



Committee and Date

South Planning Committee

13 January 2015

SOUTH PLANNING COMMITTEE

Minutes of the meeting held on 9 December 2014

12.00 - 5.02 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Linda Jeavons

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Present

Councillor Stuart West (Chairman)

Councillors David Evans (Vice Chairman), Andy Boddington, Nigel Hartin, Richard Huffer, John Hurst-Knight, Cecilia Motley, Madge Shingleton, Robert Tindall, David Turner and Tina Woodward

92 Apologies for Absence

There were no apologies for absence.

93 Minutes

RESOLVED:

That the Minutes of the South Planning Committee held on 11 November 2014, be approved as a correct record and signed by the Chairman.

94 Public Question Time

There were no public questions.

95 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 14/03290/EIA, Councillor David Evans declared that both the applicant and he were in the poultry business and the applicant was a customer of his, and he would leave the room and take no part in the consideration of, or voting on, this application.

With reference to planning application 12/02334/OUT, Councillor John Hurst-Knight declared that he was a member on the Board of Shropshire Towns and Rural Housing Limited (STaRH) and would leave the room and take no part in the consideration of, or voting on, this application.

With reference to planning applications to be considered at this meeting, Councillor Cecilia Motley declared that she was a member of The Shropshire Hills AONB Partnership and The Shropshire Hills AONB Partnership Management Board.

With reference to planning application 14/02127/FUL, Councillor Cecilia Motley declared that she was not acquainted with the applicant but knew the owner of the property and would leave the room and take no part in the consideration of, or voting on, this application.

With reference to planning application 14/03290/EIA, Councillor Robert Tindall declared that he was acquainted with the applicant's wife and the applicant's parents.

With reference to planning applications to be considered at this meeting, Councillor David Turner declared that he was a member of the Management Board of the Shropshire Hills Area of Outstanding Natural Beauty Partnership.

With reference to planning application 14/02127/FUL, Councillor David Turner declared that for reasons of bias he would make a statement and then leave the room and take no part in the consideration of, or voting on, this application.

With reference to planning application 14/02184/FUL, Councillor David Turner declared that ~~for reasons of bias~~ **as a local Ward Councillor**, he would make a statement and then leave the room and take no part in the consideration of, or voting on, this application.

With reference to planning application 14/03290/EIA, Councillor Nigel Hartin declared that, as a local Ward Councillor, he would make a statement and then leave the room and take no part in the consideration of, or voting on, this application.

96 Land at Rhea Hall Rhea Hall Estate, Highley, Shropshire (12/02334/OUT)

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location. He explained that, following approval of the application at a previous meeting, the applicant had continued to undertake consultation with the community and the local Shropshire Councillor had expressed support for the scheme.

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.

RESOLVED:

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

- The completion of a Memorandum of Understanding to secure affordable housing through a Section 106 Legal Agreement; and
- The conditions as set out in Appendix 1 to the report.

97 Bradley Farm, Farley, Much Wenlock, TF13 6PE (14/02127/FUL)

In accordance with her declaration at Minute No. 95, Councillor Cecilia Motley left the room during consideration of this item.

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

The Area Highways Development Control Manager (South) provided clarification on the revisions to the scheme following deferral at a previous meeting and with reference to the drawings displayed, she drew Members' attention to the now proposed junction arrangements and passing places.

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.

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting detailing further neighbour objections and comments in support of the proposal.

In accordance with his declaration at Minute No. 97 and by virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, Councillor David Turner, as the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He reiterated his concerns raised at the previous meeting relating to scale, flooding and highways;
- The location was inappropriate. The majority of objectors would welcome the application if situated in a safe location and of appropriate design;
- He drew Members' attention to the Inspector's report on the appeal against the Environment Agency's Anti-Pollution Notice regarding the neighbouring fertilizer factory, which had been published following consideration of this application at a previous meeting of this Committee. Whilst a regime was now being initiated to address the issues raised by the Inspector, it was scheduled over a period of years during which time approval of this planning application would put vulnerable people within 250 yards of the "highest risk site in the River Severn catchment";
- The large building by virtue of its scale and development in open countryside would be contrary to the Neighbourhood Plan and would be situated just 250 metres from the boundary of the Shropshire Hills Area of Outstanding Natural Beauty (AONB);
- Flooding – As no quantitative assurance had been given that measures contained in this proposal would reduce the flow of water off the development it would be contrary to Policy RF2 of the Neighbourhood Plan. It would also be contrary to policy which required no major development until the Integrated Urban Drainage Management Plan had been implemented;

- Heritage asset - He drew Members' attention to paragraph 4.1.9 of the report, which referred to a complex of earthwork features within the development boundary and he further commented that traffic would increase on a daily basis and would put greater pressure on the ancient narrow river bridge in the lane. Consequently, the proposal would be contrary to paragraphs 129 and 135 of the National Planning Policy Framework (NPPF);
- Highways - No reconsultation had taken place following the latest amended highways proposals. He reiterated his concerns relating to highway safety and the entrance drive to the site. He drew attention to the concerns expressed by the occupants of the cottage which sat below the road at the A4169 junction and the detrimental impact any increase in noise and fumes and vibration from manoeuvring vehicles would have upon them. No highway construction details had been submitted by the applicant. The applicant had indicated that the vast majority of lessons would be delivered using the Perry Group's own horses and ponies kept at the site and this, along with the volumes of visits being as described, would require the amount of bedding and feed that would need to be brought in by road to be far greater and more frequent than supposed and delivered on vehicles up to 2.5 metres wide.
- Participants of any competitive events would bring their own mounts and carriages – all arriving within a small timeframe. No Event Management Plan had been submitted; and
- The increased volume and concentration of vehicular movements would present difficulties for horse riders and walkers on the Jack Mytton Way and no proposals had been submitted to mitigate the conflict on users of the Shropshire Way which crossed the lane near the proposed development.

Mr M Walton, a Planning Consultant speaking on behalf of local residents, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- No consultation had been undertaken on the revised proposals;
- Highway concerns. No wide-ranging review of highway improvement options had been undertaken and, as such, potential junction improvement works had been limited to land with the Highway Authority's control and any 'best option' would require the acquisition of third party land;
- No safety audit had been undertaken of the revised proposals. In response to this, he had been instructed by local residents to undertake an independent review (which had only recently been uploaded onto the Planning Portal of Shropshire Council's website) and he outlined the key conclusions; and
- In conclusion he requested that a further deferment be agreed to review the findings of the independent review or refused on the basis that the proposal would have an adverse effect on highway safety.

Ms R Hewitt a local resident, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- She herself was disabled and the therapeutic benefits and the activities that this facility would offer her and many others would be extremely beneficial.

Councillor Mrs M Hill, representing Much Wenlock Town Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- The proposal would be contrary to CW2 and Objective 4 of the Much Wenlock Neighbourhood;
- The proposal would not address surface water run-off issues;
- There were indications of a Medieval settlement on site;
- The area had been designated as a high risk area by the Environment Agency; and
- Inappropriate site for such a worthwhile scheme.

Mr D Haston, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- He outlined the proposed highway improvements and as set out in the report and stated that the Perry Group had agreed to finance a third passing place; and
- The Perry Group horses would be kept at the centre and would be used for many of the lessons so would not involve the movement of horse trailers/boxes.

In response to questions from Members, Mr Haston confirmed that the bridge was not the subject of a weight restriction and no structural stability assessment had been undertaken on the bridge.

In response to comments from Members, the Area Highways Development Control Manager (South) confirmed that an Event Management Plan would have to be submitted for any planned events and she raised no concerns relating to the planting of shrubbery/trees at the junction provided that there would be no impact or conflict with road users and emerging vehicles.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Members expressed concerns with regard to the impact on the residents of No. 19 adjacent to the junction and any conflict the proposal would have on the Jack Mytton Way and the Shropshire Way but considered that these impacts could be satisfactorily mitigated through the amended access/road improvement details and conditions.

RESOLVED:

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

- Appropriate planting of shrubbery / trees being undertaken at the junction to protect the amenities of the adjacent property; and
- The conditions set out in Appendix 1 to the report.

98 Wenlock Edge Inn, Easthope, Much Wenlock, Shropshire TF13 6DJ (14/02184/FUL)

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting detailing further comments from Shropshire Council's Planning Officer and Rights of Way Team, the agent, National Trust and further third party objections and expressions of support.

In accordance with his declaration at Minute No. 95 and by virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, Councillor David Turner, as the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- This was a landmark hostelry on the Edge which had been supported over many years by the local community and visitors;
- Much Wenlock Town Council and Easthope, Shipton and Stanton Long Parish council had both raised objections to the scheme and Hughley Parish Councillors had raised their own individual concerns;
- He was given to understand that this pub/restaurant might not have been viable when it closed, undercapitalised and in a poor state of repair. There was little indication that there was a need for additional accommodation in the locality. So clearly investment would be needed;
- Concern with regard to the impact on the Shropshire Hills AONB and the effect on the Site of Special Scientific Interest (SSSI), the location of footpaths, the adequacy of the water supply for all properties in the vicinity and the implications of the building on the west of the B4371;
- There was considerable apprehension and community concern about where this application might lead whether it be approved or refused. The Longville Arms was only 2½ miles away from this site and the view was that there was room for only one pub/restaurant on this road;
- Policy EJ3 of the Much Wenlock Neighbourhood Plan (MWNP) supported this proposal except that it would be unacceptable where it conflicted with other land-use activities and where it would have unacceptable impact on the local road network. Policy EJ7 was supportive provided the siting, design and scale of the development conserved the quality of the natural environment and surrounding countryside. This proposal did not;
- Would be contrary to Policy GQD2 of the MWNP which indicated that development would reinforce local distinctiveness and failure to have regard to the local context to preserve or enhance the character and quality of the area would not be acceptable. Wenlock limestone was a primary construction

material in the area and the use of timber cladding would be obtrusive and discordant and would be out of character with the area.

- Would be contrary to policy LL4 of the MWNP which indicated that developments should retain features of high nature conservation or landscape value, including mature trees, species-rich hedgerows etc;
- Statute provided that planning applications should be determined in accordance with the provision of the MWNP – this proposal failed to meet the aspirations of the MWNP; and
- He urged refusal but if permitted he requested that the development should be more sympathetic to the local vernacular and that stone, rather than timber cladding, be the exterior material.

Mr D Farrell, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- The proposal would be out of character with the surrounding area;
- This was an undeveloped stretch of landscape and escarpment which attracted many visitors/tourists;
- There were limited green belt sites in the area which should be protected;
- The proposal would not protect or enhance the area and would have a detrimental impact and, accordingly would be contrary to the MWNP and the NPPF; and
- Would set a precedent for future development.

Mr B May, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- A successful inn would not have to be "backed-up" by such a development;
- Design out of character, unsuitable and detrimental to the area;
- Stonework would be more in keeping; and
- Contrary to EJ8 and GQD2 of the MWNP.

Councillor B Seaward, representing Easthope, Shipton and Stanton Long Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- The former 1996 approved development on the eastern side of the road and not in the AONB had raised no highway objections; and
- The Wenlock Edge was a special place, an important visitor attraction and one of the iconic features of the wider Shropshire Hills AONB. The location was of particular significance in landscape terms as it was the first place where the landscape and views opened out on the western side of the road when travelling from Much Wenlock towards Church Stretton. This development, if permitted, would compromise this area and destroy it forever. The harm done to the AONB would not be outweighed by the benefits of the proposed development, the majority of which could otherwise be reasonably gained on

the opposite site. The potential investment in the area was welcomed and the Parish Council would like to see the pub re-opened as a thriving enterprise, however, this could be achieved within the curtilage of the existing development.

Councillor M Whiteman, representing Much Wenlock Town Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- The proposal would be best developed on the same side as the Inn;
- Contrary to MWMP and the Shropshire Hills AONB Management Plan;
- Would impact on connectivity and be contrary to MWNP LL3; and
- Would be contrary to Core Strategy policies CS5, CS6, CS13, CS16 and CS17.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Members commented and concurred that this was a sensitive site, would be out of character with the surrounding area, should be developed on the opposite side of the road and the use of timber cladding would be wholly inappropriate. In response to a written communication from the agent received by Members prior to the meeting, which suggested that this development would be essential to the re-opening of the Wenlock Edge Inn and its future prosperity and, if refused, an immediate application for the change of use of the Inn to a residential dwelling would be submitted, a Member requested that it be noted that this comment had been totally inappropriate.

RESOLVED:

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

The proposed built form of the holiday accommodation units and meeting room, by reason of their scale, external wood clad appearance and positioning on open land would detract from the character and appearance of the Area of Outstanding Natural Beauty. The benefits of the proposed development in terms of facilitating the re-opening of the public house are not considered sufficient to outweigh this harm. The proposed development is therefore contrary to Core Strategy policies CS5; CS6; CS16 and CS17; Much Wenlock Neighbourhood Plan policies EJ7; CW2; GQD1; GQD2 and LL3 and paragraphs 58; 60 and 115 of the National Planning Policy Framework.

(The meeting adjourned at 3:29 pm and reconvened at 3:38 pm)

99 Land at Heath Farm, Hoptonheath, Shropshire (14/03290/EIA)

In accordance with his declaration at Minute No. 95, Councillor David Evans left the room during consideration of 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 confirmed that Members had undertaken a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area. He explained that the recommendation was to approve subject to the conditions set out in Appendix 1 of the report and subject to no decision being issued until Natural England had been consulted and the 21 day statutory consultation period had expired. Accordingly, he requested that if Natural England requested any further conditions he be given delegated authority to add these to the conditions. In the event that Natural England raised any objections to the conclusions of the Appropriate Assessment, the proposal would be reported back to this Committee.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, Councillor Nigel Hartin, as the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- There had been a considerable number of objections from the local community and strong objections from Natural England and the AONB Partnership;
- Could significantly endanger the River Clun;
- Proposal would contribute to the wider economy but would not benefit the local economy and might well detract from the local tourism economy;
- Large buildings and would be situated only 270m from the nearest dwelling;
- Proposal would impact on Hopton Heath and local properties;
- Existing operation had attracted complaints;
- Highways had raised no objections with regard to the access road, but this was a fast stretch of road; and
- The proposal would be contrary to Core Strategy Policies CS6, CS8, CS13, CS16, CS17 and CS18.

Mr J Roberts, representing Clungunford Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- He drew Members' attention to Appendix 2 of the report, which set out the objections of Clungunford Parish Council;
- Although not in the AONB, this was an open and undeveloped block of open land clearly visible from points within the AONB;
- Would be located adjacent to a stream that fed into the River Teme, which was a Site of Special Scientific Interest (SSSI);
- Would provide no employment or support to the local economy;
- There had been many objections from villagers and it had not been supported by Natural England or AONB Partnership; and
- Out of scale with the surroundings, would provide no economic benefits, and there would be adverse impact from noise and odour.

Mr S Thomas, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- The business supported three generations and would ensure that these families remained local;
- Would support the local economy including other small family businesses in the area;
- Existing poultry business was well-established and there had been no complaints;
- A full landscape plan had been submitted and would mitigate any impact on the landscape;
- Would not be in the AONB;
- Would be regulated by the Environment Agency; and
- No objections had been raised by highways.

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

RESOLVED:

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

- Condition No. 10 being amended to ensure that the external surfaces of the roof shall be BS18B29;
- Planting on the proposed earth bund to include a variety of appropriate native semi-mature specimen trees and deciduous rural planting;
- That the Planning Officer be given delegated authority to add any further conditions requested by Natural England following the consultation on the Appropriate Assessment and the expiration of the 21 day statutory consultation period; and
- The conditions set out in Appendix 1 to the report.

100 Proposed Solar Farm to the West of Sheriffhales, Shropshire (14/03444/FUL)

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting, which detailed further comments from local residents, CPRE and Shropshire Council Highways Development Control.

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 Council Procedure Rules (Part 4, Paragraph 6.1) Councillor Kevin Turley, as local Member, participated in the discussion but did not vote. During his statement, the following points were raised:

- Following his own consultation exercise, 111 residents in Shifnal had expressed support for the development, 30 residents had been against and 22 residents had abstained; and
- The topography of the land would mean the site would be well screened.

Mr G Tonkinson, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- He concurred with the views of Sheriffhales Parish Council;
- Sandy Lane was designated as a bridleway and should be protected;
- Inappropriate use of good crop growing land and would be contrary to the NPPF which stipulated that poorer low grade agricultural land should be used for such developments;
- There were many industrial buildings in Shropshire that could be used for solar panels; and
- Would be seen from a wide area.

Mr L Gardner, a local resident, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- He lived closest to the proposed development and, along with 87% of the community, he supported the proposal;
- The nuclear infrastructure was being decommissioned and solar represented one of a few vital inventions that should be embraced;
- A missive from Minister of State, Gregory Barker, indicated that there was still a place for larger-scale field-based solar in the UK's energy mix provided they were appropriately sited and provided opportunities for local communities to influence decisions that affected them;
- He had suffered from flooding as a result of failed attempts to tame aspects of this poor, badly drained land for arable use;
- Villagers had been disappointed that the Parish Council had dismissed the Community Benefit Scheme linked to this proposal, given the potential for the parish precept to be doubled in the near future; and
- The proposal would be appropriately sited on poor quality land and would have limited amenity impact on the surrounding area.

Mr J Mellor, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- The proposal would provide power for up to 6,700 homes;
- Had undertaken consultation with the local community and had attended Parish Council meetings;

- Many local residents supported the scheme;
- Proposals had been amended following consultation;
- Hedgerow planting, tree planting and a wildflower meadow would provide a rich habitat for birds and bees;
- The land grazing specifications had been taken into account, the site would not be adjacent or viewable from the Green Belt and/or AONB;
- The proposal would be in accordance with the NPPF; and
- Following decommissioning the land would be returned to former use.

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

RESOLVED:

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

- The proposed development would result in the loss of and use of best and most versatile grade 2 and grade 3a agricultural land for arable food production with the panels and associated equipment in place on the land, contrary to the preference set out in National Planning Practice Guidance that poorer quality agricultural land and brown field land should be used for such developments, and the guidance set out at paragraph 112 of the National Planning Policy Framework. It is considered that the benefits of the scheme in respect of the provision of renewable energy would not outweigh the loss of this land from arable food production.

101 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 9 December 2014 be noted.

102 Date of the Next Meeting

It was noted that the next meeting of the South Planning Committee would be held at 2.00 pm on Tuesday, 13 January 2015 in the Shrewsbury Room, Shirehall.

Signed (Chairman)

Date: