



**Committee and Date**

South Planning Committee

6 June 2017

**SOUTH PLANNING COMMITTEE**

**Minutes of the meeting held on 4 April 2017**

**2.00 - 4.08 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, Nigel Hartin, John Hurst-Knight, Madge Shingleton, Robert Tindall and Tina Woodward

**90 Apologies for Absence**

Apologies for absence were received from Councillors Gwilym Butler, Richard Huffer and William Parr.

**91 Minutes**

**RESOLVED:**

That the Minutes of the meeting of the South Planning Committee held on 7 March 2017 be approved as a correct record and signed by the Chairman.

**92 Public Question Time**

There were no public questions or petitions received.

**93 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 to be considered, Councillor Andy Boddington declared that he was a member of The Shropshire Hills AONB Partnership.

With reference to planning applications 16/03334/EIA and 15/05330/EIA, Councillor David Evans declared that he was in the poultry business but did not know the applicants and his business was very different to the running of broiler farms.

With reference to planning applications to be considered, Councillor Robert Tindall declared that he was a member of the Shropshire Hills AONB Partnership. With

reference to planning application 16/03334/EIA he stated that he had taken no part in the formulation of the AONB's decision to object.

With reference to planning application 16/05706/COU, Councillor Robert Tindall declared that he was acquainted with the person speaking against and for reasons of perceived bias would take no part in the consideration of, or voting on, this application.

With reference to planning application 16/02758/FUL, 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 16/03334/EIA he stated that he had taken no part in the formulation of the AONB's decision to object.

**94 Hurst Barn, Clunton, Craven Arms, Shropshire, SY7 0JA (16/03334/EIA)**

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 the nearby Arvon Centre 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 H Hamilton, representing local residents, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr P Holden, representing the Area of Outstanding Natural Beauty, 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) Councillor Nigel Hartin, 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:

- The site was within the Shropshire Hills AONB;
- Detailed objections had been received from the Shropshire Hills (AONB) Partnership, Clun and Clunbury Parish Councils and there had also been an on-line petition;
- Would be contrary to paragraph 116 of the National Planning Policy Framework and Core Strategy Policies CS16 and CS17;
- Any gain to the local economy would be minimal and given the possible impact on tourism might even mean a reduction;
- There would be insufficient measures to mitigate any harm to the River Clun Special Area of Conservation (SAC);

- The visual impact from the surrounding hills would not be as negligible as claimed in the report;
- It was in a prominent location, close to the roadside and would be very visible even with the proposed mitigation measures; and
- He urged refusal.

With the permission of the Chairman and due to the fact that additional speakers had been allowed to speak against the proposal, the agent was permitted to speak for up to six minutes. 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. Some Members expressed concerns regarding the detrimental impact on the surrounding area, landscape and the high risk to the River Clun SAC. In response to questions, the Principal Planner and Solicitor provided clarification on the EIA Regulation 22 public consultation process and confirmed that if any new material considerations were raised prior to the end of the consultation process on 16 April 2017, the application would be brought back to this Committee for determination.

**RESOLVED:**

That, in accordance with Members' view that they be minded to approve the scheme, delegated authority be granted to Planning Officers to issue the decision subject to there being no further material new issues raised prior to expiry of the EIA Regulation 22 public re-consultation deadline on 16 April 2017 and subject to:

- The conditions as set out in Appendix 1 to the report, subject to conditions being amended to ensure that external surfaces of the development shall be BS18B29;
- A Legal Agreement to deliver off-site ecological mitigation measures to protect the Clun Catchment Special Area of Conservation as set out in Appendix 2 to the report; and
- If any new material considerations be raised during the consultation process the application be brought back to this Committee for determination.

**95 Walkhamwood Farm Faintree Bridgnorth Shropshire WV16 6RQ (15/05330/EIA)**

The Technical Specialist Planning Officer introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, layout and elevations.

Members noted the additional information and the recommended additional condition requiring the applicant to submit a scheme prior to the commencement of the development setting out procedures for ensuring that, wherever practicable, no less than 50% of the poultry litter produced at the site shall be burned in the biomass boiler, and as set out in the Schedule of Additional Letters circulated prior to the meeting.

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.

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

Mr J Pickup, representing Neenton Parish Meeting, 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) Councillor Robert Tindall, 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 commended the applicant for trying very hard to accommodate a large scale set-up by sinking it into the ground and ensuring that the rooftops would sit below bunded boundaries;
- He expressed concerns regarding the close proximity of nearby residents; and
- If approved, he requested that BS18B29 be the preferred colour treatment of any external surfaces and odour and noise be closely monitored.

Mr G Clark, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees. In response to questions from Members, he reiterated that the Environment Agency had now granted a permit for this proposal and this would control operational matters to prevent pollution of the environment and the report indicated that all receptors fell within acceptable percentiles.

In the ensuing debate, Members noted the comments of all speakers and considered the submitted plans. The majority of Members acknowledged that the site was not located within the AONB; the visual impact on the surrounding area would be minimal; and appropriate conditions to control odour and noise would be attached to any permission

**RESOLVED:**

That, as per the Officer's recommendation, delegated authority be granted to the Planning Services Manager to grant planning permission, subject to:

- The conditions as set out in Appendix 1 to the report and the Schedule of Additional Letters, subject to conditions being amended to ensure that external surfaces of the development shall be BS18B29.

**96 Agricultural Building NW Of Coombys Farm, Severn Side, Highley, Shropshire (16/04135/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.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Dave Tremellen, as local Ward Councillor, made a statement in support of the proposal. He took no part in the debate and did not vote on this item.

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

**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.

**97 17 Barrow Street, Much Wenlock, TF13 6EN (16/05706/COU)**

*(By virtue of his declaration at Minute No. 93, Councillor Robert Tindall took no part in the consideration of, or voting on, this application.)*

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

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.

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

Mr D Davies, a local resident, 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 David Turner, 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:

- Much Wenlock was a tourist destination, had a high proportion of retired residents and had a thriving visitor economy as demonstrated by the Town's range of pubs, hotels, cafés and restaurants;
- The Town Council had originally supported the application when the red line encompassed only the building and changed its response to "no objection" following a revised consultation with the red line redrawn to include the garden area. The Town Council had also received a letter from Wenlock Estates which set out its plans and its concerns to ensure that the growing ecclesiastical outfitters business, which had swapped premises with this one in order that it could continue to trade and thrive in Much Wenlock;

- Any change of planning consent would not be exclusively for a tea room. A3 Class Use (restaurants/cafes) had wider implications and any consent applied to the property, not the occupier;
- He welcomed the choice that this food establishment provided and was keen to have and retain full occupancy of all of the Town's retail units in these uncertain times;
- He expressed concerns regarding the path between the Church green and this tea garden which was not a public footpath but was used as such. Members of the public walked in close proximity to a number of residential properties around the town and especially so in Barrow Street. However, they were walking, not sitting, for extended periods. During the site visit it had been noted that there was a planting scheme being implemented and there was a shrub that partially screened views on Church House;
- He welcomed the limited hours of operation and the intervention of public protection in matters of odour and noise; and
- In conclusion, he urged the Committee to consider whether the assurances and conditions as proposed would adequately ensure privacy for neighbours, would keep disturbance to acceptable levels and ensure that a manageable compromise could be reached.

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

**RESOLVED:**

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

- The conditions set out in Appendix 1 of the report and, in the interests of safeguarding neighbour amenity and the character and appearance of the conservation area, an additional condition to ensure additional bush/shrub planting takes place adjacent to the north eastern side of the garden/outside seating area bordering Church Walk; and
- An informative requesting that the operator of the tea room adopts a no smoking policy within the garden/outside seating area.

**98 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 4 April 2017 be noted.

99 **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, 2 May 2017 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....