



Committee and Date

South Planning Committee

6 December 2016

SOUTH PLANNING COMMITTEE

Minutes of the meeting held on 11 October 2016

2.00 - 5.58 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 David Turner (Vice Chairman), Andy Boddington, Gwilym Butler, Nigel Hartin, Richard Huffer, John Hurst-Knight, William Parr, Madge Shingleton, Robert Tindall and Tina Woodward

40 Apologies for Absence

There were no apologies for absence.

41 Minutes

RESOLVED:

That the Minutes of the meeting of the South Planning Committee held on 13 September 2016 be approved as a correct record and signed by the Chairman.

42 Public Question Time

There were no public questions or petitions received.

43 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 application 14/05151/OUT, Councillors Andy Boddington and Robert Tindall declared that they were members of The Shropshire Hills AONB Partnership.

With reference to planning application 14/05151/OUT, Councillor David Turner declared that he was a member of The Shropshire Hills AONB Partnership and The Shropshire Hills AONB Transition Board.

44 **Change in Order of Business**

RESOLVED:

That agenda item 6 (Dun Cow Farm, Rocks Green, Ludlow, Shropshire, SY8 2DS – 14/05573/OUT) be considered as the next item of business.

45 **Dun Cow Farm, Rocks Green, Ludlow, Shropshire, SY8 2DS (14/05573/OUT)**

The Principal Planner introduced the application and with reference to the drawings displayed, she drew Members' attention to the location, layout and elevations. She confirmed that Members had attended a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area. She explained that the Environment Agency had subsequently withdrawn its objection, subject to an additional condition to ensure that the above ground tank compound was appropriately banded. She drew Members' attention to an extant planning permission for a hotel on this site.

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

Mr R Heighway, representing local residents, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Ms J Rowlett, a local business owner, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor J Smithers, representing Ludlow Town Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor P Lawley, representing Ludford Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

With the permission of the Chairman and in response to the number of speakers, the applicant was permitted to speak for up to six minutes. Mr S McGrath, the applicant, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees and responded to questions from Members.

(At this juncture, the meeting adjourned at 2.30 pm and reconvened at 2.44 pm.)

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

- The site was on a main busy A road where traffic did not keep to the 40mph speed limit. There was only one small road through to Dun Cow;

- There were other supermarkets in Ludlow so people of Ludlow did not object to supermarkets per se, but wanted them to be in the right place;
- There was no need for another supermarket selling the same merchandise as the other supermarkets; and
- There was no need for another petrol station and this one would cause congestion with traffic queuing onto the main road.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers and Officers. Members expressed concern with regard to the increased traffic and the detrimental impact this would have on Rocks Green. They noted that a screening opinion had been applied for with regard to LUD017 and they considered that the Transport Assessment submitted with the outline planning application 14/05573/OUT should have taken this into account. Some Members requested that, if approved at this stage, any future application should be considered by this Committee.

In response to comments, the Area Highways Development Control Manager (South) reiterated that a traffic assessment had been undertaken and Highways England had also been consulted and had raised no objections and provided clarification on the reasons for this. She further explained that the current owner of the Dun Cow Road was Shropshire Housing Group but in the event of a Reserved Matters application being submitted consideration would be given to the adoption of the Dun Cow Road. The A49 traffic island was well used and not just at peak times and the incremental impact of the proposed 200 homes (LUD017) on the A49 traffic island would be minimal. The Principal Policy Specialist Officer and the Principal Planner responded to questions and provided clarification on the issues and technical details regarding highways and retail evidence. They acknowledged that this application was for an 'out of town' development and fell outside the SAMDev boundary but explained that there was nothing to restrict this type of development outside the SAMDev boundary.

Prior to being put to the vote, the Solicitor referred Members to paragraph 17.4, Part 5, Shropshire Council's Constitution, which stipulated that, where the Planning Committee is minded to determine an application contrary to the officer recommendation, it may not continue to determine that application at that Planning Committee meeting if the application represents a significant departure from the Development Plan or where the Committee's resolution might not be defensible if challenged and result in compensation or damages being available to, or claimed by, the applicant under a statutory provision.

RESOLVED:

That consideration of this planning application be deferred to a future meeting with Members minded to refuse the application for the following reasons:

- The site is outside the Site Allocations and Management Development (SAMDev) boundary and the proposal will have a significant impact and will not help to maintain and enhance the vitality and viability of Ludlow Town Centre. Accordingly, the proposal will be contrary to SAMDev S10, paragraph 27 of the National Planning Policy Framework and Core Strategy Policy CS15. The development will be contrary to CS6 which requires that proposals likely to

generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced; and any development should contribute to the health and wellbeing of communities, including safeguarding residential and local amenity; and

- Insufficient information has been submitted relating to the traffic consequences of the scheme given other planned development in the area, including the housing site allocation LUD017.

(At this juncture, the meeting adjourned at 4.15 pm and reconvened at 4.24 pm.)

46 The Sidings, Snailbeach, Shrewsbury, SY5 0LT (14/05151/OUT)

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

In the ensuing debate, a Member commented that a statement setting out the number of affordable properties in the area and the local need for affordable housing would have been preferable in order to make an informed decision on whether or not to permit this proposal without securing an affordable housing contribution. He requested that such information be made available when any appropriate applications are considered by this Committee in the future.

RESOLVED:

That Outline Planning Permission be granted as per the Officer's recommendation, subject to no development taking place until a Stability Report in respect of the boundary wall and a Construction Method Statement has been submitted and approved in writing by the local planning authority as agreed and set out in the Minutes of the South Planning Committee meeting held on 3 November 2015.

47 Land Adjacent To Telephone Exchange, Lower Galdeford (16/01156/FUL)

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, layout and elevations. He confirmed that Members had undertaken a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area. Arising from the site visit, he informed the meeting that, in the interests of visual amenity, the applicant had agreed to cedar clad an existing building within the application site.

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

Ms J Hulley, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor C Sheward, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

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

- The existing stone boundary walls despite being in a poor condition and in need of re-pointing in places should be retained, reinstated and maintained;
- The site was situated next door to a medical centre which required some degree of quietness. In order to provide a quieter running surface and to protect the amenities of all those living/working close-by gravel should not be used and all surfaces should be tarmaced;
- There should be no early or late deliveries and no deliveries on Sundays and Bank/Public Holidays; and
- The layout of the road into the site was not good and large vehicles would find it difficult to manoeuvre and could cause damage to the two small mini roundabouts.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Members generally welcomed an application for this site but as this was a prominent site and a gateway to the town centre expressed the importance of getting it right. Members expressed concerns regarding the detrimental noise impact caused by large vehicles manoeuvring on gravel and suggested the use of other appropriate materials; and also expressed concerns relating to the construction and delivery times and the impact of this on the surrounding area. In order to improve the outlook of the site it was suggested that the height of the railings be lowered.

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, subject to:

Condition No. 13a to be amended to read:

"No deliveries in connection with the operations hereby approved shall take place before 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 Saturdays. There shall be no deliveries on Sundays and Bank/Public Holidays;

Condition No. 13c (marked 13b in the report) to be amended to read:

"Hours of working for the construction phase shall be restricted to 08.00 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays. There shall be no construction work on Sundays, Public or Bank Holidays; and

- An additional Condition to ensure that the existing building be cedar clad; and
- Planning Officers be granted delegated powers to reduce the height of the railings and to ensure the use of appropriate surfaces.

48 Proposed Affordable Dwelling To The North Of Green Lane, Onibury, Shropshire (16/02270/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.

Mr G Banks, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr D Francis, representing the applicant, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor David Evans, 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 well acquainted with the area;
- He had helped to fight a successful campaign to retain the local school;
- The site fell within a settlement known as Brandhill Gutter;
- The application was supported by the Parish Council and the two local Shropshire Councillors; and
- Young people who have lived and worked in the area for many years should be given every opportunity and support to remain in the area.

At this juncture, the Chairman left the room and the Vice-Chairman took the chair for this item.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers.

RESOLVED:

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

- A Section 106 Legal Agreement to ensure the property remains an affordable dwelling in perpetuity; and
- That Planning Officers be granted delegated powers to attach appropriate conditions relating to materials, ground levels, landscaping, floor area, access, drainage (foul and surface water), ecology, and any other conditions deemed

necessary and to include Informatives relating to rights of way and a sustainable drainage scheme (SUDS).

(The Chairman returned to the meeting and resumed the chair.)

49 Land To West Of Callaughton Lane And To The South Of Oakfield Park, Much Wenlock, Shropshire (16/02910/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 the previous day 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.

Mrs L Durbin, a local resident, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr F Harrow, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor M Whiteman, representing Much Wenlock Town Council, spoke commenting on aspects of the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

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

- Much Wenlock was a popular tourist destination and was a much sought-after residential location. It had two good schools, both primary and secondary and there were good amenities within easy reach;
- The exercise of right to buy had stripped the community of much of its social housing;
- The average age in Much Wenlock was 49 – this compared with some Shrewsbury wards, for instance, where the average age was 37. The proportion of its population working locally is comparatively small. Public transport links were poor except for the Bridgnorth to Shrewsbury service and it was difficult to sustain local employment;
- The Much Wenlock Neighbourhood Plan's gestation period throughout 2012 and the early part of 2013 was characterised by continuous public consultation. Surveys, drop- in consultations throughout the parish, meetings, press articles, a website, social media and posters around the town ensured that there was wide awareness of the plan as it developed. A key aspect that emerged was the need for affordable housing for local people;

- The demand for social housing was borne out by the Housing Needs Survey and is evidenced by the bidding on HomePoint. This site, just off the lane to Callaughton, close to the primary school, the shops and public transport, was as good as any in the somewhat constrained topography of Much Wenlock. The proposal had been subject to well-publicised local consultation and comments that have been made had informed changes in the layout and design;
- As regards this application, it would provide a variety of accommodation. The plots would be large and the houses were imaginatively designed. The surface water management proposals were thorough and resilient;
- He expressed concerns regarding the pedestrian access arrangements along the lane from the Bridgnorth Road but was somewhat reassured given the view of the Highways Officer that this would be acceptable given the low volume of traffic using it. He expressed further concerns relating to the close proximity of the 30mph speed limit on the A458 to this junction and expressed his dismay with regard to the assertion that this development would not justify moving it further out of town or warrant the imposing of a 40mph step-down speed limit a few hundred yards before. He welcomed the Section 106 contribution to additional traffic calming measures along the A458; and
- In conclusion, he believed that the highways concerns would not be sufficient reason to warrant refusal of the application and urged the Committee to approve.

Mr P Neep, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Members acknowledged the need for affordable dwellings as evidenced in the Much Wenlock Neighbourhood Plan. In response to questions, the Area Highways Development Control Manager (South) explained that the issue of the 30mph speed limit had been discussed with the Police and appropriate Shropshire Council Highways Officers and all parties had agreed that the present location of the 30mph speed limit was an appropriate location and in line with Department of Transport guidance. The warning signs were prominent with yellow backing boards and placed in a good location that could be seen at a distance by vehicles entering Much Wenlock. If any additional frontage development took place on the A458 heading south towards Bridgnorth then consideration might be given to the location of the 30mph speed limit signage. A vehicle activated sign had been proposed and this would add extra prominence to the speed limit and act as a reminder for drivers after they had entered the speed limit. It was considered best practice to keep any restriction close to the built-up area as an extension of a speed limit where it was not appropriate often led to a lack of respect and compliance.

RESOLVED:

That, as per the amended recommendation as set out in the Schedule of Additional Letters, planning permission be granted, subject to:

- Completion of a Section 106 Agreement in relation to traffic calming measures including the moving of the 30mph speed limit signs on Callaughton Lane; and
- The conditions as set out in Appendix 1.

50 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 11 October 2016 be noted.

51 Date of the Next Meeting

RESOLVED:

That it be noted that the next meeting of the South Planning Committee will be held at 2.00 pm on Tuesday, 8 November 2016 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed (Chairman)

Date: