



### Committee and Date

South Planning Committee

16 September 2014

## **SOUTH PLANNING COMMITTEE**

### **Minutes of the meeting held on 19 August 2014**

**2.00 - 4.27 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, Madge Shingleton, Tina Woodward, Gwilym Butler (Substitute) (substitute for Cecilia Motley), David Turner (Substitute) (substitute for Robert Tindall) and Michael Wood (Substitute) (substitute for William Parr)

### **45 Apologies for Absence**

Apologies for absence were received from Councillors Cecilia Motley, (substitute: Gwilym Butler), William Parr (substitute: Michael Wood) and Robert Tindall (substitute: David Turner).

### **46 Minutes**

#### **RESOLVED:**

That the Minutes of the South Planning Committee held on 22 July 2014, be approved as a correct record and signed by the Chairman.

### **47 Public Question Time**

There were no public questions.

### **48 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 13/04956/FUL, Councillor J Hurst-Knight declared that, for reasons of pre-determination, he would leave the room and take no part in the consideration of, or voting on, this application.

**49 Hill Cottage, Clive Avenue, Church Stretton, Shropshire, SY6 7BL  
(13/03805/OUT)**

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 indicative layout and design.

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting detailing further objection comments from a third party and The Strettons Civic Society and Clive Avenue Residents' Association.

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 Evans, 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:

- To mitigate the concerns regarding drainage and the detrimental impact that additional surface water run-off would have on existing riparian owners, a robust drainage and attenuation scheme should be agreed and conditioned;
- The proposed number of dwellings would have a detrimental impact on the Conservation Area and suggested that two dwellings would be preferable; and
- A robust landscaping scheme should be approved to ensure replacement of some of the trees that had been removed.

Mr M Webster, 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:

- His property adjoined the site and would overlook the proposed development;
- Clive Avenue had recently been designated as an extension to the Conservation Area and, as such, any development should be carried out with care and should be sympathetic to the area;
- Unsympathetic development had already taken place in Clive Avenue; and
- While acknowledging that some development would be acceptable the current proposal would not be in keeping by virtue of the number of dwellings proposed, layout and style.

Mrs E 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:

- 8 out of 10 people supported the proposal and the comments of local people had been taken into account;
- The proposal was purely indicative at this stage and matters of design would be considered at the Reserved Matters stage;
- The proposal would be sympathetic and in keeping with the area;
- Would deliver windfall infill development and be sustainable;

- Trees had not been the subject of Tree Preservation Orders and all felling had been undertaken by experienced professionals;
- There were no restrictive Covenants in place in respect of Woodland Trust;
- S106 and CIL monies would be generated;
- There would be no overshadowing or overlooking of other properties; and
- Would not be contrary to the Development Plan.

In the ensuing debate Members considered the submitted plans and had 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 proposed development, by reason of the proposed number of dwellings and layout, would result in overdevelopment of the site and would detract from the character and appearance of the street scene and Conservation Area. The development would therefore be contrary to Shropshire Core Strategy policies CS6 and CS17 and paragraphs 56 to 58, 60 and 131 of the National Planning Policy Framework.

**50 The Habit, 30 East Castle Street, Bridgnorth, Shropshire, WV16 4AN (13/04956/FUL)**

By virtue of his declaration at Minute No. 48 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, left the room and took no part in the debate and did not vote on this item.

The Principal Planner introduced the application and confirmed Members had undertaken a site visit on a previous occasion and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, proposed plans and elevations and the Solar Analysis provided by the agent which provided further information of how the solar access of neighbouring residencies would be impacted upon following construction of the proposed dwelling.

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting detailing further objection comments from third parties.

Mr F Latham, Director of F L Design Limited and representing 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:

- His company had considered the impact of the development on the existing properties in the area and he provided an overview of his findings.

In the ensuing debate, Members considered the submitted plans, noted the comments of all speakers and unanimously voted to refuse the application. In response to concerns expressed by Members regarding the limited access, the Principal Planning Officer explained that as other dwellings had been permitted within the town centre location this would not be a defensible reason for refusal.

**RESOLVED:**

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

- The proposed development by reason of its height would result in a substantial loss of light on the existing properties both on Castle Terrace and Bank Street and would be detrimental to the residential amenities of the area. The development would therefore be contrary to Shropshire Core Strategy policy CS6.

**51 Land Between Lawton Road And Stanton Road, Shifnal, Shropshire (13/05136/OUT)**

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

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, layout and vehicular access.

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:

- He acknowledged that the land had been included and agreed for development in the Site Allocations and Management Development (SAMDev) Plan; and
- He expressed his disappointment with the loss of Class B employment land but acknowledged that the applicant had sought to address this with the inclusion of a residential/care home, which Shifnal needed.

In the ensuing debate, Members considered the submitted plans. They expressed their disappointment with regard to the loss of employment land and requested that conditions be amended to ensure that the development would be built in a timely manner.

**RESOLVED:**

That planning permission be granted as a departure in accordance with the Officer's recommendation, subject to the following:

- A Section 106 Legal Agreement relating to affordable housing provision; contributions to the Travel and Movement Strategy for Shifnal and reduction of speed limit on a section of Stanton Road; and maintenance of open space by an appropriate body;
- The conditions set out in Appendix 1 to the report; and
- Delegated authority be granted to the Area Planning and Building Control Manager to amend appropriate conditions to ensure the submission of reserved matters and the commencement of development in a timely manner, consistent with other planning permissions being granted.

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

**52 Bradeney House, Worfield, Bridgnorth, Shropshire, WV15 5NT (14/00493/FUL)**

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 Michael Wood, as the local Ward Councillor, left the room and took no part in the debate and did not vote on this item.

The Principal Planner introduced the application and suggested that, in the event of the Committee resolving to grant planning permission, that a consent be subject to a Section 106 Agreement to ensure that the accommodation remains in association with the use of Bradeney House. He 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, layout, design, drainage and tree constraint plan.

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

Mr J Goulding, 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:

- Did not object in principle to the proposal and acknowledged the need and high quality care homes in the area;
- The access, especially to the left of the development, would be dangerous;
- Because of the lay of the land, the proposed screening would not protect the privacy of the neighbouring properties;
- Would have a detrimental impact on wildlife;
- The scale and design would have a detrimental impact on the residential amenities of the area;
- Would prefer a reduction in the number of dwellings proposed; and
- Neighbours had not been consulted by the applicant. The current proposal was unacceptable and he urged refusal to encourage the applicant to undertake consultation and put together a proposal that would work for all.

Mr C Huntley, 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:

- Access had been designed and taken into account appropriate highway standards;
- Both the local MP and Parish Council had been consulted;
- Design and materials should be appropriate and in keeping with the Green Belt designation;
- The arrangement of the dwellings had been done so as to stimulate interaction between residents;
- This type of care was much needed and was supported by the Head of Care Services;
- There would be no overlooking of neighbouring properties;and
- The proposal would provide employment.

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

**RESOLVED:**

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

- A Section 106 Legal Agreement to ensure the proposed dwellings would remain in association with the use of Bradeney House;
- To ensure a satisfactory access is maintained at all times and in the interests of highway safety, Condition No. 10 be amended to ensure the provision and maintenance of a visibility splay in a south-westerly direction from the altered access; and
- The conditions set out in Appendix 1 to the report.

**53 Field House, Beamish Lane, Albrighton, Wolverhampton, WV7 3JJ  
(14/00622/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, layout and elevations.

Dr N Hester, 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:

- This was a two-stage application predicated on the existence of the existing building and amounted to development by the back door.

Councillor Malcolm Pate, the local Ward Member, 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 site fell within the most sensitive area of the Green Belt countryside;
- The current building constituted a mini leisure centre and built without planning permission;
- If permitted would create a precedent and questioned if permission would be granted for a dwelling if it wasn't for the existing building already erected on this site; and
- Contrary to SAMDev.

Miss S Tucker, 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 existing building was constructed under permitted development rights and was the subject of a Lawful Development Certificate;
- The building could sensibly be divided to form a dwelling and footprint would not increase;
- Both this building and Field House would benefit from a separate access and Shropshire Council's Highway Officers had raised no objections;
- It was accepted the building was not a heritage asset but the visual impact would be unchanged;
- The re-use of the existing building would not constitute inappropriate development in the Green Belt;
- Would not be contrary to policy and limited weight could be afforded to SAMDev; and
- Would contribute to affordable housing.

In the ensuing debate Members considered the submitted plans, noted the comments of all speakers and expressed their dissatisfaction with this proposal. They noted that a further planning application would have to be submitted to carry out further development as listed under Condition No. 5 in the report.

**RESOLVED:**

That consideration of this item be deferred to the next meeting, with Members minded to refuse the application on the basis that the proposal constituted an unsustainable location in the Green Belt. The Area Planning and Building Control Manager to prepare an advisory report on the reasons for refusal.

**54 Land at Secret Hills Discovery Centre, Market Street, Craven Arms, Shropshire, SY7 9RS (14/01979/FUL)**

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 Evans, as the local Ward Councillor, took no part in the debate and did not vote on this item.

The Principal Planner introduced the application. With reference to the drawings displayed, he drew Members' attention to the location, plans and elevations. In response to questions from Members, he explained that any permission related purely to the hide and fence and not to the feeding of the kites and it would be for the Discovery Centre to determine how long the hide would be used for this purpose.

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

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

**RESOLVED:**

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

**55 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 19 August 2014 be noted.

**56 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, 16 September 2014 in the Shrewsbury Room, Shirehall.

Signed ..... (Chairman)

Date: .....