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**Committee and Date**

South Planning Committee

10 March 2015

**SOUTH PLANNING COMMITTEE**

**Minutes of the meeting held on 10 February 2015**

**2.00 - 4.19 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

**Responsible Officer:** Linda Jeavons

Email: linda.jeavons@shropshire.gov.uk Tel: 01743 252738

**Present**

Councillor Stuart West (Chairman)

Councillors Andy Boddington, Nigel Hartin, Richard Huffer, John Hurst-Knight, Cecilia Motley, Madge Shington, Robert Tindall, David Turner and Tina Woodward

**113 Apologies for Absence**

An apology for absence was received from Councillor David Evans.

**114 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.

**115 Public Question Time**

There were no public questions, statements or petitions received.

**116 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 14/01753/FUL and 14/01754/FUL, Councillor Cecilia Motley declared that she would leave the room and take no part in the consideration of, or voting on, these applications.

With reference to planning application 14/04930/FUL, Councillor Cecilia Motley declared that she was a member of The Shropshire Hills AONB Partnership and The Shropshire Hills AONB Partnership Management Board but had had no involvement with this application.

With reference to planning application 14/04930/FUL, Councillor David Turner declared that he was a member of the Management Board of the Shropshire Hills Area of Outstanding Natural Beauty Partnership but had had no involvement with this application.

**117 Land South West Of Bridge House, Stretton Road, Much Wenlock, Shropshire (14/01753/FUL)**

In accordance with her declaration at Minute No. 116, Councillor Cecilia Motley left the room during consideration of this item.

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, layout and landscape plan.

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting which provided points of clarification relating to the Much Wenlock Neighbourhood Development Plan.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor David Turner, as local Ward Councillor, made a statement and then left the room, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- The scheme had arisen from the Integrated Urban Drainage Management Plan and supported in the Much Wenlock Neighbourhood Plan;
- This scheme, in conjunction with the Sytche Lane application also to be considered at this meeting, would significantly help alleviate the flooding in the area; and
- He fully supported the proposal.

**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.

**118 Sytche Lane, Much Wenlock, Shropshire (14/01754/FUL)**

In accordance with her declaration at Minute No. 116, Councillor Cecilia Motley left the room during consideration of this item.

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, layout and landscape plan.

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting which provided points of clarification relating to the Much Wenlock Neighbourhood Development Plan and detailed an additional Condition requested by Shropshire Council's Ecologist.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor David Turner, as local Ward Councillor, made a statement and then left the room, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He fully supported the proposal, which would provide flood relief for residents.

**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 additional Condition as set out in the Schedule of Additional Letters.

**119 93 Damson Lane, Weston Heath, Shifnal, TF11 8RU (14/03090/FUL)**

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

Mr H Jackson, 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:

- The proposal was in accordance with the National Planning Policy Framework (NPPF);
- Local policies did not preclude development in open countryside;
- Would provide much needed private smaller homes;
- This was a windfall site and the proposal would help meet the five year land supply;
- No harm had been identified and would support the local economy; and
- Would be a sustainable development; and
- In accordance with adopted local policy.

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 drew Members' attention to paragraph 55 of the NPPF which indicated that new dwellings in the countryside would only be permitted in special circumstances and where an essential agricultural need could be justified; and referred to appeal decisions which had indicated that single dwellings would not significantly contribute

to or demonstrate sustainable development where they would have a high dependence on the use of the private car to access services.

**RESOLVED:**

That, as per the Officer's recommendation, planning permission be refused for the following reasons:

- The proposed development is located within an area defined as open countryside where new dwellings are only permitted where required to accommodate key agricultural, forestry or other essential countryside workers or to meet a local need for affordable housing / accommodation. No such need has been demonstrated in this case and the proposal would lead to sporadic and unsustainable development. Accordingly the proposal fails to comply with adopted Core Strategy policies CS4, CS5, CS6, and CS17 of the Core Strategy; and Government advice contained in the National Planning Policy Framework (in particular paragraph 55).

**120 Land Adj 29 Sycamore Road, Broseley, Shropshire (14/04219/FUL)**

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, layout 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.

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting and which detailed further objection comments.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor David Turner, as local Ward Councillor, made a statement and then left the room, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He and Broseley Town Council objected to this proposal;
- His concerns included impact on light, surface water, drainage and access;
- Would have a detrimental impact on neighbouring properties which sat lower in the landscape and would be particularly overbearing on the property known as 'Kenwood';
- The access onto Sycamore Row was already under pressure and there were no available parking spaces during the evening. He frequently received complaints about thoughtless parking;
- He questioned how and where delivery and work vehicles would park and how materials would be transported to the site during the construction phase. He also expressed concerns about the potential for damage to other properties during construction;
- Bradley Bank was a private drive and unadopted and the public footpath was already in a state of disrepair; and

- If granted he urged that appropriate conditions be added to ensure minimal impact on the surrounding properties during construction.

In the ensuing debate, Members considered the submitted plans and held differing views. Some Members expressed concerns relating to the surface water drainage and flooding issues that had been raised and the increase in traffic that had occurred over the years. Other Members commented and acknowledged that there had previously been a dwelling on this site, other legislation and powers would deal with the unadopted road and blocked drains and the car parking spaces would have to be constructed prior to the main building being brought into use.

**RESOLVED:**

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

- A Section 106 Legal Agreement in respect of an affordable housing contribution; and
- The conditions as set out in Appendix 1 to the report.

**121 Proposed Residential Development South Of A49, Ludlow, Shropshire (14/04455/OUT)**

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, indicative layout, landscape and access. He advised that there were no outstanding objections from technical consultees. He further advised that, in response to objections, the applicant would be willing to amend the scheme and remove the proposed footbridge over the River Corve into Fishmore View from the proposal.

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 accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Andy Boddington, as local Ward Councillor, made a statement and then left the room, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He was not totally against development on this site but this site was less than perfect. There were many brownfield and greenfield sites in Ludlow all of which had limitations by virtue of their topography and historical core;
- Too many houses would mean overdevelopment of the site. A smaller development would be more suitable;
- The only road access was from the A49;
- The development would look outwards from the town and would encourage people to drive away from Ludlow;
- The proposed footbridge to Fishmore View would create a thoroughfare which would change the whole character of Fishmore View. The footbridge would not provide a link to local amenities because there were no amenities; and

- There had been limited engagement with the Town Council and residents.

In the ensuing debate, Members considered the submitted plans, noted the comments of all speakers and expressed differing views. A Member proposed the scheme subject to the deletion of Fishmore View footbridge but on being put to the vote this proposition was lost. Some Members commented that the site would not be suitable for the number and tenure of homes proposed by virtue of its proximity to the River Corve and railway and its associated dangers. They questioned the need to build homes that would require the installation of insulation to protect against noise and fumes, commented on the limited disability access and questioned how primary school children would get to and from school.

In response to comments and concerns, the Principal Planner and Solicitor reiterated that this was an outline application with access being the only matter for consideration at this stage and all other details would be the subject of a Reserved Matters application; the submitted layout was purely indicative; and as there had been no objections raised by technical consultees, including from highways, drainage, ecology and public protection, an appeal would be difficult to defend.

#### **RESOLVED:**

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

- The proposed development is considered to be unsustainable for the following reasons:
  - The close proximity of the site to the A49, the River Corve and the railway line would pose a safety risk for children occupying the properties and noise from road and rail traffic would be detrimental to the amenities of residents. Accordingly the site is not suitable for small family homes and/or affordable dwellings;
  - The site has poor accessibility with just one vehicular entrance and limited pedestrian and disability access. It is also a significant walking distance from the main amenities in Ludlow town centre and is therefore considered to be an unsuitable location for residential development; and
  - Residential development in this location is not in accordance with the Development Plan (Core Strategy and South Shropshire Local Plan) or the emerging Site Allocations and Management Development Plan.

Accordingly, the proposal would be contrary to Policy CS6 Sustainable Design and Development Principles of the Council's adopted Core Strategy. It would also fail to comply with Paragraph 17 (point 4) of the NPPF in that the benefits of the proposal in terms of the contribution to housing supply would be significantly and demonstrably outweighed by the adverse impacts.

## 122 Land North of Henley Common, Henley Lane, Acton Scott (14/04930/FUL)

The Principal Planner introduced the application and with reference to the drawings and photomontage displayed, he drew Members' attention to the location.

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting and which detailed further comments from the Area of Outstanding Natural Beauty (AONB) Partnership, the applicant's Landscape Consultant, Case Officer and objection comments.

Mr J Phillips, 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:

- Would have a detrimental impact on the landscape and AONB;
- The local community was opposed to the proposal;
- Renewable energy should not be used to justify putting these solar panels in the wrong place;
- The NPPF stated that the AONB should be afforded the highest state of protection; and
- Would be contrary to the NPPF.

Mr J Wrench, representing Stretton Climate Care, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Supporting the principal of renewable energy was not sufficient – suitable schemes must be approved;
- The proposal had significantly reduced in size but would still generate sufficient local energy to meet the needs of householders in Church Stretton, reduce reliance on fossil fuels and would provide scope for a community benefits package to be applied;
- If carbon emissions did not reduce the impact on the environment would not decrease;
- Scheme would not generally be visible from the surrounding area and viewpoints, sheep would still be able to graze, and the impact on the landscape would be low and reversible;
- Would not have a detrimental impact on tourism; and
- This was a low impact proposal and would be sustainable.

Mr A Bower, 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:

- The site would be well screened;
- The soil on this field was poor quality Grade 3 pasture and would continue to be grazed by sheep;
- There was an existing power line across the site so no new power lines would be needed;
- Would be in accordance with the Development Plan and would not set a precedent; and
- Would avert climate change.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Cecilia Motley, as local Ward Councillor, made a statement and then left the room, took no part in the debate and did not vote on this item. During her statement, the following points were raised:

- She acknowledged the reduced operational area but continued to express concerns regarding the impact on the surrounding area given that converter buildings, equipment cabins, CCTV etc would be introduced onto ancient pastureland;
- Would be major development on an unspoilt area of the AONB;
- Would impact on the tourism and visitor economy within a protected area;
- Would be contrary to paragraphs 115 and 116 of the NPPF; and
- There were many industrial and business parks where solar panels should be encouraged.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Members continued to express concerns regarding the impact on the surrounding area, environmental assets and the AONB.

**RESOLVED:**

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

The proposal would have a detrimental impact upon the environment, character, landscape and visual quality of the Shropshire Hills Area of Outstanding Natural Beauty. Accordingly, the proposal would be contrary to Paragraphs 116 of the National Planning Policy Framework and Core Strategy Policies CS6 and CS17 whereby the adverse impacts would significantly and demonstrably outweigh the benefits.

**123 Hazeck, The Mines, Benthall, Broseley, TF12 5QY (14/05210/FUL)**

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



Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting and which detailed further public comments.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor David Turner, as local Ward Councillor, made a statement and then left the room, 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 Barrow Parish Council’s objections; and
- Noted that the chimney would be regulated by appropriate conditions.

**RESOLVED:**

That, subject to the conditions as set out in Appendix 1 to the report, planning permission be granted as per the Officer’s recommendation.

**124 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 10 February 2015 be noted.

**125 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 March 2015 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....