



Committee and Date

South Planning Committee

10 February 2015

SOUTH PLANNING COMMITTEE

Minutes of the meeting held on 13 January 2015

2.00 - 4.31 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Linda Jeavons

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Present

Councillors David Evans (Vice Chairman), Andy Boddington, Nigel Hartin, Richard Huffer, John Hurst-Knight, Madge Shingleton, Robert Tindall, David Turner, Tina Woodward and Michael Wood (Substitute) (substitute for Stuart West)

103 Apologies for Absence

Apologies for absence were received from Councillors Stuart West (substitute: Michael Wood) and Cecilia Motley.

104 Minutes

RESOLVED:

That the Minutes of the South Planning Committee held on 13 January 2015 be approved as a correct record and signed by the Chairman, subject to the following being noted:

Minute No. 95

- With reference to planning application 14/02184/FUL, Councillor David Turner had not made a declaration of bias but had declared an interest as a local Ward Councillor. Accordingly, he made a statement and then left the room and took no part in the debate and did not vote; and
- With reference to planning application 14/03290/EIA, Councillor Nigel Hartin had declared an interest as a local Ward Councillor. Accordingly, he made a statement and then left the room and took no part in the debate and did not vote.

105 Public Question Time

There were no public questions.

106 **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.

107 **Lea Quarry, Wenlock Edge, Much Wenlock, TF13 6DG (14/02390/FUL)**

The Principal Planner introduced the application and with reference to the drawings and photomontage displayed, he drew Members' attention to the location. He drew Members' attention to the Schedule of Additional Letters circulated prior to the meeting which informed Members of an impending appeal which had been lodged with the Planning Inspectorate regarding the non-determination of this application, and he reported that, in view of this appeal, the final decision on the application would now be taken by the Planning Inspectorate. The application was now before Members to inform them of additional information which had been provided by the applicant and with an amended recommendation of 'minded to approve'. Any decision made by this Planning Committee would inform the appeal process.

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting detailing further comments from Shropshire Council's Planning Officer, the applicant, objectors and Much Wenlock Town Council.

Members had undertaken a site visit on a previous occasion and had viewed the site and assessed the impact of the proposal on the surrounding area.

In response to questions from Members, the Principal Planner provided clarification on the closure of the permissive footpath and the extent and impact of the proposed screening and fencing.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, Councillor David Turner, as the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He drew Members' attention to his opening comments made at the November 2014 meeting, "The applicant had developed a successful business around renewable energy and had created a number of jobs locally - which he welcomed. However, on balance, planning applications for low-profile development that had been brought forward in support of the business's growth had been supported, but he believed this was one step too far.", and maintained his support for those words;
- He commented that the Officer's report had failed to mention that the Much Wenlock Neighbourhood Plan was opposed to "wind power in this location" and "that other alternative energy sources are more appropriate". Despite this being raised at the November meeting, this important facet of a statutory planning document had still been omitted from the Officer's report; and

- He drew attention to the many late representations both in favour and against the application, but he reiterated his own objection for the reasons cited previously, including scale, impact on the Area of Outstanding Natural Beauty (AONB) and the potential impact on tourism.

Mrs C Barr, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Would have detrimental impact on the landscape which played an important key role in the AONB;
- This was a commercial venture and not a genuine renewable energy project;
- Would have a detrimental impact on tourism; and
- Contrary to the Much Wenlock Neighbourhood Plan.

Councillor M Whiteman, representing Much Wenlock Town Council, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Much Wenlock Town Council had originally objected to two turbines but now supported this application for one turbine;
- Turbine would be sited in an industrial area and used for training/education purposes;
- Scheme supported renewable energy;
- Would be in accordance with the Much Wenlock Neighbourhood Plan;
- Views of the turbine would be limited by trees and topography;
- This was a good local company providing local employment who had undertaken much work in the area contrary to local opposition. Unsightly gantries had been removed, future plans would improve the visual aspect of the site, and flora and fauna had been and would continue to be improved.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. In response to comments and concerns, the Principal Planner provided clarification on potential energy production, the logistics and timings relating to the assembly and disassembly of the turbine and drew Members' attention to the amended Condition 6, which would require a separate planning application accompanied by an ecology report which demonstrated that there would be no impact on birds and bats, if the applicant was minded to run the turbine to generate electricity.

RESOLVED:

That following the submission of an appeal against non-determination, the Committee approved a resolution that, had a decision been required, they would have been minded to grant planning permission as per the Officer's recommendation and subject to:

- The conditions as set out in Appendix 1 of Annex 1 to the report;
- The amended Condition 4, including 4a and 4b, as set out in the report; and

- Condition 6 as set out in the report, subject to it being amended to ensure that the default position of the turbine shall be horizontal on the ground and that the turbine shall remain in this default position except for the purposes of training.

108 Shropshire Council Offices, Westgate, Bridgnorth, Shropshire, WV16 5AA (14/02693/OUT)

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location. He provided a verbal update on comments received following the publication of the report relating to third party comments which had suggested alternative uses for the site and confirmed that Severn Trent Water had raised no objections to the proposal subject to an appropriate condition to ensure that surface water and foul water would be managed appropriately.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, Councillor John Hurst-Knight, as the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He had offered and would be willing to work with the Bridgnorth Community Group (BCG) to explore possible funding avenues for this site, but, despite requests, no Business Plan had been proffered by the BCG;
- There were many other outlets and sites in the Bridgnorth area that could accommodate the suggested alternative uses for this site;
- Much money would have to be spent on the site to bring it up to health and safety standards; and
- Housing on this site would be appropriate, and housing, particularly affordable housing, was desperately needed in Bridgnorth.

Mr P Passant, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- No dialogue had been undertaken between the BCG and Councillor John Hurst-Knight;
- The site was situated in an affluent area of Bridgnorth so would not provide the much-needed affordable housing;
- He had met with the Leader and Officers of Shropshire Council who had afforded the BCG a further week to produce a Business Plan. There was already an architect and developer on board and the Business Plan was currently being processed; and
- On behalf of the community, he urged the Committee to give the BCG the opportunity to provide employment and affordable housing on the site as part of the business plan.

In response to questions from Members, Mr Passant explained that as part of the process the BCG would consider right-to-buy schemes and he envisaged that a timeline of six months would be required to explore and obtain funding.

Councillor J Gittins, representing Bridgnorth Town Council spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- There was a shortage of assets in Bridgnorth that could be used for community use;
- The leisure centre was in a poor state of repair and the youth centre, which was well-used by the community, was under the threat of closure;
- Bridgnorth Town Council had determined that the site should be retained for generating employment or commercial use;
- Up to 500 homes had been earmarked at Tasley as part of the Site Allocations and Management Development (SAMDev) Plan but no community asset had been identified. Drop-in surgeries, medical facilities, nurseries and primary schools were at bursting point; and
- Apart from the main building there were outbuildings that could be used as small starter units and Bridgnorth Town Council had offered to assist the BCG with their application.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Members reiterated and noted that the application was at outline stage only and the use of the site and number and type of housing would be determined at a later stage and they hoped that any future proposal would meet the aspirations and needs of the local community. A Member expressed his support and offered to work with the BCG to help them put forward a scheme that would benefit the local area and to identify possible funding.

RESOLVED:

That planning permission be granted as per the Officer's recommendation, subject to:

- Completion of a Memorandum of Understanding to secure affordable housing and maintenance of any public open space by an appropriate body through a Section 106 Legal Agreement; and
- The conditions as set out in Appendix 1 to the report.

(The meeting adjourned at 3.20 pm and reconvened at 3.25 pm.)

109 Land North West Of Stableford Hall, Stableford, Bridgnorth, Shropshire (14/04387/FUL)

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location and elevations. He drew Members' attention to the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting which detailed further third party

objection comments; comments from Severn Rivers Trust, which provided the background to the hardcore track; and confirmation that the building would be located outside of the Environment Agency flood risk zones.

Members had undertaken a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, Councillor Michael Wood, as the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- All residents living close to the site had raised objections;
- There had never been a track running through this part of the land;
- Would be unsuitable for keeping and rearing any sheep and the number of sheep proposed would not be viable;
- Proposal would be injurious to the Green Belt and contrary to the National Planning Policy Framework (NPPF);
- The proposal would be inappropriate, obtrusive, unnecessary, out of keeping and would impact on the tranquillity of the area; and
- If permitted, all conditions should be strictly adhered to.

Ms C Tildesley, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Eastern part of applicant's land was in the flood plain;
- She had lived in the area for the last 17 years and there had never been a track, roadway or vehicular access across this land;
- Submitted photographs had evidenced that part of the access track had been and would, at times, be submerged under water;
- The only way to alleviate flooding would be to alter the flood plain but this would have a detrimental impact on neighbouring properties and could put additional pressure upon the old road bridge;
- The rearing of sheep on this land would be contrary to the Good Practice and Duty of Care Regulations;
- The agricultural building would not be required. As the land would only be suitable for the keeping and rearing of minimal sheep the provision of sheep pens would not be required.

Mr T Branagan, representing the Environment Agency, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Continual use of the muddy track running parallel to the river might have a detrimental impact on the river. Accordingly, the creation of the hardcore track to the far end of the land would be beneficial to the environment; and

- The landowner had been generous with the land to address river erosion and biodiversity enhancement and had taken advice on tree planting and erosion protection.

Mr B Higginson, the applicant, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- He had purchased the land approximately 18 months ago and because of holidays and commitments the submission of the application had been delayed;
- The formation and layout of the gated access would ensure that the car/trailer when accessing/egressing the site would not impact on highway safety;
- The fenced areas erected by the Severn Rivers Trust were superior to the original stranded barbed wire fencing; and
- The SRT had now agreed to help with the track which would be permeable and would not impact on the levels of the land.

In response to questions from Members, Mr Higginson and Mr Branagan provided clarification on the materials used in the construction of the access track.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. In response to concerns, the Principal Planner explained that the final appearance of the track would be dealt with by conditions, but the Environment Agency would be consulted and would regulate if any adverse impact arose.

RESOLVED:

That planning permission be granted as per the Officer's recommendation, subject to:

- The conditions as set out in Appendix 1 to the report; and
- The external surfaces of the roof of the agricultural building shall be BS18B29.

(At this juncture, Councillor Nigel Hartin left the meeting and did not return.)

110 Land East Of 30 To 31 East Castle Street, Bridgnorth, Shropshire, (14/04464/FUL)

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, previously refused plans and the proposed plans and elevations.

Members had undertaken a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area.

By virtue of the amendment of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, Councillor John Hurst-Knight, as the local Ward Councillor, made a statement and

then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- With reference to a previous application for this site, he reiterated his concerns regarding the loss of light which had been raised at a previous meeting and considered that this current application would continue to have a detrimental impact on nearby properties.

Mr F Latham, Director of F L Design Limited and representing local residents, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- His company had considered the impact of the development on the existing properties in the area and he provided an overview of his findings which concluded the revised scheme would still adversely impact upon light to adjacent properties and the proposed development itself would have poor light levels in its kitchen area.

In the ensuing debate, Members considered the submitted plans, noted the comments of all speakers and unanimously voted to refuse the application. In response to comments and concerns regarding access and potential overdevelopment of the area, the Principal Planner drew Members' attention to the previous refusal decision for a previous application on this site which had made no reference to overdevelopment and access.

RESOLVED:

That, contrary to the Officer's recommendation, planning permission be refused for the following reasons:

The proposed development by reason of the height, bulk and positioning of the building would result in a substantial loss of light to the existing properties on Castle Terrace and Bank Street that would be detrimental to the living conditions of those dwellings and the residential amenities of the area. The development would therefore be contrary to Shropshire Core Strategy Policy CS6.

111 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 13 January 2015 be noted.

112 Date of the Next Meeting

RESOLVED:

That it be noted that the next meeting of the South Planning Committee would be held at 2.00 p.m. on Tuesday, 10 February 2015 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed (Chairman)

Date: