



### Committee and Date

South Planning Committee

19 August 2014

## **SOUTH PLANNING COMMITTEE**

### **Minutes of the meeting held on 22 July 2014**

**2.00 - 5.32 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 252738

### **Present**

Councillor Stuart West (Chairman)

Councillors David Evans (Vice Chairman), Andy Boddington, John Hurst-Knight, Cecilia Motley, William Parr, Madge Shineton, Robert Tindall, Heather Kidd (Substitute) (substitute for Richard Huffer), Vivienne Parry (Substitute) (substitute for Nigel Hartin) and David Turner (Substitute) (substitute for Tina Woodward)

### **30 Apologies for Absence**

Apologies for absence were received from Councillors Nigel Hartin (substitute: Vivienne Parry), Richard Huffer (substitute: Heather Kidd) and Tina Woodward (substitute: David Turner).

### **31 Minutes**

#### **RESOLVED:**

That the Minutes of the South Planning Committee held on 24 June 2014, be approved as a correct record and signed by the Chairman, subject to it being noted that Minute No. 20, paragraph 2, bullet point No. 3 should read:

- The concerns with regard to the frequent and rapid turnover of vehicles using the adjacent short stay car park would be further complicated by the provision of a new access.

### **32 Public Question Time**

There were no public questions.

### **33 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 14/01016/OUT, Councillor J Hurst-Knight declared that, for reasons of pre-determination, he would make a statement and then leave the room and take no part in the consideration of, or voting on, this application.

**34 Proposed Residential Development South of A49 Ludlow, Shropshire (13/03862/OUT)**

With reference to Minute No. 22, The Technical Specialist Planning Officer introduced the application and confirmed Members had undertaken a further site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, she drew Members' attention to the location, indicative layout, pedestrian and cycle bridges and access (including roundabout).

Members noted the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting which detailed further comments from the applicant.

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 Andy Boddington, 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:

- His concerns with regard to water run-off, flooding and the footbridge. He expressed support for the scheme but continued to express his opposition to the footbridge and suggested that it should be removed from the proposal.

Mr A Williams, 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 proposed housing area would not be in the flood plain;
- Several options for attenuation had been put forward and considered to be satisfactory and the development would not exacerbate water run-off;
- The junction arrangements and the roundabout had been scrutinised by Highway Officers and considered to be acceptable;
- The footbridge had been considered as being beneficial but not essential so would be willing to remove it from the scheme; and
- No demonstrable harm had been identified.

In response to a question from a Member, Mr Williams confirmed that the footbridge had been the subject of consultation and discussion with the Estates Division of Network Rail.

In response to questions from Members, the Technical Specialist Planning Officer, the Area Planning and Building Control Manager and the Area Highways Development Control Manager (South) provided further clarification on access arrangements, the distance of the proposed dwellings from the rail track, the

implications of the sub five year land supply and reiterated that no objections had been received from National Rail and Public Protection Officers.

In the ensuing debate, Members noted the comments and concerns of all speakers. They continued to express their own concerns relating to access, noise and rail line safety, the possibility of increased train journeys in the future, the close proximity of the River Corve and the detrimental impact on the historical setting of the town. A Member commented that children should be encouraged to play outside and this proposal would not be conducive to such an ambition.

**RESOLVED:**

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

- The proposed development, through the close proximity and the associated dangers of the A49, River Corve and the railway, noise from road traffic and train movements, and the potential for an increased number of train journeys in the future would detract from the living conditions and be detrimental to the amenities and safety of residents. The site has poor accessibility and is considered to be an unsuitable location for residential development contrary to Policy CS6 Sustainable Design and Development Principles of the Council's adopted Core Strategy and Paragraph 17 (point 4) of the National Planning Policy Framework (NPPF). These adverse impacts would significantly and demonstrably outweigh the benefits in terms of the site contributing to the supply of housing land in Shropshire.

**35 Land South Of A464, Shifnal, Shropshire (13/04840/FUL)**

(At this juncture, the Vice Chairman took the Chair.)

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, the Chairman Councillor Stuart West, 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:

- Notwithstanding his comments expressed at the previous meeting which had reflected his concerns with regard to the overdevelopment and cumulative impact on Shifnal, he commented that this particular site would be suitable and acknowledged that the site had been identified as a possible site in the Revised Preferred Options version of the Site Allocations and Management Development (SAMDev) Plan; and
- Shifnal did not currently have a sensible road network to cope with all this additional traffic, however, possible schemes such as 'shared space' were currently being considered.

With reference to Minute No. 22, the Area Planning and Building Control Manager introduced the application and drew Members' attention to a letter submitted by the

applicant following the last meeting which had indicated that there was no evidence to conclude that any harm would come from the development and the £350,000 Community Infrastructure Levy monies would go towards the provision of medical and school facilities and to address infrastructure issues.

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.

Ms J Hodson, 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:

- Consultation with Planning Officers had been undertaken prior to submitting the application;
- The development would provide a mix of affordable and two/four bedroomed houses;
- Drainage and ecology had been considered satisfactory and no technical issues had been raised; and
- This was a very sustainable site and she urged approval.

In response to questions from Members, the Area Planning and Building Control Manager and the Area Highways Development Control Manager (South) explained that work was currently being undertaken on developing a Travel and Movement Strategy for Shifnal; there were insufficient highway safety implications to justify refusal; and Shropshire Council had an obligation to determine the planning application and to defer the proposal until the Travel and Movement Strategy was in place was not a recommended way forward.

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

**RESOLVED:**

That planning permission be granted as a departure subject to:

- Satisfactory agreement being reached on a Section 106 Agreement relating to affordable housing provision;
- Contributions to the Travel and Movement Strategy for Shifnal and reduction of speed limit on a section of the A464 Wolverhampton Road;
- Provision and maintenance of the open space by an appropriate body;
- Satisfactory amendments being made to the Great Crested Newt mitigation strategy;
- The conditions as set out in Appendix 1 to the report; and
- Development to commence before the expiration of two years from the date of permission.

(At this point the Chairman returned to the meeting and resumed the Chair.)

**36 Land south of Woodbatch Road, Bishops Castle (14/00885/OUT)**

With reference to Minute No. 11, the Principal Planner introduced the application. With reference to the drawings displayed, he drew Members' attention to the location, access and amended layout.

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.

Mr T Hockenull, 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:

- Additional water on top of existing watercourses would lead to problems downstream;
- No substantial changes or concrete proposals had been made to deal with the problems and dangers associated with the Woodbatch / Kerry Lane junction;
- No account had been taken of garden ponds and the presence of Great Crested Newts and the two roosts nearby; and
- He urged refusal.

Councillor Mrs A-M Jackson, representing Bishop's Castle 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 paragraphs 14 and 17 of the NPPF. The presumption in favour of sustainable development did not apply because when assessed against the policies in the NPPF taken as a whole the adverse impacts of granting approval would significantly and demonstrably outweigh the benefits;
- The community had rejected sites on this side of town for housing development during the rigorous SAMDev consultation because of access problems to the town's hinterland;
- New housing need in Bishop's Castle was for affordable housing for local young people and families. This was one of the most frequently quoted requirements in a recent survey undertaken to update the Town Plan. The retention of young people in the area would help the town to thrive and this proposal would generate only two affordable homes;
- To exit the development traffic had to use Kerry Lane, which was only one-vehicle width in places, with five junctions within a 440 m stretch and much of its length had no pavement. This Lane was already unsuitable for existing residents and businesses and was the only means of access for existing dwellings, a primary school, Sure Start facility, two sheltered accommodation facilities, nursing home, fire station, church hall, bowls club, and a pub and brewery; and
- Further applications would follow if this one was granted, which would exacerbate the already significant problems that existed on Kerry Lane.

Mr S Taylor, 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 Officer's report confirmed that the concerns had been satisfactorily addressed;
- Drainage would be improved; and
- The junction arrangements had been considered to be acceptable and would be beneficial to the area.

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

- Concerns with regard to the inability of the road network to cope with the existing traffic. More traffic would exacerbate existing problems, widening Woodbatch Road would not make any difference, there were places where two cars could not pass and it would be impossible to improve the access; and
- A further affordable housing application had not yet been submitted so could not be taken into account; and
- The dwellings, if built, would not be affordable for local people.

In response to comments and questions from speakers and Members, the Area Highways Development Control Manager (South) explained that the impact of the nine dwellings on Woodbatch Road had been assessed and a judgement had been made that the impact of a further nine houses, along with the widening of Woodbatch Road, would be minimal. A meeting had taken place with the Town Council and the local Ward Member and proposals had been put forward and options had been discussed. The applicant had agreed to a financial contribution towards any improvements and these improvements would be made in consultation with the local Ward Member and the Town Council.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers and it was unanimously

**RESOLVED:**

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

- The Bishop's Castle community had overwhelmingly rejected sites on this side of the town for housing development during a rigorous SAMDev consultation exercise because of access problems to the town's hinterland. Other more appropriate sites had been identified;
- A need for affordable housing had been identified in the area and the contribution of this application to the affordable housing stock would be minimal; and
- This proposal would exacerbate the already significant traffic problems that exist along Kerry Lane. To exit the proposed development site and the town, traffic would have to use Kerry Lane, which, in places is a single track road, has no

footpath in places, has five junctions within close proximity, and is already unsuitable for existing residents and businesses. The deficiencies in the local road network would not achieve a good standard of amenity for existing occupants of the area and the occupants of the proposed dwellings.

Accordingly, the proposed development would be contrary to paragraph 17 of the National Planning Policy Framework and Core Strategy policy CS6 whereby the adverse impacts would significantly and demonstrably outweigh the benefits.

(Councillor William Parr left the meeting during consideration of the above item, did not vote and did not return to the meeting.)

(The meeting adjourned at 3.56 pm and reconvened at 4.03 pm.)

### **37 Land off Oldbury Road, Bridgnorth, Shropshire (14/01016/OUT)**

With reference to Minute No. 27, the Area Planning and Building Control Manager introduced the application. He drew Members' attention to the Heritage Impact Assessment submitted by the applicant and the Schedule of Additional Letters circulated prior to the meeting and which detailed further comments from objectors and Shropshire Council's Highways and Conservation Officers. He further explained that the applicant had confirmed a commitment to deliver the development in a timely manner and as detailed in the revised Conditions Nos. 2 and 3.

Members had undertaken a site visit on a previous occasion and had assessed the impact of the proposal on the surrounding area.

By virtue of his declaration at Minute No. 33 and the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Full Council held on 27 February 2014, Councillor John Hurst-Knight, as the local Ward Councillor, made a statement and then left the room, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- The proposal had remained unchanged so the decision made at the last meeting should stand. He urged Committee to stand by their previous judgement.

Mr M Pugh, 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 have a detrimental impact on the Conservation Area;
- The Conservation Area had not been reassessed even following the building of the bypass; and
- It was important that Oldbury retained its rural character.

Mr M Parrish, 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 report had been recommended for approval by the Planning Officer; and
- Further comments had been received from the Conservation Officer and further clarity had been provided by Highways Officers.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. They unanimously expressed support for the refusal decision made at the previous meeting.

**RESOLVED:**

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

- The proposed development would have a detrimental impact upon the character and appearance of the Oldbury Conservation Area and its setting through the erosion of the rural character of the north eastern approach to the village by built development on this site, and the loss of a visually prominent section of roadside hedgerow and trees. The proposed development would therefore be contrary to Shropshire Core Strategy policies CS6 and CS17 and paragraphs 131, 135 and 138 of the National Planning Policy Framework (NPPF) and these adverse impacts would significantly and demonstrably outweigh the benefits in terms of the site contributing to the supply of housing land in Shropshire.

**38 The Rectory, Church Street, Broseley, Shropshire, TF12 5DA (14/01393/FUL)**

The Principal Planner introduced the application and confirmed Members had undertaken a site visit that morning and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, and the previously refused and now proposed elevations.

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

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

- Following the previous refusal decision the Diocese had met with residents and the Town Council in an attempt to address any concerns. However, some concerns still remained and five letters of objection had been submitted with regard to this current proposal; and
- This was an historic Conservation Area and should be accorded proper consideration. Appropriate conditions should be attached to any permission

and it would be imperative that these conditions be monitored and strictly adhered to.

In the ensuing debate Members commented that this was an improved scheme and echoed Councillor Dr Jones's comments and concerns that conditions should be strictly adhered to and monitored appropriately. In response to these concerns, the Area Planning and Building Control Manager explained that the conditions would be assessed and fell under the auspices of the Conservation Officers; however, resource implications to carry out such monitoring could be a major factor and Officers would be heavily reliant on the local people and Parish Council to report any anomalies.

**RESOLVED:**

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

**39 Proposed Residential Development Land Off St Stephen's Place, Bridgnorth, Shropshire (14/01690/FUL)**

The Principal Planner introduced the application and confirmed 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. With reference to the drawings displayed, he drew Members' attention to the location, floor plan and proposed elevations. With reference to paragraph 6.4.2, he suggested an additional condition which would ensure appropriate location of the communal bin storage area.

Members noted the additional information detailed in the Schedule of Additional Letters which had been circulated prior to the meeting detailing further objections.

Mr D Shadbolt, 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:

- An acknowledgement of the reduction in dwellings and the increased distance from the boundary to the properties in Palemeadow Road; albeit the amended proposal would still have an overbearing impact on neighbouring properties;
- The outlook from over half of his garden would be onto a gable end;
- The site should be developed from the centre outwards;
- The development would be out of character with the Conservation Area;
- Less than 22 dwellings would be prejudicial to obtaining funding; and
- Concerns with regard to narrow Severn Street access particularly during construction.

Mr A Shaw, 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:

- Concerns with regard to the way Bridgnorth Town Council had considered this planning application.

At this juncture, the Chairman and the Solicitor explained that Bridgnorth Town Council was a consultee and the way in which the Town Council conducted their discussions on a planning application was not a matter for Shropshire Council. Any concerns should be taken-up by Mr Shaw directly with the Town Council.

In the ensuing debate, Members considered the revised scheme and the written and verbal comments of all speakers. Some Members commented that the proposal did not reflect or complement the architecture of the area, particularly as part of the site was situated within a Conservation Area and expressed concerns with regard to the access. On being put to the vote, the majority of Members supported the proposal.

**RESOLVED:**

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

- A Section 106 Agreement to control the occupation of the residential units;
- The conditions set out in Appendix 1 to the report; and
- An additional condition to ensure the location of the communal bin storage area be approved in writing by the local planning authority prior to the first occupation of the dwellings.

**40 Proposed Exception Dwelling South Of Upper Stedment, Ratlinghope, Shropshire (14/01796/FUL)**

The Principal Planner introduced the application and confirmed Members had undertaken a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, floor plan and proposed elevations.

Councillor P Rogers-Coltman, representing Wentnor Parish Council, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Confirmation of the Parish Council's support for the proposal;
- The applicant had lived in the area for 17 years and wanted to downsize to accommodation more suitable for their current and future needs and to be closer to their daughter-in-law who would be responsible for their future care;
- There was a shortage of bungalows in the area and they rarely became vacant; and
- Would provide an affordable dwelling for local people in the future.

Mr M Unwin, representing the applicant, 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 dwelling would enable his parents to live close enough to their family to provide them with care and support; and
- It would release a family property onto the market.

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

- The support expressed by the Parish Council for this proposal and their wish to see an affordable dwelling as opposed to an open market dwelling; and
- There would be no significant overlooking and the design would be sympathetic and in keeping with the area.

In the ensuing debate, Members noted the comments of all speakers and unanimously supported the proposal.

**RESOLVED:**

That, contrary to the Officer's recommendation, planning permission be granted, subject to and in consultation with the Chairman, appropriate conditions being added relating to:

- A Section 106 Agreement relating to an affordable housing occupancy restriction;
- Landscaping;
- Fencing;
- Ground levels;
- Ecology;
- Drainage; and
- Design and materials.

**41 Elm Road Stores, Bishton Road, Albrighton, Wolverhampton, Shropshire (14/01841/FUL)**

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

Mr J Brain, 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 lived adjacent to the application site and the existing shop wall formed the side boundary of his garden;

- The proposal for a dormer bungalow would be out of keeping with the area with all other properties in Bishton Road being bungalows.
- His utility window would open out onto the proposed dwelling and the inclusion of a first floor would impact greatly on his property; and
- There was a shortage of bungalows in the area.

Cllr P Harrison, representing Albrighton 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 proposal would have a negative impact on the street scene;
- This was a main access to this area of Albrighton and the dwelling would be out of character with the others in this area and stand out like a sore thumb; and
- Would be contrary to the Albrighton Neighbourhood Plan.

In accordance with Council Procedure Rules (Part 4, Paragraph 6.1) Councillor Malcolm Pate, as local Member, participated in the discussion and spoke against the proposal but did not vote. During his statement, the following points were raised:

- The dormer bungalow would be an over development of the site and totally out of keeping with the surrounding area;
- Would be overbearing to neighbouring properties; and
- No objection to a one storey bungalow and of a design more in keeping with the streetscene.

In the ensuing debate, Members noted the comments of all speakers and unanimously agreed that it be

**RESOLVED:**

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

- The proposed development, by reason of the full gable roof form, large expanse of roof and ridge height which would exceed that of the adjacent bungalow to the east, would result in a dwelling which would be an over development of the site, detracting from the amenities of the adjacent properties through having an overbearing impact, and detracting from the character and appearance of the streetscene. The proposal would therefore be contrary to Shropshire Core Strategy policy CS6 and paragraphs 56 to 64 of the National Planning Policy Framework.

(Councillor Heather Kidd left the meeting during consideration of the above item, did not vote and did not return to the meeting.)

**42 Butlers Of Cleobury, Brunswick House, 23 High Street, Cleobury Mortimer, Kidderminster, DY14 8BY (14/02130/LBC)**

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 Madge Shineton, as the local Ward Councillor, made a statement, took no part in the debate and did not vote on this item. During her statement, the following points were raised:

- The windows were in disrepair and were in need of replacement.

**RESOLVED:**

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

**43 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 22 July 2014 be noted.

**44 Date of the Next Meeting**

It was noted that the next meeting of the South Planning Committee will be held at 2.00 pm on Tuesday, 19 August 2014 in the Shrewsbury Room, Shirehall.

Signed ..... (Chairman)

Date: .....