



Date: Tuesday, 3 November 2015

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Contact: Linda Jeavons, Committee Officer  
Tel: 01743 257716  
Email: [linda.jeavons@shropshire.gov.uk](mailto:linda.jeavons@shropshire.gov.uk)

## **SOUTH PLANNING COMMITTEE**

### **SCHEDULE OF ADDITIONAL LETTERS**

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

**This page is intentionally left blank**

<b>SOUTH PLANNING COMMITTEE</b>		
<b>SCHEDULE OF ADDITIONAL LETTERS</b>		
<b>Date: 3rd November 2015</b>		
<b>NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting</b>		
<b>Item No.</b>	<b>Minutes</b>	
2	<b>Minutes – 6 October 2015</b>	
<p>Please note the following amendment to the Minutes of the meeting held on 6 October 2015:</p> <p>Minute No. 71 (paragraph 6, page 8) Bullet Point No. 2 should read:</p> <ul style="list-style-type: none"> <li>• Broseley had few modern properties and was essentially not suited to the motor car;</li> </ul>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	14/03933/FUL (Meadowley)	Objector - William Cash 29/10/15
<p>Additional comments received from residents of Upton Cressett Hall:</p> <ul style="list-style-type: none"> <li>- Deeply disappointed by the Council's decision to 'recommend' the erection of a giant industrial solar park right on The Shropshire Way within 500 metres of three Grade 1 listed heritage assets at Upton Cressett and another three Scheduled Ancient Monuments</li> <li>- There are clear inconsistencies in the Officer report in relation to the interpretation of clearly stated government planning guidelines</li> <li>- Recommendation is contrary to recent government solar park guidelines - such as not building on unspoilt countryside (upheld at Tasley by the Planning Inspector); or land that is used for growing crops such as wheat or close to important tourism or heritage assets</li> <li>- Shropshire Council is fully aware of the statutory heritage protection of the 'setting' of the Grade 1 heritage assets in an unspoilt tourism hamlet on the Shropshire Way which has won national awards and which boasts a series of Brown tourist signs. Considering that other local solar parks with lesser Objections have been rejected, we find the Council's decision indefensible. We have every confidence that the elected councillors will reject the application</li> <li>- In the event of the application being approved, we will not hesitate to request a Legal Review as we believe we have a number of very good reasons for believing that the Committee report has wrongfully interpreted clear planning law and heritage protection guidelines</li> <li>- disparity between the Officer recommendation and the clear government guidelines that currently exist for solar parks proposals on quality agricultural land in prime tourism areas. NPPF heritage protections for the 'setting' of heritage assets are also clear and the planning inspectorate have already rejected smaller developments with much less heritage asset impact. We have the support of the Bridgnorth and District Tourism Association, the Historic Houses Association, the Churches Conservation trust and there are clear reservations with Historic England's own critique</li> <li>- Thankfully the elected members of the South Shropshire planning committee are sensible and rational and are well versed in actual government guidelines for the positioning of giant industrial solar parks - which is why they have rejected the Tasley proposal. The Bridgnorth Hills has been designated a driver of Shropshire tourism which is essential to the local economy not to mention equine tourism on</li> </ul>		

The Shropshire Way.

- Applicant has misled the Council in their screening proposal and their subsequent various proposals claiming that the 50 acre site - the largest in the region - would NOT be visible from the heritage assets of Grade 1 Upton Cressett or Grade 2 \* Aldenham Park. A subsequent site visit with the Planning Officer proved beyond any doubt that the 50 acre park would be highly visible from the gardens of one of Shropshire's most acclaimed heritage and tourism destinations, and a winner of Best Hidden Gem in the entire country at the Hudson's Heritage Awards.
- Elected and democratically accountable councillors can decide for themselves about the merits of approving the building of the area's largest industrial solar park in a prime tourist location in the middle of the most beautiful and unspoilt area of the Bridgnorth Hills, within 600 metres of the three grade 1 heritage assets and three Scheduled Monuments. And will ruin the experience of walkers, riders and cyclists walking The Shropshire Way.
- clear government planning guidelines on solar energy make it clear that good quality agricultural land where wheat is grown on unspoilt land has been designated as being 'not suitable' for giant solar parks. The Rt Hon. Amber Rudd has been clear on this point.
- The decision, as you know, is not dependent on Historic England's assessment - who still have very considerable reservations about the scheme - but rather is dependent on a judgement whether the public benefits of solar energy at the 50 acre site outweigh the heritage, landscape and tourism benefits - as well as clear policies set out in the Local Plan. We believe there is clear evidence that the park not only contravenes the Council's own Local Plan policies (which stress the importance of the Shropshire landscape being the county's main tourism asset) but also fails to take into consideration the landmark ruling in regards to Cromer Ridge in Norfolk that is regarded as the standard bearer for green energy developments that affect heritage and tourism related assets.
- The Cromer Ridge landmark ruling (Feb, 2014) appears to have been ignored in the Committee report. A main reason for Judge Robin Purchas over-ruling the Planning Inspector in the High Court was not any objection from English Heritage but rather because of the impact on landscape and local tourism which is also a major concern at Upton Cressett as the solar park is adjacent to the heritage assets of Upton Cressett and on The Shropshire Way.
- The aerial film that we have commissioned clearly shows the devastating impact the park will have on a designated area of Shropshire's prime tourism assets.

Item No.	Application No.	Originator:
5	14/03933/FUL	Planning Officer

In response to the above comments, Officers would clarify the following:

- The application site is not in the vicinity of the Shropshire Way. The Jack Mytton Way, a long distance bridleway, passes within 100 metres of the application site, as described in paras. 6.3.10 and 6.3.13 of the Committee report.
- The Churches Conservation Trust have been notified of the planning application, but no comments have been received.
- The Tasley proposal, referred to above, was refused by Officers under delegated powers, not by Planning Committee.
- In the Cromer Ridge case referred to above, the High Court judgment concluded that the Inspector did not comply with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special regard is to be had to the desirability of preserving the setting of listed buildings. The Committee report clearly identifies this requirement, at paras. 4.1.9 and 6.4.3. In making the recommendation that planning permission should be granted, Officers have had special regard to the requirements of Section 66(1) of the 1990 Act.

As part of the objection made on behalf of the residents of Upton Cressett Hall, Environment Information Services have suggested that the proposed development would generate electricity equivalent to that used by 2418 households, not 3245 as claimed by the applicant. Officers do not have a definitive view as to which assessment is more accurate. Therefore the para. 6.1.5 of the Committee report should state that the proposal would power between 2418 and 3245 typical households. This does not affect the Officer recommendation.

Item No.	Application No.	Originator:
9	15/01919/FUL (Furlongs Road)	Applicant

The applicant advises that the site is allocated by the council in the local plan for 12 houses (see officer response below).  
 My client paid for and received pre-application advice from the Local Authority which was very encouraging.  
 The site sits in a residential area and is surrounded by 2 storey houses.  
 Vehicle and pedestrian access is taken from an adopted public highway, which under current Government guidelines is more than capable of serving the application and by definition (Public Highway) must be open to traffic at all times.  
 House types and roof lines have been designed to complement the conservation area as recommended in the pre-application advice.

With regard to the latest Highway comments, which are clearly late in the day and appear to be based on outdated information, in particular with regard to the rear access to the Old Lion Public House, which is for the private use of the publican only and not for use by deliveries or the general public. (As confirmed to you on the 15 September 2015) Therefore the use of Furlongs Road and the extension into the development is for residents only.

However in order to secure the recommendation of approval, I can confirm that my client is prepared to accept the planning condition as recommended by the Highway Authority.

Item No.	Application No.	Originator:
9	15/01919/FUL (Furlongs Road)	Applicant & Officer

The applicant has confirmed that the site is identified in the Shropshire Housing Land Availability Assessment 2014 (Ref CMO 010) coloured green and identified as accepted for 12 houses. It has been part of Shropshire's Housing Assessment since 2008.

The officer acknowledges this but has clarified to the applicant that the site is not allocated as a specific area for housing in the saved South Shropshire Local Plan or the emerging SAMDev plan. It is however located within the development boundary of Cleobury Mortimer where the principle of further 'windfall' housing development is considered to be acceptable provided it meets other relevant policy criteria.

**This page is intentionally left blank**