



**Committee and Date**

South Planning Committee

29 August 2017

**SOUTH PLANNING COMMITTEE**

**Minutes of the meeting held on 1 August 2017**

**2.00 - 4.50 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, Richard Huffer, Madge Shingleton, Tina Woodward, Heather Kidd (Substitute) (substitute for Andy Boddington), Cecilia Motley (Substitute) (substitute for Robert Tindall), Vivienne Parry (Substitute) (substitute for Nigel Hartin) and Michael Wood (Substitute) (substitute for William Parr)

**21 Apologies for Absence**

Apologies for absence were received from Councillors Andy Boddington (Substitute: Heather Kidd), Nigel Hartin (Substitute: Viv Parry), William Parr (Substitute: Michael Wood) and Robert Tindall (Substitute: Cecilia Motley).

**22 Minutes**

**RESOLVED:**

That the Minutes of the meeting of the South Planning Committee held on 4 July 2017 be approved as a correct record and signed by the Chairman.

**23 Public Question Time**

There were no public questions or petitions received.

**24 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 17/01199/FUL, 17/01372/FUL and 17/01387/FUL, Councillor Richard Huffer stated that his wife was the local Ward Councillor and she may have formed an opinion on these applications. Having taken advice from the Solicitor, he confirmed that he had not pre-determined the applications and remained open-minded and any decision he made would be based on the information presented to him.

With reference to planning application 17/01352/FUL, Councillor Heather Kidd declared that the applicant was her husband and she would leave the room and take no part in the consideration of, or voting on, this application.

## 25 **Change in Order of Business**

### **RESOLVED:**

That agenda item 10 (Pumping Station, The Moors, Diddlebury, Shropshire, SY7 9JZ – 17/03071/TEL) be considered as the next item of business.

## 26 **Pumping Station, The Moors, Diddlebury, Shropshire, SY7 9JZ (17/03071/TEL)**

The Technical Specialist Planning Officer introduced the application and with reference to the drawings and photo montage displayed, she drew Members' attention to the location, layout and elevations. She confirmed that Members had undertaken a site visit the previous day and had viewed the site, walked the public footpath, walked around Diddlebury and had viewed the site from the points where the photographs had been taken, and had 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.

Councillor D Hedgley, representing Diddlebury Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees. In response to questions from Members, Mr Hedgley confirmed that an invitation to Mono to meet with the Parish Council had been declined.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Cecilia Motley, 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:

- Although the village is very linear in nature, actually all parts of the village related closely to each other to the extent that any development would affect the whole village;
- Diddlebury, in common with most of the Corvedale, suffered from dismal mobile signals – therefore, it was not the principle of the phone mast that was an issue but clearly the location and the concerns regarding whether the health of the villagers in the future could be affected;
- Location – Mono had advised by letter that a number of sites within Diddlebury had been considered and that this site was the preferred site. The letter indicated that a list of other sites had been considered and discounted. Two of them, Diddlebury village church and a grass verge to the east of the village, were appropriately discounted as being unsuitable. One of the listed option sites did not exist. This left two options other than the Moors which would have been suitable (one being a local farm just outside the main village and

the other land owned by a local landowner). Neither had been approached which was contrary to what had been stated in a letter from Mono. The postal address for the local farm was incorrectly stated in the letter which might explain why the landowner had not received anything and the local landowner who had indicated that he would be willing to accommodate a mast had received no communication from Mono;

- Residents and the Parish Council had expressed serious concerns regarding the siting of the phone mast and the close proximity to houses where young children live and play, as well as the local primary school. She noted that all CTIL and Telefonica installations were designed to be fully compliant with the public exposure guidelines but commented that such august bodies were not always infallible and could fail to calculate correctly the future risks; and
- In conclusion, she recommended that Vodafone and CTIL be requested to withdraw this application and resubmit a proposal on a suitable site of which there were many in the Corvedale.

Mr C Taylor, the developer, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees. In response to questions from Members of the Committee, Mr Taylor explained the reasons for choosing this site and why other sites would be technically unsuitable, and confirmed that he was not able to make a decision to withdraw the application in order that other sites could be further investigated.

In the ensuing debate, Members noted the comments of all speakers and considered the submitted plans. Some Members expressed their disappointment regarding the lack of consultation and investigation of other sites that had taken place prior to submitting this application and hoped that Mr Taylor would feedback their comments.

**RESOLVED:**

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

**27 Garages Off Rock Lane, Ludlow, Shropshire, SY8 1SF (17/01199/FUL)**

The Technical Specialist Planning Officer 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 undertaken a site visit the previous day and had assessed the impact of the proposal on the surrounding area.

Councillor G Ginger, representing Ludlow Town Council, 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 Tracey Huffer, as local Ward Councillor, made a statement. She then left the table, took no part in the debate and did not vote on this item. During her statement, the following points were raised:

- There had been inadequate consultation with the local people prior to submitting this application – more openness and transparency would have been very beneficial and may have culminated in a more acceptable proposal;
- The majority of residents welcomed the demolition of the garages as the area attracted anti-social behaviour. The garages were generally used for storage and not for the parking of vehicles;
- There was other social housing in the area and this further proposed accommodation would contribute favourably towards a local need for social housing in Ludlow.

In the ensuing debate, Members noted the comments of all speakers and considered the submitted plans. Some Members expressed concern regarding the openness and sloping of the side and rear gardens and it was:

**RESOLVED:**

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

- The conditions as set out in Appendix 1 of the report, subject to the following additional condition:

Before the bungalows are first occupied the rear and side garden areas to the properties shall be laid out in accordance with details of the finished levels to those garden areas, of any patios/decking to be provided within them and of the means of enclosure to those garden areas, which have first been approved in writing by the local planning authority. The approved levels, patios/decking and means of enclosure shall thereafter be retained for the lifetime of the development.

Reason: In the interests of the residential amenities of the occupants of the bungalows.

**28 Eastville, Chirbury, Montgomery, Shropshire, SY15 6BH (17/01352/FUL)**

By virtue of her declaration at Minute No. 24, Councillor Heather Kidd left the room, took no part in the debate and did not vote on this item.

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, layout and elevations. He advised the meeting of an amendment to condition No. 4 and indicated that the wording "in the absence of any further specific condition in writing from the Local Planning Authority" should be deleted. This was because there were other formal routes for any future adjustments through either an application to vary a planning condition or by seeking a non-material amendment following the grant of planning permission.

In the ensuing debate, Members considered the submitted plans.

**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 the deletion of the following wording as set out in Condition No.4:

"in the absence of any further specific permission in writing from the local planning authority."

**29 Proposed Dwelling South Of The Sidings Snailbeach Shropshire (17/01360/REM)**

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 had assessed the impact of a proposal on the surrounding area.

Members noted the additional information 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 Heather Kidd, as local Ward Councillor, made a statement. She then left the table, took no part in the debate and did not vote on this item. During her statement, she indicated that the proposal would fit well within the landscape.

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

**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.

**30 Housing Development Site, Poyner Close, Ludlow, Shropshire, SY8 1RQ (17/01372/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 advised the meeting of an amendment to condition No. 3 and indicated that the wording "in the absence of any further specific permission in writing from the Local Planning Authority" should be deleted. This was because there were other formal routes for any future adjustments through either an application to vary a planning condition or by seeking a non-material amendment following the grant of planning permission.

Members had undertaken a site visit that morning and had viewed the extent of the open space area, the existing trees, the relationship of the site to surrounding

properties, footpaths and the roads and had assessed the impact of a proposal on the surrounding area.

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

Councillor C Sheward, representing Ludlow Town Council, 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 Tracey Huffer, as local Ward Councillor, made a statement. She then left the table, took no part in the debate and did not vote on this item. During her statement, the following points were raised:

- She questioned why it had been changed from two social bungalows which were needed to one open market bungalow;
- The bungalow would be unaffordable to most;
- Will not stop at one bungalow and a further application would follow to further develop the site;
- She acknowledged the garage was not fit for purpose and needed to be demolished for further appropriate development of the site;
- Shropshire Housing had not engaged with the public; and
- Concerned about loss of green space.

Mr P Oliver, 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 and it was:

**RESOLVED:**

That, contrary to the Officer's recommendation, planning permission be refused for the following reasons:

It is acknowledged that the proposed development would be in a sustainable location, contributing to the social and economic roles of sustainable development through the provision of a small bungalow, which is a type of accommodation for which there is an acknowledged need in Ludlow. However, the proposal, by reason of the loss of trees and open space, would remove features that make significant contributions to the character and quality of the townscape and local amenity. Consequently, the proposed development would not satisfy the environmental role of sustainable development as set out in the National Planning Policy Framework and would be contrary to Core Strategy Policies CS6, CS8 and CS17, and SAMDev Plan Policies MD2 and MD12.

**31 Land at Sidney Road, Ludlow, Shropshire (17/01387/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 advised the meeting of an amendment to condition No. 7 and indicated that the wording "no material variation will be made from the approved Tree Protection Plan without the written agreement of the Local Planning Authority" should be deleted. This was because the correct route to seek any such adjustments would be through either a variation of condition planning application, or a request for a non-material amendment following the granting of planning permission. He explained that the application had been amended during the consideration of the proposals and there had been a reduction from seven to five affordable dwellings, which would now provide five one-bed bungalows.

Members had undertaken a site visit that morning and had viewed the site and had noted the existing trees on site, the locations of residential properties and the highway network in the locality and had assessed the impact of a proposal on the surrounding area.

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

Councillor G Ginger, representing Ludlow Town Council, 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 Tracey Huffer, as local Ward Councillor, made a statement. She then left the table, took no part in the debate and did not vote on this item. During her statement, the following points were raised:

- Trees were in good health and a significant feature of the area;
- She acknowledge the need for social housing but this proposal would be to the detriment of the area and would lead to a loss of green space;
- The footpath which was used daily ran concurrently in front of the bins; and
- Residents were not happy with the potential detrimental impact on the local area.

Mr P Oliver, 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. Members acknowledged the need for this type of housing but expressed concerns relating to the number of bedrooms per dwelling, lack of parking provision for carers, security and the perception of fear and crime, drainage and the loss of green/open space. In response to concerns regarding drainage, the Principal Planner explained that the drainage team had assessed the proposal and had raised no technical concerns that could not be addressed by appropriate conditions.

**RESOLVED:**

That, contrary to the Officer's recommendation, planning permission be refused for the following reasons:

It is acknowledged that the proposed development would be in a sustainable location, contributing to the social and economic roles of sustainable development through the provision of small affordable bungalows, which is a type of accommodation for which there is an acknowledged need in Ludlow. However, the proposal, by reasons of the loss of the large Maple tree, which is the subject of a Tree Preservation Order, and reduction in the area of open space, would remove features that make significant contributions to the character and quality of the townscape and local amenity. In addition, the proposed footpath layout within the development, with the path linking Charlton Rise with Sidney Road passing very close to the front doors of the bungalows, is likely to be used by the public and would adversely affect the amenity and perception of security for the occupants of the bungalows. Consequently, the proposed development would not satisfy the environmental role of sustainable development as set out in the National Planning Policy Framework and would be contrary to Core Strategy Policies CS6, CS8 and CS17, and SAMDev Plan Policies MD2 and MD12.

**32 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 1 August 2017 be noted.

**33 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, 29 August 2017 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....