



SOUTH PLANNING COMMITTEE

Minutes of the meeting held on 1 April 2014

2.00 - 3.22 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Linda Jeavons

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Present

Councillor David Evans (Chairman)

Councillors Stuart West (Vice-Chair), Charlotte Barnes, Nigel Hartin, Richard Huffer, John Hurst-Knight, Cecilia Motley, William Parr, Madge Shingleton and David Turner (Substitute) (substitute for Robert Tindall)

140 Apologies for Absence

An apology for absence was received from Councillor R Tindall.

141 Minutes

RESOLVED:

That the Minutes of the South Planning Committee held on 4 March 2014, be approved as a correct record and signed by the Chairman.

142 Public Question Time

There were no public questions.

143 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 the application to register land known as The Green, Dunval Road, Bridgnorth as a Town Green, Councillor W M Parr declared that his family owned land adjacent to the site and, for reasons of bias, he would leave the room and take no part in the consideration of, or voting on, this application.

With reference to planning application 13/03126/FUL, Councillor W M Parr declared that members of his family resided adjacent to the application site.

With reference to planning application 13/03847/EIA, Councillor D A Evans declared that, although being in the poultry business himself, he had had no dealings with this farm and business.

144 Application to Register Land known as The Green, Dunval Road, Bridgnorth as a Town Green

The Commons Registration Officer introduced the report of the Head of Legal and Democratic Services (Monitoring Officer) for an application to register land known as The Green, Dunval Road, Bridgnorth as a Town Green. He stated that in order to regulate land as a village green the Commons Registration Authority must be satisfied that the land had been used by local people for at least 20 years. He confirmed that the criteria had been met and the recommendation was that the application be accepted.

Members noted the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting.

Mrs K Wardle, representing local residents, 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 Green, Dunval Road, was a much loved piece of land well used by local people;
- It was open space green land which should continue to be available for local people to use;
- It had also been and continued to be used by people from further afield;
- It could be accessed from the pavement so was very accessible for people with prams and wheelchairs;
- A public footpath ran alongside it which gave access to woodlands; and
- The landowner, Bridgnorth Town Council, supported this application.

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 J Hurst-Knight, as the local Ward Councillor, took no part in the debate and did not vote on this item.

Councillor W M Parr left the room in accordance with his declaration in Minute No. 143 above.

RESOLVED:

That the application to register land known as The Green, Dunval Road, Bridgnorth, be accepted and the land shown edged red on the plan (Appendix 1 to the report), be registered as a Town Green for the reasons set out in the report.

145 Land at Rhea Hall, Rhea Hall Estate, Highley, Shropshire (12/02334/OUT)

The Principal Planning Officer (Bridgnorth) introduced the outline application for a residential development with all matters (layout, scale, appearance, access and landscaping) reserved for later approval and confirmed that Members had attended a site visit that morning and had assessed the impact of the proposed development on

neighbouring properties and the surrounding area. With reference to the drawings displayed, he explained and drew Members' attention to the location.

The Principal Planning Officer (Bridgnorth) explained that the site was within the Highley Development boundary and was an allocated housing site in the adopted Local Plan. Some boundary trees and hedgerows would be retained and Shropshire Council's Highway Development Control Officers had raised no objections. Affordable Housing would be secured through a Section 106 Agreement.

In the ensuing debate, Members noted that this was an allocated housing site and access would be approved at the reserved matters stage; welcomed the Section 106 Legal Agreement; and expressed a preference for an increase in bungalow provision.

RESOLVED:

That, subject to a Section 106 Agreement relating to affordable housing and the conditions as set out in Appendix 1 to the report, planning permission be granted as per the Officer's recommendation.

146 North of Sydnall Farm, Middleton Priors, Bridgnorth (13/03126/FUL)

With reference to Minute No. 135, the Special Projects and Minerals Manager introduced the application and explained that the application to erect two 250kw wind turbines at Sydnall Farm, Middleton Priors had been considered at the previous meeting of this Committee when Members resolved not to accept the Officer recommendation to approve the proposals. This had been on the basis of concerns expressed with regard to the visual impact of the proposals and the potential implications for local amenities and tourism interests. Some Members had indicated that they were minded to refuse the application and discussions took place on the wording of a refusal reason. However, there had been no subsequent vote to refuse the application and therefore no decision had yet been taken. Accordingly, the application was now being reported back to this Committee for Members to make a formal decision. There had been no further representations or other developments since the previous meeting. Hence, the original Officer recommendation to approve the proposal remained unchanged. Members could make any decision on the proposals. If, however, the Committee was minded to refuse the application then the report set out the basis for a possible refusal reason which had been based on the discussions which took place at the previous meeting.

The Special Projects and Minerals Manager and Solicitor reiterated that the suggested wording as set out in the report might form the basis of any decision to refuse the application, it was only suggestive and if Members were minded to refuse and to ensure any decision would be defensible on appeal, they could choose to add to it.

In the ensuing debate, Members continued to express differing views. Some Members continued to support the application and considered that it would not unduly impact on the landscape and surrounding area. Other Members continued to support refusal as per the reasons set out in the report. On the casting vote of the Chairman, it was

RESOLVED:

That, contrary to the Officer's recommendation, planning permission be refused with the officers being given delegated authority to draft a refusal reason having regard to the following wording:

- The proposed turbines would be located in an area of high scenic quality in the vicinity of the Shropshire Hills Area of Outstanding Natural Beauty and would be visible from surrounding locations, including from nearby public footpaths. It is considered scale and location of the proposed turbines would have an unacceptably adverse effect on the character and scenic quality of the local landscape and also on local amenities and leisure and tourism interests. This would be contrary to the objectives of Core Strategy Policies CS5, CS6, CS13, CS16, CS17 and sections 28 and 109 of the National Planning Policy Framework.

147 Land south-east of Aston Rogers, Westbury, Shropshire (13/03847/EIA)

The Special Projects and Minerals Manager introduced the application for the construction of four poultry sheds and feed bins, ancillary works, alterations to existing vehicular access, installation of solar photovoltaic panels and associated landscaping. With reference to the drawings displayed, he drew Members attention to the proposed location, elevations, drainage, landscape, floor plans and residential receptors. He explained that it was proposed to build a four-shed poultry unit on land south-east of Aston Rogers and 2 miles south of Westbury. The site comprised part of a rectangular field surrounded by established hedges. It was accessed from an existing farm track which joined the B4386 opposite the Aston Rogers junction. The poultry sheds would house 180,000 birds and would have associated feed bins, control rooms and a service yard area. The sheds would each measure 98 metres long, 25 metres wide and 4.6 metres to the ridge and would be fitted with high-speed extractor fans. Eight feed bins 7.5m high, would be positioned between the sheds. The sheds and feed bins would be coloured slate blue. The south-west facing roof slope of one of the buildings would be covered by solar panels. A water balancing swale would be provided north east of the sheds. Improvements were proposed to the existing junction onto the B4386 and for 50m south of this. An existing 50m stretch of hedgerow to the north-west of the proposed sheds would be re-planted including hedgerow trees. Similar planting would be undertaken 450m south east of the sheds, in front of the proposed manure store location. The proposals fell within Schedule 1 of the Environmental Impact Assessment Regulations and so were automatically referred to committee.

The Special Projects and Minerals Manager explained Worthen with Shelve Parish Council supported the proposal, with a request for the access track to be improved for the whole of its whole length. The applicant had provided further information on odour and noise in response to comments from the Environment Agency. The Environment Agency and Public Protection had not objected. The access track was also a public footpath but the Countryside section had not objected. Highways had acknowledged the benefits of the proposed access improvement whilst ecological consultees had confirmed that no designated wildlife sites or protected species would

be affected. 24 local residents had raised objections. The main concerns related to scale and visual impact in the countryside, pollution, noise, odour, health and animal welfare. Two local residents supported the proposals as being agricultural in nature, well sited and supporting the rural economy.

The Special Projects and Minerals Manager explained that the Core Strategy policy CS5 supported rural diversification on appropriate sites. In terms of traffic, there would be an average or almost three vehicle visits or six movements per day, with peaks during the 7.6 annual crop cycles. The poultry units would be regulated under the Environmental Permitting system which would incorporate noise and odour management plans. The farm already imported similar quantities of poultry manure sourced from elsewhere to spread as a fertilizer. The applicant farmed sufficient land area to spread the manure within its own ownership and a suitable storage location had been identified over 800m from the nearest dwellings. Planning conditions covering amenity matters had also been recommended to provide added reassurance. In terms of visual impact the proposed site was set down in a gentle topographic depression some 400-750m from the nearest residential properties and 2km north of the Area of Outstanding Natural Beauty (AONB). Distance and the proposed planting would help to mitigate any views from Aston Rogers and the nearest heritage buildings. Historic Environment had raised no objections. The sheds would be of a 'low profile' design and located in a gentle topographic depression adjacent to an existing agricultural barn. With the exception of the nearby footpath they would generally be viewed only from a distance.

In conclusion, the Special Projects and Minerals Manager considered that the proposals represented an appropriate form of agricultural diversification which would secure the future of the business whilst contributing to the local economy and employment. It would also help to satisfy a strong demand for locally produced poultry. It was considered that the Environmental Impact Assessment accompanying the application demonstrated that the environmental impacts of the proposed development were not significant and were capable of being effectively mitigated. The recommended conditions would be supplemented by detailed operational controls under the Environment Agency's permitting regime. It was concluded that, on balance, the proposals were capable of being accepted in relation to relevant development plan policies and guidance.

Members had undertaken a site visit that morning and had assessed the impact of the proposed development on neighbouring properties and the surrounding area.

Mr S Jones, 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:

- There had been no objections from statutory consultees;
- The Environmental Impact Assessment had been granted;
- The suggested conditions were acceptable to the applicant;
- The entrance to the site would be moved by 15m;
- The applicant had mowed the verges for many years and was happy to continue to do so;

- Only 24 objections had been received and, of these, the number of objections from local people was minimal; and
- The development would be in accordance with planning policy.

In response to questions from Members, the applicant provided clarification on the access arrangements.

In accordance with Council Procedure Rules (Part 4, Paragraph 6.1) Councillor Mrs H Kidd, as local Member, participated in the discussion and made a statement but did not vote. She expressed concerns relating to the high speeds of traffic travelling along the B4386, which was a long stretch of straight road which encouraged high speeds and overtaking. There had been numerous accidents and/or near misses and she requested that consideration be given to traffic calming measures, eg double white lines, along the whole stretch of this road rather than the 15 metres as suggested in the report.

In response, the Special Projects and Minerals Manager, explained that the traffic would be cyclical; any conditions should be quantifiable and have regard to the scale and nature of the proposal; and the junction had been in use without incident for 20 years. The Highways Development Control Manager (South) explained that police approval and certain criteria would have to be met before double white lines were implemented; improved access arrangements had been proposed by the applicant; and reiterated that any conditions should be appropriate and reasonable.

A proposal to defer the application for further consultation and investigation into possible traffic calming measures was withdrawn and following an amendment to the Officer recommendation to secure a contribution of £2,000 towards traffic calming measures along the B4386 it was:-

RESOLVED:

That, subject to a Legal Agreement relating to a contribution of £2,000 from the applicant towards traffic calming measures, planning permission be granted as per the Officer's recommendation.

Reason: In the interest of highway safety.

148 Cricket Ground, Quatt, Bridgnorth, Shropshire, WV15 6QW (13/04962/COU)

The Principal Planning Officer (Bridgnorth) introduced the application for the change of use of land from agricultural to cricket square and construction of access drive. He confirmed that Members had attended a site visit that morning and had assessed the impact of the proposed development on neighbouring properties and the surrounding area. With reference to the drawings displayed, he explained and drew Members' attention to the proposed layout and location. He further explained that the nature of use and the proposed access was considered to be acceptable and would be appropriate development in the Green Belt.

Members noted the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting.

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.

149 Land at Woodberry Close, Bridgnorth, Shropshire, WV16 4PT (14/00199/FUL)

The Principal Planning Officer (Bridgnorth) introduced the application for the formation of additional parking bays (from 6 to 19) to include bollard security and landscaping. He confirmed that Members had attended a site visit that morning and had assessed the impact of the proposed development on neighbouring properties and the surrounding area and had noted the damage and problems caused by unauthorised vehicles traversing and parking on the land. With reference to the drawings displayed, he explained and drew Members' attention to the proposed layout and location.

In the ensuing debate, Members unanimously agreed to defer the application in order that consideration could be given to providing an alternative form of access to the occupiers of those dwellings who had benefited from unauthorised access to the frontages of their properties.

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 J Hurst-Knight, as the local Ward Councillor, took no part in the debate and did not vote on this item.

RESOLVED:

That this application be deferred in order for the applicant to give consideration to submitting a different and improved scheme and to providing an alternative form of access for residents to access their frontages and for consultation to be undertaken with those residents to see if they would be willing to make a contribution towards any improvements.

150 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 1 April 2014 be noted.

151 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 pm on Tuesday, 29 April 2014 in the Shrewsbury Room, Shirehall.

Signed (Chairman)

Date: