



**Committee and Date**

South Planning Committee

13 February 2018

**SOUTH PLANNING COMMITTEE**

**Minutes of the meeting held on 16 January 2018**

**2.00 - 2.52 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), Gwilym Butler, Simon Harris, Nigel Hartin, Richard Huffer, Madge Shingleton, Robert Tindall, Michael Wood and Tina Woodward

**76 Apologies for Absence**

An apology for absence was received from Councillor Andy Boddington.

**77 Minutes**

**RESOLVED:**

That the Minutes of the meeting of the South Planning Committee held on 19 December 2017 be approved as a correct record and signed by the Chairman.

**78 Public Question Time**

There were no public questions or petitions received.

**79 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 16/02491/REM, Councillor Robert Tindall declared that he was a member of the Shropshire Hills AONB Partnership.

With reference to planning application 16/02491/REM, Councillor David Turner declared that he was a member of The Shropshire Hills AONB Partnership and The Shropshire Hills AONB Transition Board.

With reference to planning application 17/04037/FUL, Councillor Michael Wood declared that he was acquainted with the applicant.

**80 The Leasowes, Sandford Avenue, Church Stretton, Shropshire SY6 7AE  
(16/02491/REM)**

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, amended resolution and the change to the recommended planning conditions as set out in the Schedule of Additional Letters circulated prior to the meeting.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor David Evans, as local Ward Councillor, made a statement. He then left the room, took no part in the debate and did not vote on this item. During his statement he expressed his support for the application.

At this juncture, the Vice-Chairman took the Chair.

In the ensuing debate, Members considered the submitted plans and welcomed the reduction in number of dwellings, the proposed conditions regarding tree protection and the integration and location of the affordable dwellings. Members requested that the brickwork and roof tiles should be appropriate and in-keeping with the surrounding area and the Landscaping and Planting Scheme should include the planting of *Tilia Cordata* (small-leaf lime). In response to questions from Members, the Principal Planner provided clarification on the location and provision of open space, landscaping, parking provision and access arrangements.

**RESOLVED:**

That, as per the Officer's amended recommendation as set out in the Schedule of Additional Letters:

- Reserved Matters be approved, subject to the amended Appendix 1 as set out in the Schedule of Additional Letters;
- An additional condition requiring that the detail and colour of the brickwork and roof tiles be first agreed in writing by the Local Planning Authority prior to any development taking place to ensure an appropriate external appearance in order to safeguard the appearance and character of the area;
- The information pursuant to condition 5v of permission reference 14/01173/OUT (flood risk assessment) be discharged; and
- The information pursuant to conditions 6a (detailed landscaping) and 8a (tree protection) of permission reference 14/01173/OUT be not discharged at this stage. The Landscaping and Planting Scheme to include *Tilia Cordata* (small-leaf lime).

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

**81 11 Greenfields Road, Bridgnorth, Shropshire, WV16 4JG (17/03114/CPE)**

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

Members considered the submitted photographs.

**RESOLVED:**

That, as per the Officer's recommendation, a Lawful Development Certificate be issued for the following reason:

- The works to which this application for a Lawful Development Certificate relates, comprising of a loft conversion; erection of porch with pitched roof extending over the front of the garage; creation of hardstanding to the front of the property with associated dropped kerb and erection of garden boundary wall are works which constitute development under Section 55 of the Town and Country Planning Act 1990. From the information available, and on the balance of probability, all of the works were completed in excess of four years prior to the 12th July 2017. Even if any of the works did not fall wholly within the conditions and limitations of permitted development rights that were in force at the time the works were carried out, the fact that they constitute 'operational development' and were carried out more than four years ago, means the Council would be time-barred from taking any planning enforcement action. A Certificate of Lawful Development can therefore be issued.

**82 Brand Oak House, 19 Rosemount Gardens, Ackleton, Bridgnorth, Wolverhampton (17/04037/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 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 Michael Wood, as local Ward Councillor, made a statement. He 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 acknowledged that the site fell within the Green Belt but also acknowledged that any harm could be outweighed by 'very special circumstances', as detailed in paragraph 6.1.2 of the report, and drew Members' attention to the medical history of the family as set out in Appendix 1 to the report;
- This application would help to ensure specific medical needs were addressed, allow the family to care and support themselves and reduce the need to rely on state intervention; and

- During the site visit it became evident that the proposal put forward by the applicant was very similar in size and proportion to other existing properties in Rosemount Gardens.

Mr P Burton, 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 and the advice given by Officers. Members particularly noted the needs and medical needs of all family members, and it was:

**RESOLVED:**

That, contrary to the Officers recommendation, planning permission for the two-storey extension be granted, subject to appropriate conditions, for the following reasons:

- Following the debate, the Committee came to the view, having viewed the site that the scale of the proposed development, in combination with the existing extension to be retained, would not amount to inappropriate development in the Green Belt in this particular site context and as such would not harm the openness of the Green Belt. In addition, if it had been concluded the proposal would be inappropriate development, the Committee formed the view that the personal medical circumstances in the family context and history put forward constitute sufficient very special circumstances to override the presumption against inappropriate development in the Green Belt. The property is already not a smaller open market dwelling, being one of some substance, and the extension would not materially alter the mix of open market dwellings in the countryside.

**83 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 16 January 2018 be noted.

**84 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, 13 February 2018 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....

