of moth. Shrewsbury Town Council had raised no objections, but was concerned that the application was pre-empting the SAMDev process and should be considered in the forthcoming round. With reference to the recommendation, he suggested that, as discussions were still ongoing with some consultees, and if Members were minded to approve, an additional condition be added delegating authority to Officers to finalise the conditions subject to them not being substantially different to those stated in the report.

Mrs C Taylor, representing the Berwick Grange Action Group, spoke against the proposal in accordance with the Council's scheme for public speaking at Planning Committees, during which the following points were raised:

- In 2011 the Action Group submitted a petition opposing the development;
- Shillingston Drive was a narrow lane, with a blind bend and one way in and one way out. There was no other way to enter the estate;
- Access onto Battlefield Road was already difficult;
- At the pinch point Shillingston Drive was 5.3m wide and would not accommodate large vehicles such as a refuse vehicle;
- The entrance to the development was opposite the well used children's play area;
- The Lion Coppice ancient wood should be afforded special protection. Natural England recommend a 15 metre buffer zone and the Woodland Trust recommend 50-100 metres; and
- The positioning of the proposed eco-park under high voltage electricity pylons was unacceptable.

Councillor M Price, local Ward Member, spoke against the proposal in accordance with the Council's scheme for public speaking at Planning Committees, during which the following points were raised:

- He expressed concern that the proposal was for 230 properties served by only one access road. This road would also service a recently approved 90-bed care home. There was the opportunity to include a second single carriageway which would take traffic away from Shillingston Drive and would also serve the site during construction and ensure Shillingston Drive remained clear of obstruction;
- The existing road was 5.5-5.7 metres wide, but if used as a bus route should be 6.1 metres wide;
- Construction traffic was considered as being temporary; however, it would be temporary for five years. A Construction Management Plan should be conditioned setting out how the delivery of the plan and materials was made;
- Highways had confirmed that a second exit could be provided, and ecology had confirmed that it could be provided without interfering with the ecology of the area; and
- He urged the Committee to defer, minded to refuse, the application in order that the applicant could give consideration to providing a second road to ensure the development worked for all the residents, both existing and new, in the local area.

Ms A Snook, the agent, spoke for the proposal in accordance with the Council's scheme for public speaking at Planning Committees, during which the following points were raised:

- When Berwick Grange was first developed it was envisaged that Shillingston Drive would serve this current proposal and was therefore constructed to a width of 5.5 metres;
- In recognition of issues raised, Persimmon had offered £80,000 to improve signals at the junction with Shillingston Drive and Battlefield Road, despite it not being requested by Shropshire Council;
- They had reduced the number of houses from 250 to 230;

- It was proposed to include an emergency access through the northern triangle of land. Providing full access through this area would require the removal of trees and a grade A Oak tree; and
- They had also re-aligned a footpath and increased the buffer zone from the Lion Coppice from 5 metres to 10 metres.

In accordance with Council Procedure Rules (Part 4, Paragraph 6.1) Councillor M Price, as local Member, participated in the discussion but did not vote.

The Area Planning Manager confirmed that the affordable housing contribution was 15% and not 20% as stated in the report, and the contribution to the highway network by Persimmon did include, on top of the £80,000, provision of a footpath on the northern side of Shillingston Drive and Battlefield Road.

The Area Development Highways Development Control Manager (Central) and the Senior Specialist – Planning Policy provided clarification on highway issues as detailed in the report, and confirmed that the emergency access to the north was a footpath/cycle route and would adequately provide access to emergency vehicles in an emergency.

In response to comments, the Area Planning Manager explained that this was an outline planning application to establish the principle development of the site. The drawings were for illustrative purposes only, the number of dwellings could potentially reduce, and everything except for access would be the subject of later applications.

In the ensuing debate, some Members expressed serious concerns with regard to the location of the eco-park and play area by virtue of their close proximity to the pond and overhead electricity pylons; and the suitability of the access and highway arrangements, with some Members suggesting deferral in order that the applicant could give consideration to providing a second access. When considering substantial planning applications a Member requested that appropriate officers from Education and Outdoor Recreation should be in attendance at planning meetings to answer and/or address any concerns Members might have on the possible impact such developments would have on education and recreation provision and resources.

Members considered the proposal, the submitted indicative plans and all comments of the speakers and the majority of Members expressed support for the application.

RESOLVED:

That planning permission be granted in accordance with the Officer's recommendation, subject to:

- (i) A S106 Agreement to secure community benefits in accordance with Shropshire Council's adopted policies; and
- (ii) Delegated Authority be granted to the Area Planning Manager to vary conditions subject to them not being substantially different to those stated in the report.

98. LAND EAST OF THE BEACON, COPTHORNE ROAD, SHREWSBURY (13/02251/FUL)

Councillor P Nutting made a statement in accordance with paragraphs 6(7) and 6(8) of the Members Code of Conduct on planning matters in Part 5 of the Council's Constitution and then left the room for this item in accordance with his declaration of predetermination. In particular, he expressed concerns with regard to the direct access onto Copthorne Road and the adverse impact the massing of the building would have on the local area.

Members noted the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting and detailing additional comments from Shropshire Council's Drainage / Flood and Water Management Team and the agent.

The Planning Officer introduced the application and confirmed that Members had undertaken a site visit that morning to view the site and assess the impact of the proposal on the surrounding area. With reference to the drawings displayed, he explained the layout of the site.

In the ensuing debate, Members expressed concerns relating to the increased traffic movements, access arrangements, the need to have two separate parking areas, and the proximity of the bus stop to the proposed new junction onto Copthorne Road. They considered the provision of 21 car parking spaces to be inadequate and could subsequently lead to inappropriate parking on Copthorne Road, and commented that consideration should be given to installing a pedestrian crossing, moving the building closer to Copthorne Road which would negate the need for two separate car parks, additional car parking and a turning bay in front of the front door.

In response to questions from Members, the Planning Officer explained that this was a sustainable location and the provision of 21 spaces was deemed acceptable. In order to address the concerns relating to car parking, the applicant had suggested that an additional condition to age limit the dwellings to residents aged 60 and above could potentially reduce the level of car ownership. With regard to the bus stop, he confirmed that this had been considered by Highways Development Control Officers who had considered the location to be acceptable. Relocation of the building closer to Copthorne Road would fail to respect the established building line and would have a greater impact on the properties across the road.

In response to concerns relating to the location of the bus stop, the Area Development Highways Development Control Manager (Central) explained that there was no regulation or guidance which suggested that the location of the bus stop could be cited as a material reason for refusal of this proposal.

RESOLVED:

That this application be deferred to enable further negotiations to be undertaken with the applicant to explore changes to car parking arrangements and the repositioning/omission of the access/egress onto Copthorne Road.

99. LAND WEST SIDE OF HANWOOD ROAD, SHREWSBURY (13/03285/FUL)

The Area Planning Manager drew Members' attention to the late representations that had been received on this application and included in the Schedule of Additional Letters circulated prior to the meeting detailing amended and deleted conditions. In introducing the application the Area Planning Manager confirmed that the Committee had undertaken a site visit that morning to view the site and had assessed the impact of the proposed development on neighbouring properties and the surrounding area. With reference to the drawings displayed, he explained the proposed layout of the site. In conclusion, he suggested that an additional condition be added for delegated authority to be given to Planning Officers to vary conditions subject to them not being substantially different to those stated in the report.

In the ensuing debate, Members acknowledged that the provision of open space for this development was linked to a further planning application, but expressed concerns relating to the timing of such provision, particularly as the majority of the open space would be provided within the linked application which, at this point in time, was only at outline stage. Some Members reiterated the view that officers from Education and Outdoor Recreation should be in attendance at planning meetings to answer and/or address any concerns relating to the possible impact such major developments such as this would have on education and recreation provision and resources.

In response to comments and with regard to the provision of open space, the Area Planning Manager drew Members' attention to the comments of the Recreation Officers who had raised no concerns. The Senior Specialist – Planning Policy confirmed that Shropshire Council would work closely with Shrewsbury Town Council at all times in terms of setting standards.

Having considered the submitted plans for the proposal the majority of Members expressed their support for the proposal.

RESOLVED:

That planning permission be granted in accordance with the Officer's recommendation, subject to:

- (i) A S106 Agreement, S278 Agreement and CIL payments to secure financial and infrastructure contributions towards the following heads of terms associated with the whole of the Bowbrook/Radbrook preferred option site:
 - Strategic Road Network
 - Town-wide highways network and sustainable transport
 - Local road network
 - Subsidy to local bus service
 - Community facilities (education contribution and on-site play provision)
 - Affordable housing
- (ii) The amended and deleted conditions as set out in the Schedule of Additional Letters; and
- (iii) The Area Planning Manager be given delegated authority to vary conditions subject to them not being substantially different to those stated in the report.

100. LAND SOUTH OF MYTTON OAK ROAD, SHREWSBURY (13/03534/OUT)

The Area Planning Manager drew Members' attention to the late representations that had been received on this application and included in the Schedule of Additional Letters circulated prior to the meeting. In introducing the application the Area Planning Manager confirmed that the Committee had undertaken a site visit that morning to view the site and had assessed the impact of the proposed development on neighbouring properties and the surrounding area. With reference to the drawings displayed, he explained the proposed layout of the site.

In the ensuing debate, a Member suggested that, in order to pre-empt any legislation, all developers should be encouraged to install sprinkler systems in any new build. In response, the Area Planning Manager agreed that, in future, Planning Officers would raise this with developers during any pre-application discussions.

A Member reiterated his request for more information on school provision when considering developments of this magnitude, urged the developer to consider installing electric charging points, and expressed concerns relating to the increase in traffic and the cumulative effect this would have on noise and air pollution in the Shrewsbury area.

RESOLVED:

That planning permission be granted in accordance with the Officer's recommendation, subject to:

- (i) A S106 agreement, S278 Agreement and CIL payments to secure financial and infrastructure contributions towards the following heads of terms associated with the whole of the Bowbrook/Radbrook preferred option site: -
 - Strategic Road Network
 - Town-wide highways network and sustainable transport
 - Local road network
 - Subsidy to local bus service
 - Community facilities (Education contribution & on site play provision)
 - Affordable housing

and Shrewsbury Town Council (or other appropriate management body) taking control of the countryside park, nature conservation area, wildlife corridor and public amenity open space areas within the development; and

- (ii) The Area Planning Manager be given delegated authority to vary conditions as detailed in the Schedule of Additional Letters and relating to the maintenance of the open space and play areas if necessary in the light of on-going discussions with the applicant and Shrewsbury Town.

101. THE MUSIC HALL, THE SQUARE, SHREWSBURY (13/03889/COU)

The Planning Officer introduced the application and, with reference to the drawings displayed, identified the part of the building that the change related to.

Members noted the late representations that had been received on this application and included in the Schedule of Additional Letters circulated prior to the meeting.

RESOLVED:

That planning permission be granted in accordance with the Officer's recommendation.

102. 12 PARTRIDGE CLOSE, SHREWSBURY (13/03903/VAR)

(Councillor K Pardy left the room during consideration of this item.)

Members noted the late representations that had been received on this application and included in the Schedule of Additional Letters circulated prior to the meeting.

RESOLVED:

That, subject to a S106 Agreement to secure the relevant affordable housing contribution, planning permission be granted as per the Officer's recommendation.

103. APPEALS AND APPEAL DECISIONS

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the Central area as at 7 November 2013 be noted.

104. DATE OF THE NEXT MEETING

RESOLVED:

That it be noted that the next meeting of the Central Planning Committee would be held at 2.00 p.m. on Thursday, 5 December 2013.

CHAIRMAN:

DATE: