



Committee and Date

South Planning Committee

11 August 2015

SOUTH PLANNING COMMITTEE

Minutes of the meeting held on 14 July 2015

2.00 - 4.02 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Linda Jeavons

Email: linda.jeavons@shropshire.gov.uk Tel: 01743 2577716

Present

Councillor David Evans (Chairman)

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

27 Apologies for Absence

There were no apologies for absence.

28 Minutes

RESOLVED: That the Minutes of the South Planning Committee held on 16 June 2015, be approved as a correct record and signed by the Chairman, subject to Minute No. 22, paragraph 11 being amend to read:

“In response to further questions from Members, the Principal Planner explained that his recommendation followed an exercise of consultation with the applicant and a review of the information/evidence submitted by technical consultees. In the ethos of the NPPF and as set out in his job description, he had worked with the applicant in a positive and pro-active manner prior to submitting his recommendation. He advised caution when citing the loss of agricultural land as a reason for refusal.”

29 Public Question Time

In accordance with Procedure Rule 15, the following public question was received from Mr P van Duijvenvoorde:

“Planning Application 15/01366/FUL - Proposed Solar Farm to the west of Sherrifhales

Why did chairman of South Planning Committee agree that this controversial application should be approved without reference to planning committee members?”

In the absence of Mr P van Duijvenvoorde, the Principal Planner read out the question and provided the following response:

“The scheme of delegation was applied in accordance with the constitution and the Chairman agreed with officers that the decision on this application could be delegated to officers.

As part of his consideration the Chairman was aware that a scheme for a much larger solar farm had been refused by Committee. The revised scheme was significantly smaller than the original scheme (44% of the original size) and of that, none of the panels would be placed on land considered to be best and most versatile in terms of its classification. This in effect addressed the reason for refusal previously put forward by planning committee in relation to the previous scheme. Objectors comments were also reviewed and considered against the greater level of community support and the support of the local member.”

30 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 15/00535/FUL, Councillor John Hurst-Knight declared that he was a Director of Shropshire Towns and Rural Housing (STaR Housing) and 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 14/03594/VAR), Councillor David Turner declared that the site fell within close proximity to his Ward and reserved his right to speak on the application.

31 The Fish Shop, High Street, Broseley, Shropshire, TF12 5ET (14/03594/VAR)

The Technical Specialist Planning Officer introduced the application and with reference to the drawings displayed, he drew Members' attention to the approved and as built plans 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 which detailed comments from the Case Officer, letter from members of the public to Phillip Dunne MP and further public representations.

In accordance with Council Procedure Rules (Part 4, Paragraph 6.1) Councillor Jean Jones, as local Member, participated in the discussion but did not vote. During her statement, the following points were raised:

- This proposal would be out of keeping and detrimental to the surrounding Conservation Area;

- The people of Broseley wanted and welcomed the rebuilding of the local chip shop but not to the detriment of the surrounding area;
- Broseley Town Council had raised many objections/concerns;
- Materials used had not been as originally specified and the slope of the land had not been taken into account and had resulted in a raised roofline and floor levels;
- The suggested ramp to the front of the building would be unsightly and would encroach onto land maintained by the Town Council. The steps to the side of the building would permit entry to the side door but would encroach onto the neighbouring property;
- The proposed flue would be detrimental to the street scene and could be accommodated within the existing chimney; and
- To permit would be damaging to the environment and surrounding area, would undermine the integrity of the planning system and would be inconsistent with other permissions granted in Broseley.

Members considered the submitted plans and noted the comments of all speakers. During their discussions, Members commented that the site fell within the Conservation Area and as such the local architecture should be respected; materials used had not been as agreed; changes in the ground floor level would necessitate the provision of an access ramp and steps at the entrances; the external facing materials used were more visually prominent than those previously approved; an external flue was proposed and had not been specified in the previously approved scheme; a step on the floor plan from the south elevation relative to the previously approved scheme had been omitted; and the proportions of the proposed shop front window differed from the previously approved scheme.

RESOLVED:

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

- The building as constructed and as proposed to be completed would detract from the character and appearance of the Broseley Conservation Area due to the combined effect of the following changes in design relative to the permitted scheme:
 - (i) Changes to the ground floor level of the building necessitate the provision of an access ramp and steps at the entrances;
 - (ii) The external facing materials used are more visually prominent and discordant in the street scene compared to those previously approved;
 - (iii) The external flue would be visually prominent, detracting from the appearance of the building and streetscene;
 - (iv) A step in the floor plan to the south elevation of the permitted scheme has been omitted, with a consequent adverse impact upon the proportions of the side elevation and rear component of the building; and
 - (v) The proportions of the proposed shop front window differ from the approved scheme, providing the single pane with a row of more heavily framed top hung lights above door head height.

The proposed variation of conditions 2 and 4, and removal of conditions 3, 5 and 7 on planning permission 09/03161/FUL would therefore be contrary to Shropshire Core Strategy Policies CS6 and CS17; Policies DS1, DS2, DS5 and DS8 of the Broseley Town Plan 2013-2026 and paragraphs 56-58, 60, 64 and 137 of the National Planning Policy Framework.

32 Proposed Residential Development East Of Church Road, Alveley, Shropshire, WV15 6NP (15/00535/FUL)

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

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Tina Woodward, as local Ward Councillor, made a statement and 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 considered the amended design to be more in keeping with the surrounding area;
- She welcomed the condition to include obscure glazing which would protect neighbour amenity; and
- The area had originally been designated as a play area and should remain as a play area. It would not be surplus to requirements and the loss of this site as open space might well lead to children playing in less safe areas.

By virtue of his declaration at Minute No. 30, Councillor John Hurst-Knight made a statement in support of the proposal and drew Members' attention to paragraphs 1.4 to 1.8 of the report. He left the room, took no part in the debate and did not vote on this item.

In the ensuing debate, Members considered the submitted amended plans and noted the comments of all speakers. Some Members continued to express the view that the design could be improved upon and considered that a stepped roofline rather than the proposed flat horizontal roofline would be more preferable. Some Members continued to express their frustration that solar panels would not be installed.

RESOLVED:

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

33 Proposed Residential Development Land North of Houghton Road, Shifnal, Shropshire (15/01390/REM)

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location and layout. He verbally reported the apologies and comments of local Ward Councillor, Kevin Turley, who had considered the green space allocation to be low and had questioned the need to include attenuation pools given the wet summers.

Members had undertaken a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area.

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

In response to comments, the Principal Planner confirmed that a condition requiring a Landscape Management Plan had been attached to the outline planning permission; and a condition to cover lighting matters could be added to this application.

RESOLVED:

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

(At this juncture, the meeting convened at 3.18 pm and reconvened at 3.23 pm.)

(NB: It was agreed at the meeting that an additional Condition to cover lighting matters would be added to any permission; however, following the meeting it was found that Condition No. 2 attached to 15/01390/REM and Condition No. 18 attached to 12/04646/OUT would cover this matter and subsequently there would be no need to attach a further condition.)

34 Proposed Dwelling Rear of 4 Church Street, Cleobury Mortimer, Shropshire, (15/01976/FUL)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Madge Shinton left the room during consideration of this item, 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 and photo montage displayed, he drew Members' attention to the location, layout 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.

Mr P Baldwin, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees and circulated photographs showing the context of the property with the neighbouring property. In

response to questions from Members he confirmed that there were other barbers and hairdressers in Cleobury Mortimer and the pharmacy store had never been a dwelling.

Councillor Geoff Hainsworth, representing Cleobury Mortimer Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In the ensuing debate, Members considered the submitted amended plans and noted the comments of all speakers. In the ensuing debate, Members questioned if the loss of the retail storage facility would impact on the ability of the remaining unit to accommodate a range of uses in the future and requested that a retail assessment of the local area be carried out (to include reference to space available locally for other A1 uses); and requested further confirmation of land ownership.

In response to comments from Members, the Principal Planner confirmed that the porch had now been omitted from the application; there would be no impact on the Perry Pear tree and any pruning of the tree would require TPO consent; and 25.5 sqm including 12.5 sqm for storage and welfare use would remain.

RESOLVED:

That this application be deferred to a future meeting in order for the applicant to submit a retail assessment and further information, drawings and photographs providing confirmation of land ownership, separation distances of this site and adjoining properties, and the context of this property with neighbouring properties.

35 Proposed Dwelling Rear of 4 Church Street, Cleobury Mortimer, Shropshire, (15/01977/LBC)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Madge Shinton left the room during consideration of this item, took no part in the debate and did not vote on this item.

The Principal Planner introduced the application.

RESOLVED:

That, for the reasons as set out in the resolution at Minute No. 34, this application be deferred to a future meeting.

36 Diddlebury Village Hall, Diddlebury, Craven Arms, Shropshire, SY7 9DJ (15/02047/FUL)

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

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Cecilia Motley, as local Ward Councillor, made a statement in support of the proposal and then left the table, took no part in the debate and did not vote on this item.

(At this juncture, Councillor Nigel Hartin left the meeting and did not return.)

In the ensuing debate, Members considered the submitted plans and unanimously expressed support for the proposal.

RESOLVED:

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

37 Schedule of Appeals and Appeal Decisions

(At this juncture, Councillor David Evans left the meeting and did not return. The Vice Chairman took the chair for the remainder of the meeting.)

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 14 July 2015 be noted.

38 Date of the Next Meeting

That it be noted that the next meeting of the South Planning Committee would be held at 2.00 pm on Tuesday, 11 August 2015 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed (Chairman)

Date: