



Committee and Date

South Planning Committee

19 May 2015

SOUTH PLANNING COMMITTEE

Minutes of the meeting held on 10 March 2015

2.00 - 6.17 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Linda Jeavons

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Present

Councillor (Chairman)

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

126 Apologies for Absence

Apologies for absence were received from Councillors Nigel Hartin and Stuart West.

127 Minutes

RESOLVED:

That the Minutes of the South Planning Committee held on 10 February 2015, be approved as a correct record and signed by the Chairman, subject to it being noted that, with reference to planning application 14/04930/FUL, Councillor Robert Tindall had circulated information relating to new rules regarding the withdrawal of subsidies to farmers who choose to use fields for solar panels.

128 Public Question Time

There were no public questions, statements or petitions received.

129 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 applications 14/03842/FUL and 14/03937/COU, Councillor Cecilia Motley declared that some of the objectors were known to her. She would make a statement and then leave the room and take no part in the consideration of, or voting on, these applications.

With reference to planning application 14/02943/OUT, Councillor Robert Tindall declared that he was acquainted with the applicant and would make a statement and then leave the room and take no part in the consideration of, or voting on, the application.

With reference to planning application 15/00241/CPL, Councillor David Evans declared that he was the applicant and would leave the room and take no part in the consideration of, or voting on, the application.

130 **Change in Order of Business**

RESOLVED:

That Report No. 11 (Solar Farm, High Point Farm, Neen Sollars – 14/04463/FUL) be considered as the next item of business, followed by Report No. 10 (Land South of Coalport Road, Broseley, Shropshire (14/04018/OUT)).

131 **Solar Farm, High Point Farm, Neen Sollars (14/04463/FUL)**

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting which detailed comments from the applicant, the applicant's agricultural and landscape consultants, Save Our Green Fields group, applicant's response to the Save Our Green Hills critique of the Planning Officer's report and Councillor Gwilym Butler.

Mr G Clayworth, representing Save Our Green Hills, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor G Wilkinson, representing Milson and Neen Sollars Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr R Amner, the applicant, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Madge Shingleton, as 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 her statement, the following points were raised:

- She acknowledged that this was a beautiful site but from a farming point of view would be difficult to farm in an arable way;
- She acknowledged that appropriate conditions would be attached to any permission with regard to fencing and archaeology; and

- Commented that landowners/farmers were the custodians of the landscape and if farming became unproductive/unviable there would be no-one to manage the landscape in the future.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers and Officers. Members commented that the proposal would industrialise a farming landscape, would impact on tourism, be very visible in the landscape and because of the topography would be overlooked from the village of Neen Sollars, Conservation Area and archaeological assets. In response to a Member questioning the validity of the grading of the soil, the Principal Planner urged caution when citing agricultural reasons as a reason for refusal.

RESOLVED:

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

- The proposals are inappropriate in terms of scale and location and fail to protect and enhance the natural and historic environment and the character and high quality of the local countryside. They are therefore contrary to Core Strategy Policies CS5, CS6 and CS17. The proposals also fail to sustain and enhance the significance of the setting of the Neen Sollars Conservation Area and associated heritage assets and therefore conflict with paragraphs 131, 132, 137 and 137 of the National Planning Policy Framework (NPPF). The renewable energy benefits of the proposals are significantly and demonstrably outweighed by the adverse impacts.

132 Land South of Coalport Road, Broseley, Shropshire (14/04018/OUT)

The Principal Planner introduced the application and with reference to the drawings displayed, he drew Members' attention to the location. 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 B Newton, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor I Pickles, representing Broseley Town Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr S Thomas, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

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:

- Permission for a further application on the opposite side of the road had only been granted on the Chairman's casting vote. Broseley Town Council and residents had argued then that a breach of the development boundary would lead to further opportunistic applications along what was a narrow windy road;
- Site Allocations and Management Development Plan (SAMDev) was at an advanced stage and Shropshire Council could demonstrate a five-year land supply;
- Would have a negative impact on the community;
- Building in Dark Lane would more than meet the housing requirements in Broseley;
- Issues of safety already existed outside the primary school. There was a collision history along this stretch of road. What safety measures could be provided for £5,000?
- There was a history of subsidence in the area;
- Would put additional pressure on the amenities in Broseley;
- John Wilkinson school already over-subscribed and unable to expand and the second school was filling-up fast;
- Parking in and around the town caused congestion;
- Because of funding cuts the youth club was closing; and
- Proposal would cause permanent damage to the character of a small market town by an opportunistic peripheral development.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers and Officers. The Principal Planner provided clarification on the position to date regarding SAMDev, reiterated that although Shropshire Council had a five-year land supply the margin was small and even when SAMDev had been adopted sites that were considered to be sustainable would have to be considered, and explained that the Broseley Town Plan could not be afforded the same weight as the Much Wenlock Neighbourhood Plan which had been through the full examination process and had been referred to the Government Inspector.

RESOLVED:

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

- The Committee acknowledged the that the housing proposed would contribute economically and socially by boosting the housing supply, including open market and affordable housing, and would also provide limited support for the existing services in the town to which weight was given. However it was considered that these factors are outweighed by the following harm: The proposed development would fall outside of the development boundary for Broseley where Core Strategy policy CS5 restricts new housing development to dwellings to house essential countryside workers and to meet identified local affordable housing need. No such need has been demonstrated in this case. In addition the application site, by reason of the openness of the eastern site boundary defined only by a post and wire fence, the topography and the open views in an easterly direction, would not be visually contained and would lead to further urbanisation of this edge to the Town, detracting from its landscape setting. The proposal is

therefore contrary to Core Strategy policies CS6 and CS17 and would conflict with the environmental role of sustainability set out in the National Planning Policy Framework. Furthermore weight was given to the fact that the proposed development was not plan led being contrary to both the current saved Bridgnorth District Local Plan, the emerging policies in the Site Allocations and Management of Development DPD and the aspirations of the Broseley Town Plan 2013 – 2026.

133 Brian Mear (Bricks) Ltd, Former Burway Abattoir, Bromfield Road, Ludlow, Shropshire, SY8 1DN (14/00563/FUL)

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting which detailed comments from Councillor Boddington.

Mr P Fenwick, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr Fenwick confirmed that the applicant had agreed to fund the provision of a pedestrian crossing in an appropriate location as agreed with Shropshire Council's Highways. In response to questions from Members, Mr Fenwick provided clarification on the proposed number of petrol pumps and type of delivery vehicles.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Andy Boddington, as 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:

- He acknowledged the need for a petrol station in Ludlow but expressed concerns regarding the location and drew attention to the comments of Shropshire Council's Conservation Officer set out in the report;
- He had previously expressed concerns regarding the petrol tanks but acknowledged that they would be the most robust and safe tanks that could be provided; and
- His main concern was with pedestrian safety. The results of a brief pedestrian survey had found that 250 schoolchildren passed this site on their way to and from school. The proposal would provide a "tuck-shop" on the wrong side of the road and the children would naturally want to cross the road towards it. Prior to any permission being granted appropriate pedestrian safety measures must be agreed. A light controlled pedestrian crossing, pedestrian barriers/railings, and a pedestrian refuge was needed in appropriate locations along Bromfield Road and Coronation Avenue.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers and Officers. In response to questions, the Area Highways Development Control Manager (South) provided clarification on traffic flows, confirmed that the proposed contribution from the applicant would be sufficient to provide for a zebra crossing but not a light controlled crossing and conditions to control access arrangements would be attached to any permission. The Principal Planner reiterated that works to ensure pedestrian safety would be controlled by a Section 278 Agreement; and appropriate pre-commencement conditions relating to lighting, landscaping, access etc. and conditions as suggested by the Public Protection team would be attached to any permission. Members expressed concern with regard to pedestrian safety; questioned the sufficiency of the proposed funding to cover appropriate pedestrian safety measures; expressed concern regarding the proposed number of parking spaces; and reiterated the need for sensitive and appropriate signage.

RESOLVED:

That this application be deferred in order for the applicant to give consideration to the location and provision of an appropriate pedestrian crossing, provide more information on the sufficiency of the car parking, and to review opening hours.

134 Development Land East of Bridgnorth Road, Highley (14/02129/OUT)

The Technical Specialist Planning Officer introduced the application and with reference to the drawings displayed, she drew Members' attention to the location. She 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 Shropshire Council's Ecology Officer and an update and amended recommendation from the Planning Officer in response to the comments of the Ecology Officer.

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

- He confirmed withdrawal of his objection in respect of landscape impact.

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

RESOLVED:

That, following the submission of an appeal against non-determination, the Committee gave a resolution that, had a decision been required, it would have been minded to refuse planning permission as per the amended Officer's recommendation as set out in the Schedule of Additional Letters for the following reason:

- In the absence of the agreement to make a contribution towards affordable housing provision, the proposed dwellings would be contrary to Policy CS11 of the Shropshire Council's Local Development Framework Core Strategy and to Shropshire Council's Supplementary Planning Document on the Type and Affordability of Housing.

135 Residential Development Land To The South Of Station Road, Ditton Priors, Shropshire (14/02943/OUT)

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

Councillor A Primrose, representing Ditton Priors Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr P Madeley, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

By virtue of his declaration at Minute No. 129 and in accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Robert Tindall, as 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:

- He supported the application and acknowledged that part of the application site was an allocated site in the emerging SAMDev for up to 12 dwellings. The development would help to sustain services in the village for the future and provide more car parking spaces for the surgery.

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

RESOLVED:

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

- A Section 106 Legal Agreement relating to affordable housing provision; and
- The conditions as set out in Appendix 1 to the report.

136 Stanley Farm, Chorley, Bridgnorth, WV16 6PS (14/03842/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, had viewed the site and assessed the impact of the proposal on the surrounding area and had visited both Stanley and Willowdene Farms.

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting. The Principal Planner provided a verbal update relating to further comments received following publication of the Schedule of Additional Letters as follows:

- Objection comments – Concerned about the impact on the flora and fauna and noise and light pollution; would be contrary to the Local Development Plan; and questioned whether the site would be returned to predevelopment condition.
- Support comments – Would provide a much needed facility.

Ms K Dore, representing local residents, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr D Chantler, former Chief Executive, West Mercia Probation Trust, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor Mrs H Barratt, representing Stottesdon and Sidbury Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr M Home, the applicant, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In response to questions from Members, Mr Home provided clarification on the choice and logic behind the location.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Madge Shingleton, as 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 her statement, the following points were raised:

- She supported the proposal; and
- The Ministry of Justice and Department of Health had expressed support for the proposal.

By virtue of her declaration at Minute No. 129, Councillor Cecilia Motley made a statement and then left the room, took no part in the debate and did not vote on this item. During her statement, the following points were raised:

- She expressed concerns regarding the access which was very narrow;
- Poor access for emergency services;
- She expressed concern regarding the isolated nature of the development;
- Would be outside the cluster of Stottesdon; and
- Core Strategy Policy CS5 supported replacement rather than new build.

Members considered the submitted plans and noted the comments of all speakers and Officers. In the ensuing debate, some Members expressed concern with the location given the isolated nature and closeness to the neighbouring estate.

RESOLVED:

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

- A Section 106 Legal Agreement requiring the removal of the buildings in the event of the rehabilitation use permanently ceasing; and
- The conditions as set out in Appendix 1 to the report.

137 Stanley Farm, Chorley, Bridgnorth, WV16 6PS (14/03937/COU)

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

By virtue of her declaration at Minute No. 129, Councillor Cecilia Motley left the room, 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 displayed, he drew Members' attention to the location and elevations.

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting. The Principal Planner provided a verbal update relating to further comments received following publication of the Schedule of Additional Letters as follows:

- Objection comments – Concerned about the impact on the flora and fauna and noise and light pollution; would be contrary to the Local Development Plan; and questioned whether the site would be returned to predevelopment condition.

Ms K Dore, representing local residents, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr D Chantler, former Chief Executive, West Mercia Probation Trust, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor Mrs H Barratt, representing Stottesdon and Sidbury Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr M Home, the applicant, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

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

RESOLVED:

That, subject to the conditions as set out in Appendix 1 to the report, a temporary planning permission be granted.

138 Haulfryn, Halford, Craven Arms, Shropshire, SY7 9JG (15/00241/CPL)

In accordance with his declaration at Minute No. 129, Councillor David Evans left the room during consideration of this item.

In the absence of the Vice Chairman, it was **RESOLVED:** That Councillor David Turner be elected Chairman for this item.

The Principal Planner introduced the report.

RESOLVED:

That a Lawful Development Certificate be issued as per the Officer's recommendation.

(The Vice Chairman returned to the meeting and resumed the Chair.)

139 Development Management Report to seek Delegated Authority to Planning Officers

The Principal Planning Officer introduced the report.

RESOLVED:

That Planning Officers be granted delegated authority to review and determine any outstanding planning applications previously considered by Committee with a resolution for approval, but which require reconsideration in light of the Ministerial Statement of 28th November 2014 and the Cabinet decision of 21st January 2015 provided that any applications, where the balance of considerations would result in a different decision to that taken by Committee, will be referred back to Committee for reconsideration.

140 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 10 March 2015 be noted.

141 Date of the Next Meeting

RESOLVED:

That it be noted that the next meeting of the North Planning Committee would be held at 2.00 pm on Tuesday, 7 April 2015 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed (Chairman)

Date: