



### Committee and Date

Central Planning Committee

16 July 2015

## **CENTRAL PLANNING COMMITTEE**

### **Minutes of the meeting held on 18 June 2015**

**2.00 - 4.41 pm in the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

**Responsible Officer:** Linda Jeavons

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### **Present**

Councillor Vernon Bushell (Chairman)

Councillors Ted Clarke (Vice Chairman), Andrew Bannerman, Tudor Bebb, Dean Carroll, Roger Evans, Pamela Moseley, Peter Nutting, Tim Barker (Substitute) (substitute for David Roberts) and Alan Mosley (Substitute) (substitute for Kevin Pardy)

### **17 Apologies for absence**

Apologies for absence were received from Councillors Jane MacKenzie, Kevin Pardy (substitute: Alan Mosley) and David Roberts (substitute: Tim Barker).

### **18 Minutes**

#### **RESOLVED:**

That the Minutes of the meeting of the Central Planning Committee held on 14 May 2015 be approved as a correct record and signed by the Chairman, subject to it being noted that Councillor Roger Evans was in attendance as the substitute for the vacancy for his Group.

### **19 Public Question Time**

There were no public questions, statements or petitions received.

### **20 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 to be considered at this meeting, Councillors Andrew Bannerman and Peter Nutting stated that they were members of the Planning Committee of Shrewsbury Town Council. They indicated that their views on any proposals when considered by the Town Council had been based on the

information presented at that time and they would now be considering all proposals afresh with an open mind and the information as it stood at this time.

With reference to planning application 15/01395/FUL, Councillor Andrew Bannerman declared that he had pre-determined the issue and one of the promoters had been updating him on the position to date. He would make a statement and then leave the room prior to consideration of this item.

With reference to planning application 13/03197/OUT, Councillor Vernon Bushell declared a personal interest and stated that he had received an email from a former work colleague urging him to support the proposal. He stated that he had not responded to this email nor had any contact with the author and had made no public declaration as to his stance on this application.

Councillor Alan Mosley stated that he was a member of Shrewsbury Town Council and had been present at a meeting of the Planning Committee during consideration of one of the applications to be considered at this meeting.

With reference to planning application 15/01395/FUL, Councillor Alan Mosley stated that he was the local Ward Member for the adjoining Ward and had pre-determined the issue. He would make a statement and then leave the room prior to consideration of this item.

With reference to planning application 15/01395/FUL, Councillor Pam Moseley stated that she was a member of Shrewsbury Town Council which owned part of the land.

**21 The Garage, Minsterley, Shrewsbury, Shropshire, SY5 0BW (13/03197/OUT)**

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting which detailed further comments from Shropshire Council's Housing Enabling Officer.

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

Mr D Leeson, representing Minsterley Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr J Hollyman, the agent, 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 Tudor Bebb, 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 his statement, the following points were raised:

- Expressed concerns regarding the situation with regard to the location of acid and chemicals on the Müller site;
- Expressed his dissent with the Inspector's previous appeal decision;
- If granted, he requested an additional condition to ensure the site was cleared immediately of ragwort, other weeds and rubbish;
- If granted and prior to any other works taking place and to minimise dust, the entrance and highways should be completed to an appropriately agreed standard and tarmaced.

In response to comments, the Principal Planner explained that, with regard to the ammonia store, the application had been assessed by internal technical consultees, including Public Protection Officers who had raised no objections subject to appropriate conditions as set out in the appeal decision; and Müller would be governed by a separate licence issued by the Environment Agency and this would be deemed to be acceptable. In addition, appropriate conditions to ensure the submission of a Dust Management Statement and details and construction of the road layout prior to any construction or demolition taking place would be attached to any permission; Highway Officers had raised no objections; Müller had not submitted any comments but as an adjoining neighbour would have been consulted; trees and landscaping would be covered at the Reserved Matters stage; and a shorter time period for the submission of Reserved Matters would not be contrary to Development Management Policy MD3. With reference to the suggested informatives, he commented that it would not be appropriate to stipulate that charging point isolation switches should be conditioned and attached to a single application, given that Shropshire Council had made a policy decision not to burden developers with additional requirements during the current financial climate.

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

**RESOLVED:**

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

- A Section 106 Legal Agreement requiring the submission of a written Viability Appraisal of the Development to allow Shropshire Council to assess the level of affordable housing contribution due from the landowner (if any) if the Total Scheme Surplus is more than a percentage to be agreed by the developer and Shropshire Council;
- Consultation with the Committee Chairman on the Discharge of Condition Application relating to the programme for the implementation of the works on the access;
- An amendment to Condition No. 2 to limit the submission of the Reserved Matters application to a period of two years following approval of this outline application; and
- The conditions as set out in Appendix 1 to the report.

**22 Development Site off Shillingston Drive, Berwick Grange, Shrewsbury, Shropshire (15/00673/REM) - TO FOLLOW**

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

Members noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting which detailed further comments from the Case Officer, the local Ward Councillor and Berwick Grange Residents.

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 absence of a speaker, Members noted the information as detailed in a statement from Berwick Grange Residents which had been circulated both at and prior to the meeting to all Members and the agent. The statement outlined the detail behind their main concern/objection to the single point of access via Shillingston Drive.

Mr R Hodson, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees. In response to a question from a Member, he stated that some dialogue had been undertaken with Shrewsbury Town Council and further consultation was planned.

In the absence of the local Ward Councillor, Malcolm Price, the Chairman read out the following statement:

"Please accept my apologies for not being with you in person I would however like to make the following observations regarding the Persimmon application for Shillingston Drive.

I am extremely disappointed to see that Persimmon has not included a second access point to the north of the site. This was clearly the most important issue for the residents of Berwick Grange. If this scheme is allowed to go ahead with only one access point you will effectively have over 500 houses on a dead end (cul-de-sac), one way in and one way out. I can't think of any other estate in Shrewsbury or Shropshire where this has been allowed. There is generally always an alternative. The lack of a second access point to the site is the biggest complaint of the local residents and if it were to be included this would remove the majority of objections.

My understanding is that an emergency access road has got to be installed to the north of the site as part of the scheme and clearly any road that is to be built for emergency services will need to be of a substantial nature and is therefore two-thirds the way to being the same as an adopted road. Although technically not required, I feel it is in the interests not only in the existing residents of Berwick Grange but also the residents who will be purchasing the new Persimmon homes.

The other issue that concerns me is the very close proximity of the dwellings to the pylons and high voltage overhead power lines. Although I can't find any policy to indicate what is a safe distance for properties to be from such installations.

I ask Committee to consider my comments as part of their deliberations before making the final decision on this planning application."

In response to questions from Members, the Principal Planner reiterated that access had already been approved; Highway Officers had raised no objections subject to the provision of an emergency vehicular access; and National Grid had raised no objections.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Some Members expressed concerns with regard to the location and future maintenance of the play area and encouraged the developer to consult and take on board the comments of Shrewsbury Town Council.

**RESOLVED:**

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

- The conditions as set out in Appendix 1 to the report; and
- The Area Planning Manager (in consultation with Shropshire Council's Housing Enabling Team) be given delegated powers to issue the decision subject to the final positioning of affordable units being agreed with the applicant in accordance with the Council's adopted policy.

**23 Proposed Development Land West of 12 Little Minsterley, Minsterley, Shrewsbury, Shropshire (15/00808/FUL)**

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

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 accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Tudor Bebb, 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 his statement he commented that the site would be outside the development boundary and contrary to SAMDev.

In response to comments from Members, the Principal Planner reiterated that it would not be appropriate to stipulate that charging point isolation switches should be conditioned and attached to a single application, given that Shropshire Council had made a policy decision not to burden developers with additional requirements during the current financial climate.

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

**RESOLVED:**

That, as per the Officer's recommendation, delegated authority be granted to the Planning Manager to grant outline planning permission, subject to:

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

**24 Shrewsbury Weir Adjacent Underdale Road, Shrewsbury, Shropshire (15/01395/FUL)**

By virtue of his declaration at Minute No. 20, Councillor Andrew Bannerman made a statement and then left the room during consideration of this item. During which the following points were raised:

- Subject to appropriate conditions, the proposal was supported by Shrewsbury Town Council, Environment Agency, Natural England and Shropshire Council consultees;
- There would be no negative impact on the flow of the river and fish passage would be improved;
- Many local organisations would be involved and investing in the scheme; and
- Would help towards the reduction of greenhouse gas emissions.

By virtue of his declaration at Minute No. 20 and as the adjoining local Ward Councillor, Councillor Alan Moseley made a statement and then left the room during consideration of this item. During which the following points were raised:

- He acknowledged that many local people had expressed support for the proposal;
- Expressed reservations with regard to the visual impact and especially from the opposite side of the river;
- Questioned the financial sustainability of the project; and
- The submission of a comprehensive and solid Business Plan would be essential before any land release was agreed.

The Technical Specialist Planning Officer introduced the application and with reference to the drawings and photo montage displayed, drew Members' attention to the location and elevations. He suggested two additional conditions relating to landscaping which would ensure the provision, establishment and maintenance of a reasonable standard of landscape.

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 amendments to the report.

Mr A Coles, a local resident spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr D Green, a local resident 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 Miles Kenny, as local Member, participated in the discussion and spoke against the proposal but did not vote. During which he raised the following points:

- No pre-application advice had been undertaken;
- Many of the supporters were members of lobby groups and lived elsewhere;
- The community engagement statement was misleading;
- If minded to approve, a condition should be added to ensure proper investigation of the location of the otter holt prior to any works taking place;
- Shropshire Anglers Federation had raised objections;
- Possibility of creating new bank erosion sites which could result in compensation claims/payouts and would be contrary to Core Strategy Policy CS6;
- Construction vehicles would approach the site from Tankerville Street and would impact on the quality of life. He suggested that a Construction Management Statement should be submitted and approved by this Committee;
- There should be no artificial lighting between dusk and dawn; no machinery should be in operation between the hours of 5.00 pm and 8.00 am; and any work on site should take place during working days and between the hours of 8.00 am and 5.00 pm.

Mr M Scutt, 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. Some Members supported the proposal in principal but suggested deferral to investigate the concerns raised with regard to otters, traffic and by the anglers. A Member suggested an additional condition to ensure removal of redundant equipment if the project failed; and a further Member expressed concerns with regard to noise.

In response to comments and questions, the Technical Specialist Planning Officer reiterated that subject to appropriate conditions no concerns had been raised by Ecology Officers, Environment Agency, Wildlife Trust and Natural England. The design had been amended to incorporate gabion walls and an existing fish pass on the opposite side of the river would remain operational during construction. With reference to traffic, he commented that it would be difficult to agree construction traffic details until contracts had been completed. Once constructed and completed the number of vehicular movements to the site would be minimal. Any working practices/working hours would be agreed through a Construction Methodology Plan.

Public Protection Officers had raised no objections and were confident that noise would not be or become an issue.

**RESOLVED:**

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

- The conditions as set out in Appendix 1 to the report; and
- The following two additional landscaping conditions:

**(i) Landscaping scheme**

No development approved by this permission shall commence until there has been submitted to and approved by the local planning authority a scheme of landscaping and these works shall be carried out as approved. The submitted scheme shall include:

Planting plans

Written specifications (including cultivation and other operations associated with plant and grass establishment)

Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate

Details of protection and maintenance

Implementation timetables

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

**(ii) Landscape Maintenance**

All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standard 4428:1989. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

**25 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the Central area as at 18 June 2015 be noted.



**26 Date of the Next Meeting**

**RESOLVED:**

That it be noted that the next meeting of the Central Planning Committee be held at 2.00 p.m. on Thursday, 16 July 2015 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....