



**Committee and Date**

South Planning Committee

24 October 2017

**SOUTH PLANNING COMMITTEE**

**Minutes of the meeting held on 26 September 2017**

**2.00 - 3.18 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, Simon Harris, Richard Huffer, Madge Shinton, Robert Tindall, Tina Woodward and Vivienne Parry (Substitute) (substitute for Nigel Hartin)

**43 Apologies for Absence**

Apologies for absence were received from Councillors Nigel Hartin (Substitute: Viv Parry) and William Parr.

**44 Minutes**

**RESOLVED:**

That the Minutes of the meeting of the South Planning Committee held on 29 August 2017 be approved as a correct record and signed by the Chairman.

**45 Public Question Time**

Mr David Baker had submitted a question in accordance with Procedure Rule 14 (a copy of the question and the formal response is attached to the signed minutes).

Mr Baker asked the following supplementary question:

“Firstly may I introduce myself. My name is David Baker and I live 330m from Footbridge Farm.

Thank you for your detailed reply, which repeated many of the points in the Officer's report.

I note for comparative reasons this committee's approval after appeal of the “energy from waste” incinerator operated by Veolia Environmental Services at Battlefield. This application too had many objections, 447 in total, broadly similar to the number of objections for Footbridge Farm, which included “concerns about health affects”, but this too was finally approved with condition

18, environmental monitoring for dust. I understand this monitoring was implemented, but the amounts of dust proved to be inconsequential.

I put it to you that actual dust emissions created when chicken sheds are emptied will depend on the method used and care exercised. You obviously considered the risk to people at Battlefield because you installed monitoring equipment there. But you have decided that there is negligible risk to the people of Tasley and Bridgnorth, which forces me to ask the question:

Does this committee care more about the health of Shrewsbury residents than those of Bridgnorth and Tasley?"

The following verbal response was provided by the Principal Planner:

"The two schemes referred to by Mr Baker are very different and when Public Protection Officers look at the impact of a scheme on an area they take specific things into account. Primary legislation is taken into account when the Public Protection team consider any application. In the case of a poultry farm, many other checks and balances, including the Environmental Protection Act and Regulations closely monitor noise, dust and other issues and the Public Protection Team and Environment Agency may have concluded that these issues could be adequately dealt with under the current legislation."

#### 46 **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.

Councillor Viv Parry explained that she had not commented on or pre-determined any planning application to be considered at this meeting and remained open-minded.

With regard to planning application 17/00766/FUL, Councillor Madge Shingleton declared that she was acquainted with the landowner.

#### 47 **Brian Mear (Bricks) Ltd, The Brick Library, Bromfield Road, Ludlow, Shropshire, SY8 1DN (16/04716/VAR)**

The Principal Planning Officer 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.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Andy Boddington, as local Ward Councillor, made a statement. He then left the table, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- This scheme had previously been approved after much debate and would still be tenable if tanks were installed above ground;
- This was a very sensitive site and the principle of sitting fuel tanks within a water table in a SSSI was fundamentally wrong; and
- In conclusion, he reiterated that a scheme that was viable and would work had already been approved.

In the ensuing debate, Members noted all comments and considered the submitted plans. Members acknowledged the need for a further petrol station in Ludlow; tank technology was now very different and more improved than it was; any leakage would become evident very quickly; the proposal would benefit both motorists and shoppers; and would provide more parking on site.

**RESOLVED:**

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

**48 Land West Of Water Works, Hopton Wafers, Shropshire (17/00766/FUL)**

The Planning Associate, 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 had assessed the impact of a proposal on the surrounding area.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Gwilym Butler, as local Ward Councillor, made a statement. He then left the table, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- This was a sensitive site;
- He had no concerns regarding the rear extension but the proposed balcony would be out of keeping and may cause problems in the future if any further development in the area took place. He preferred a Juliet balcony and for the porch to remain open rather than glazed; and
- If Members were minded to approve, he suggested that delegated authority be granted to Officers to approve the application, subject to them undertaking further discussions with the applicant regarding the removal of the balcony from the proposal.

By virtue of her declaration at Minute No. 46 and in accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Madge Shinton, as local Ward Councillor, made a statement. She 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 expressed concerns regarding access, highway safety and design.

In the ensuing debate, Members noted all comments and considered the submitted plans. Members took into account the location and context of other buildings and the close vicinity of the modern house next door and notwithstanding their concerns and reservations regarding the proposed balcony and porch, it was,

**RESOLVED:**

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

**49 Proposed Affordable Dwelling North Of Spring Vale Farm, Occupation Lane, Chelmarsh, Bridgnorth, Shropshire (17/02441/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 and had viewed the site and had assessed the impact of a proposal on the surrounding area. He drew Members' attention to the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting.

Councillor M Williams, representing Chelmarsh Parish Council, 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) Councillor Robert Tindall, as local Ward Councillor, made a statement. He then left the table, 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 the scattered and diverse nature of the settlement;
- The proposed dwelling would not be conspicuous nor elevated within the landscape and the positioning of it next door to a cluster of buildings and farmhouse was acceptable; and
- This provided an opportunity to grant a local couple the ability to remain in a place they came from.

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

In the ensuing debate, Members noted the comments of all speakers and considered the submitted plans. Following advice from the Principal Planner with regard to appropriate conditions which should be attached to any permission, it was:

**RESOLVED:**

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

- A Section 106 Legal Agreement to ensure the dwelling remains an affordable dwelling in perpetuity;
- That Planning Officers be granted delegated powers to attach appropriate conditions relating to materials, drainage, landscaping, boundary treatments, floor levels, maximum 100 sqm gross internal floor area and any other conditions and informatives deemed necessary;
- A condition to ensure that the section of existing shed within the application site boundary is used solely in connection with the trade or business of the occupier of the affordable dwelling; and
- Removal of Permitted Development Rights.

**50 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 26 September 2017 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, 24 October 2017 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....