

**Committee and Date**

South Planning Committee

23 October 2018

**SOUTH PLANNING COMMITTEE****Minutes of the meeting held on 25 September 2018**

**2.00 - 4.55 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 257716

**Present**

Councillor David Evans (Chairman)

Councillors David Turner (Vice Chairman), Gwilym Butler, Simon Harris, Nigel Hartin, Richard Huffer, Madge Shington, Robert Tindall and Tina Woodward

**13 Apologies for Absence**

Apologies for absence were received from Councillors Andy Boddington and Michael Wood.

**14 Minutes****RESOLVED:**

That the Minutes of the meeting of the South Planning Committee held on 5 June 2018 be approved as a correct record and signed by the Chairman.

**15 Public Question Time**

There were no public questions or petitions received.

**16 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 17/04546/EIA, Councillor David Evans declared that he was acquainted with the applicant and the applicant was a customer and held an account at his shop and therefore he would leave the room and take no part in the consideration of this item.

With reference to planning application 17/04546/EIA, Councillor Robert Tindall declared that he was well acquainted with the applicant and his wife. For reasons of perceived bias, he would leave the room and take no part in the consideration of this item.

**17 Land near Shipley, Bridgnorth Road, Shipley, Shropshire (17/05303/MAW)**

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

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

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

Councillor R Cotham, representing Claverley Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Councillor E Aldridge, representing Worfield and Rudge Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr H Richards, representing local residents, spoke against 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) Councillor Tina Woodward, 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 her statement, the following points were raised:

- There had been a high level of objections and concerns raised regarding the implications the quarry would have on such a sensitive Green Belt location;
- Issues remained regarding the complex hydrological setting of the site. Those who were familiar with the location and relied on the water from the site for their livelihoods and personal water supply continued to raise concerns;
- She questioned how introducing a hydrological monitoring scheme without a greater understanding of the complexity of the perched water, springs and current flows and water deposits over the whole site would be effective – small changes may not be viewed as serious until it was potentially too late. The Environment Agency had highlighted its preference to address the lack of site specific data and conceptual uncertainties, including baseline data, prior to the granting of planning permission;
- The ancient woodland of Cannebuff and its companion landscape in the Green Belt was worthy of the highest protection the Council could offer, as per the adopted National Planning Policy Framework (NPPF) 2018; however, this should not come before the needs of the local residents affected by the potential quarry but should be considered in conjunction with each other - the landscape and the people fit together;
- Two Identified residents whose respective health conditions would be highly disadvantaged should their homes be affected by airborne particles. She was concerned that the haul route ran along two sides of Naboth's Vineyard and

remained close to proposed works even as amended. During the site visit she noted that the wind swept over the proposed site towards Gardenland;

- She referred Members to the many concerns expressed regarding the safety and speed of traffic on the A454;
- She acknowledged the Officer's report regarding the need for this quarry set against Shropshire Council's relevant Policies and the Minerals Local Plan for Staffordshire 2015 to 2030, Local Aggregate Assessment October 2017, based on their figure of 5 million tonnes per annum and projected production capacity;
- She urged refusal, but if granted she welcomed strengthened conditions regarding the impact on private water supplies, including alternative supplies such as mains water connection at the applicant's cost and for Members to explore the option of introducing a 50 mph speed limit for the full length of the route, introduction of speed cameras, flashing signs to indicate when quarry vehicles are at the junction with the A454 and a financial contribution from the applicant to fund any necessary highway safety improvements.

Mr D Hardy, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees. With the permission of the Chairman and due to the fact that additional speakers had been permitted to speak against the proposal, the applicant was permitted to speak for up to six minutes. He responded to questions from Members and confirmed that an alternative access located to the north east of the site had been discounted as not being as suitable as the proposed access arrangements. He confirmed that appropriate conditions to control dust levels would be attached to any permission.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. In response to questions and concerns the Principal Planner provided clarification on landbank requirements for Shropshire and Staffordshire and confirmed that there would be no development of the site at Barnsley Lane. He further explained that the proposal was compliant with SAMDev policy MD5(3). Health issues were addressed in the report and Regulatory Services had not objected. Detailed air quality monitoring would apply. In terms of hydrology sufficient information had been submitted to allow determination. The Environment Agency had not objected and appropriate conditions relating to hydrology would be attached to any permission. A further clause could be imposed requiring the applicant to compensate any affected third parties in the event that, notwithstanding the applicant's consultant's conclusions, adverse impacts on local water supplies were encountered. Additional funding could also be sought from the applicant to address highway safety concerns. A Local Liaison Group, convened and managed by the applicant, would provide a forum for the local community to share information and discuss any concerns with the applicant.

## **RESOLVED:**

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

- The conditions and legal obligations as set out in Appendix 1 of the report, subject to:

The wording “unless otherwise approved in writing by the Local Planning Authority” being deleted from Conditions 30, 33, 35 and 37; and

The amendments to conditions as suggested by the Environment Agency and as detailed in the Schedule of Additional Representations.

- A financial contribution from the applicant to fund the cost of establishing a 50 mph speed limit and highway safety measures up to 3 kilometres from either side of the access along the Bridgnorth Road A454;
- A clause to address investigation, mitigation and compensation in the event of any adverse impact on the local water supplies;
- That the applicant convene and manage a Local Liaison Group; and
- That delegated authority be granted to the Principal Planning Officer to make minor amendments or additions to any conditions as deemed necessary.

(At this juncture, the meeting adjourned at 03:28 pm and reconvened at 03:35 pm.)

#### **18 Proposed Poultry Units South East Of Hopton Heath, Shropshire (17/04546/EIA)**

In accordance with their declarations at Minute No. 16, Councillors David Evans and Robert Tindall left the room during consideration of this item.

Councillor David Turner took the Chair.

The Area Planning Manager introduced the application and with reference to the drawings displayed, he drew Members’ attention to the location, layout and elevations.

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

Ms S Skyrme, a local resident, spoke against the proposal in accordance with the Council’s Scheme for Public Speaking at Planning Committees.

Councillor J Roberts, representing Clungunford Parish Council, spoke against 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) Councillor Nigel Hartin, 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:

- He drew Members’ attention to the long history of this site;

- There was and had never been any local support for this application. A previous application had been refused and this decision had been supported on appeal;
- He drew Members' attention to a letter from Avara confirming that they would only honour existing sites – they had made no mention of this proposed site;
- On appeal, the Planning Inspector had upheld the previous decision to refuse and had dismissed the appeal solely on noise grounds. However, other concerns had been raised and he urged the Committee to be consistent and refuse this current application.

Mr I Pick, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees and responded to questions from Members.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. In response to comments, the Public Protection Officer provided clarification on transient noise and the impact and acceptability of noise levels.

**RESOLVED:**

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

- The conditions as set out in Appendix 2 of the report; and
- That officers be granted delegated authority to negotiate a s106 legal agreement prior to the grant of planning permission to remove manure associated with the development from the Clun Catchment Area Special Area of Conservation (SAC) and ensure the air exhaust scrubber system that will limit ammonia emissions remains operational throughout the lifetime of the development and agree appropriate recourses in case the scrubber system fails or the operator closes it down.

(At this juncture, the meeting adjourned at 04:20 pm and reconvened at 04:23 pm.)

(At this juncture, the Chairman returned and took the Chair.)

**19 Proposed Exception Site Dwelling NE Of The Barn, Underton, Bridgnorth, Shropshire (18/00945/FUL)**

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

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

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Robert Tindall, 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:

- Other more remote affordable dwellings had been approved;
- The site was located within the settlement of Underton;
- Although of a modern design and given that there was already a good mix of architecture in Underton, he considered the use of timber and clay tiles to be acceptable;
- The applicants did not enjoy good health and their current dwelling was far too large for them to manage; and
- He urged approval of the dwelling.

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

**RESOLVED:**

That, contrary to the Officers recommendation, planning permission be granted, for the following reasons:

- The proposal would ensure appropriate delivery of affordable housing;
- The design of the building is acceptable;
- The site is in or adjacent to the named settlement of Underton in accordance with the Council's Type and Affordability of Housing Supplementary Planning Document and accordingly is acceptable in relation to the built form of Underton and does not unacceptably encroach in to the open countryside; and
- The applicants had demonstrated a strong local connection.

Subject to:

- A Section 106 Legal Agreement to ensure the dwelling remains an affordable dwelling in perpetuity; and
- That Planning Officers be granted delegated powers to attach appropriate conditions.

**20 Wheathill Touring Park Caravan Site, Wheathill, Shropshire, WV16 6QT (18/02109/FUL)**

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

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

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

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) 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 expressed support for the application and the economic benefits that came with it;
- She welcomed Condition No. 7 which stipulated that the land would be used for the storage of caravans only; and
- The landscaping, although now much improved to what it was, should continue to be monitored.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Gwilym Butler, 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 expressed support for the application; and
- Without diversification the public house would not survive and the income from this proposal would support it during the winter months.

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

**RESOLVED:**

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

**21 Date of the Next Meeting**

**RESOLVED:**

That it be noted that the next meeting of the South Planning Committee will be held at 2.00 pm on Tuesday, 23 October 2018 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

**22 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 25 September 2018 be noted.

Signed ..... (Chairman)

Date: .....

