



Committee and Date

South Planning Committee

16 January 2018

SOUTH PLANNING COMMITTEE

Minutes of the meeting held on 19 December 2017

2.00 - 4.28 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, Nigel Hartin, Richard Huffer, Madge Shingleton, Robert Tindall and Michael Wood (Substitute) (substitute for Tina Woodward)

64 Apologies for Absence

Apologies for absence were received from Councillors William Parr and Tina Woodward (Substitute: Michael Wood).

65 Minutes

RESOLVED:

That the Minutes of the meeting of the South Planning Committee held on 24 October 2017 be approved as a correct record and signed by the Chairman.

66 Public Question Time

There were no public questions or petitions received.

67 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 17/03661/EIA and SC/MB2005/0336/BR, Councillor Michael Wood declared that he was acquainted with Lord Hamilton but did not consider this as such that would amount to a bias or an appearance of bias and he would therefore participate in the consideration of those items.

68 Woodcote Wood, Weston Heath, Shropshire, TF11 8RS (17/03661/EIA)

In introducing items 5 and 6 relating to Woodcote Wood, Weston Heath, Shropshire, TF11 8RS (17/03661/EIA and SC/MB2005/0336/BR), the Principal Planner explained

that a Highway Safety Audit had been commissioned and undertaken but to date had not been received by Shropshire Council in written form. Highway safety remained a core element of the scheme and it was important that proper consideration should be given to the Highway Safety Audit in order to reach an informed conclusion. Accordingly, the Highway Safety Audit would require validation and would need to be considered and commented upon by Shropshire Council's Highway Officers. He therefore recommended that because of the interdependency of the two sites both planning applications be deferred to a future meeting.

Members had undertaken a site visit 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.

RESOLVED:

That applications 17/03661/EIA and SC/MB2005/0337/BR be deferred to a future meeting in order to await the submission of the Highway Safety Audit in written form and to enable Shropshire Council's Highway Officers to consider and comment upon it.

69 Woodcote Wood, Weston Heath, Shropshire (SC/MB2005/0336/BR)

For the reasons as outlined above at Minute No. 68, it was:

RESOLVED:

That applications 17/03661/EIA and SC/MB2005/0337/BR be deferred to a future meeting in order to await the submission of the Highway Safety Audit in written form and to enable Shropshire Council's Highway Officers to consider and comment upon it.

70 Proposed Dwelling To The North Of 37 High Street, Broseley, Shropshire (16/05697/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 drew Members' attention to the Conditions as set out in Appendix 1 to the report and suggested an amendment to Condition No. 4 relating to soakaways.

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 Simon Harris, 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 he endorsed the new drawings and recommended approval.

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, subject to Condition No. 4 being amended to include the following additional sentence:

"The soakaways shall be installed in accordance with the approved details before the dwelling is first occupied and thereafter maintained in place."

71 Gestiana, Woodlands Road, Broseley, Shropshire, TF12 5PU (17/01834/FUL)

The Principal Planner introduced the report and with reference to the drawings displayed, he drew Members' attention to the location, layout and elevations. He further drew Members' attention to the extant planning permission and the deletion of the phrase "without the written approval of the local planning authority" from Condition No.15.

Members had undertaken a site visit 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.

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

Cllr I West, representing Broseley 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 Simon Harris, 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 comments were made:

- The proposed development was located on a blind bend with no footpath and an additional ten cars would impact on what was already a bottleneck;
- Because of the nature of the roads/access, local people do not drive to this area – they walk;
- The hedgerow was full of wildlife;
- Water regularly flows everywhere and there are regular power cuts. This proposal would put an additional strain on both drainage and electricity supply;
- Would have a detrimental impact on tourism; and
- He suggested deferral of the application in order that highways and overcrowding issues could be reconsidered.

In the ensuing debate, Members noted the comments of all speakers and considered the submitted plans. Members noted the extant planning permission but commented on the intensity of this current development and the potential impact on the privacy of existing properties. In response to questions and comments from Members, the Principal Planning Officer and Area Highways Development Control Manager (South) provided further clarification on the extant planning permission and what had previously been granted and highway safety.

RESOLVED:

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

- The proposed development, by reason of the close proximity of the dwellings on plots 2, 3 and 5 to site boundaries and their fenestration, would adversely affect the privacy currently enjoyed by the occupants of the dwellings at 27 Woodlands Road; The Willows, King Street; Spring Meadow, King Street; and 81a King Street. The proposal would therefore harm the residential amenity of the occupants of the neighbouring properties, contrary to Shropshire Core Strategy policy CS6 and paragraph 17 of the National Planning Policy Framework which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings; and
- 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 two-bedroomed dwellings within the town. However, the proposal, by reason of the intensity of the development subdividing the site into five residential plots, would not reflect the character of development along this section of Woodlands Road or that to be found in the Conservation Area that immediately adjoins the site. Consequently, the proposal would not promote or reinforce local distinctiveness and would neither preserve nor enhance the setting of the Broseley Conservation Area. The proposal therefore would not satisfy the environmental role of sustainable development set out in the National Planning Policy Framework and would be contrary to Shropshire Core Strategy policies CS6 and CS17, and Site Allocations and Management of Development (SAMDev) Plan policies MD2, MD13 and S4.1:1.

72 Proposed Residential Development SE Of Kemberton Cottage, Mill Lane, Kemberton (17/03311/FUL)

The Principal Planner introduced the report and with reference to the drawings displayed, he drew Members' attention to the location, layout and elevations. With reference to the Conditions as set out in the report, he suggested the following:

- Condition No. 5 - deletion of the phrase "unless otherwise approved in writing by the Local Planning Authority"; and
- If approved, delegated authority be granted to attach appropriate conditions relating to the construction of the access, the positioning of any access gates

and to ensure that the existing site boundary wall is re-aligned on the visibility splays.

Members had undertaken a site visit 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.

Cllr P Jones, representing Kemberton Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In response to a question from a Member, the Principal Planner provided further clarification on the adopted policy and qualifying criteria for Single Affordable Plot dwellings.

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 table, took no part in the debate and did not vote on this item. During his statement the following comments were made:

- There had been no support from the Parish Council or residents for this proposal;
- The substantial property located next door to this proposal was owned by the applicant;
- Section 106 could be discarded in 2-3 years;
- The view of the local people was that it did not meet the criteria for a single plot exception site; and
- He urged refusal.

Mrs E Southern, the applicant, 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. In response to comments, the Solicitor explained that it was highly unlikely that a future request to remove the S106 Legal Agreement would be granted while it continued to serve a planning purpose in securing an affordable dwelling in a location where open market housing would not be likely to be permitted. Members noted that the application complied with the criteria; local connection had been established; and the property would be affordable in perpetuity.

RESOLVED:

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

- A Section 106 Legal Agreement to ensure the dwelling remains affordable in perpetuity;

- That Planning Officers be granted delegated powers to attach appropriate conditions relating to the construction of the access, the positioning of any access gates and to ensure that the existing site boundary wall is re-aligned on the visibility splays; and
- 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. 5:

“unless otherwise approved in writing by the Local Planning Authority.”

73 9, 10 And 11 Lower Forge Cottages Eardington, Bridgnorth Shropshire WV16 5LQ (17/00298/FUL)

The Principal Planner introduced the report 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.

Mrs C Halford, a local resident, spoke against the proposal in accordance with the Council’s Scheme for Public Speaking at Planning Committees.

Councillor Robert Tindall, on behalf of Eardington Parish Council, read out a statement 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 table, took no part in the debate and did not vote on this item. During his statement the following comments were made:

- The applicant had not considered the impact on the neighbouring property (No. 8);
- He circulated South Cambridgeshire District Council’s Householder Design Guide and drew Members’ attention to the 45-degree rule as set out at page 22; and
- In conclusion, he urged approval of the application, subject to an additional Condition which stipulated compliance with the 45-degree rule.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. In response to comments, the Principal Planner and Solicitor explained that Shropshire Council’s adopted Planning Guidance did not incorporate a 45-degree policy; however, Shropshire Council did take in to account the scale and orientation of a proposed property and the likely impact on neighbouring properties and drew Members’ attention to paragraph 6.4.2 of the report. On this occasion, Officers had taken the view that any impact on neighbouring properties would not be severe as to warrant refusal and this was now a judgement for Members to make. A wall up to 2.0 m high could be erected under permitted development rights.

RESOLVED:

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

- The proposed single story extension, by reason of its additional height in comparison with a wall or fence which could be erected on the southern property boundary line as ‘permitted development, would have an overbearing impact on the adjoining neighbouring property (no.8) and would adversely affect the outlook from the ground floor accommodation of that neighbouring property. The proposal would therefore harm the residential amenity of the occupants of the neighbouring property, contrary to Shropshire Core Strategy policy CS6 and paragraph 17 of the National Planning Policy Framework which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

74 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 19 December 2017 be noted.

75 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, 16 January 2018 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed (Chairman)

Date: