



**Committee and Date**

Central Planning Committee

3 April 2014

**Item**

**2**

Public

**Minutes of the meeting held on Thursday, 6 March 2014**

**2.00 pm – 3:56 pm in the Shrewsbury Room, Shirehall, Shrewsbury.**

**Responsible Officer** Linda Jeavons

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**PRESENT**

**Councillors:** V Bushell (Chairman)  
T Clarke (Vice-Chairman)

A Bannerman, T Bebb, M Kenny, Ms J MacKenzie, Mrs P Moseley, P Nutting, K Pardy and D Roberts.

**136. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor D Carroll.

**137. MINUTES**

**RESOLVED:**

That the Minutes of the meeting of the Central Planning Committee held on 6 February 2014 be approved as a correct record and signed by the Chairman.

**138. PUBLIC QUESTION TIME**

There were no public questions, statements or petitions received.

**139. 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 A Bannerman, P Nutting and Mrs J MacKenzie 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 13/03793/FUL, Councillor T Clarke stated that, for reasons of pre-determination, he would make a statement and then leave the room during consideration of this item.

With reference to planning application 14/00190/OUT, Councillor P Nutting stated that a member of his family lived in close vicinity to the application site and for reasons of bias, he would leave the room during consideration of this item and not vote.

With reference to planning applications 14/00188/OUT and 13/04065/OUT, Councillor D Roberts stated that he was closely acquainted with the applicants and would leave the room prior to consideration of these items.

**140. RESIDENTIAL DEVELOPMENT SITE, LAND OFF FALKLAND ROAD, DORRINGTON, SHREWSBURY, SHROPSHIRE (13/02776/OUT)**

With reference to Minute No. 128, the Planning Officer introduced the report and explained that this application had been refused at the previous meeting as per the reasons detailed in the report. However, it had been determined that these reasons were not considered to be robust and defensible at appeal and the application was now before Members to consider the likely implications and reasons for refusal. Also, following the previous meeting, it had been concluded that the proposed footway through Lower Fold up to the public highway in The Fold would need to form part of the application site boundary. As a result, and in line with Shropshire Council's Constitution, this would now require a statutory notice to be served on the landowner(s) and a 14-day reconsultation period to take place with all properties with an adjoining boundary. Officers were now recommending deferral to enable a statutory notice to be served and appropriate consultation to take place.

**RESOLVED:**

That this application be deferred to enable a statutory notice to be served on the landowner(s) and a 14-day reconsultation to be undertaken with all properties with an adjoining boundary with the application site boundary following receipt of amended plans and revised Ownership Certificate in respect of the proposed footway through Lower Fold up to the public highway in The Fold.

**141. LAND SOUTH OF 6 OLD TOP COTTAGES, UFFINGTON, SHREWSBURY, SHROPSHIRE (13/02834/OUT)**

With reference to Minute No. 129, the Planning Officer introduced the report and explained that this application had been refused at the previous meeting for the reasons outlined in the report. However, these reasons were not considered to be robust and defensible at appeal and the application was now before Members to consider the likely implications and reasons for refusal. He drew Members' attention to paragraph 49 of the National Planning Policy Framework (NPPF) which indicated that policies were considered to be out of date when a 5 year land supply could not be demonstrated and the application for affordable housing in Bomere Heath which had been refused by this Committee for its 'ribboning effect' which had been allowed by the Inspector on appeal. With reference to the drawings displayed, he drew Members' attention to the location of the site and confirmed that the proposal was for outline only with the scale, appearance and landscaping reserved for later approval.

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

Councillor John Everall, the local Ward Councillor, 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 requested that consideration be given to deferring any decision on this application in view of the ministerial statement issued by Nick Boles MP that morning;
- The Bomere Heath application was for 12 affordable houses unlike this one;
- There was only one bus stop and one bus at 7.30 am and 3.30 pm;
- It was actually 2.3 miles to the nearest Tesco, and there was no shop in Uffington and had not been for many years;
- There would be no social benefits and there were no local services;
- No-one in Uffington wanted it and there was no need for it;
- It would have an adverse impact on the character of Uffington;
- There was no employment, no shops, no realistic transport and every journey would have to be made by car thus producing more pollution and carbon emissions;
- Uffington was trying to progress in a controlled manner; and
- The proposal would not be sustainable.

Ms P Stephan, 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 refusal relating to its ribboning effect was inappropriate and would not be defensible and the Bomere Heath decision had been overturned;

- A five year land supply could not be demonstrated;
- The land on which five open market dwellings was now planned had previously had permission for 10 affordable homes; and
- There would be no significant or demonstrable harm.

In the ensuing debate, Members noted the comments of the speakers and officers and the ministerial statement issued that morning. Members considered the submitted plans; acknowledged that this was a balanced decision; seriously questioned the sustainability of the scheme; and commented that public transport was infrequent and it would not contribute to a low carbon economy.

**RESOLVED:**

That, contrary to the Officer's recommendation, this application be refused for the following reasons:

1. The Local Planning Authority (LPA) acknowledges that the proposed development will perform a social and economic role by supporting local services and facilities in Uffington and nearby villages. Whilst acknowledging that there is a cycle route to Shrewsbury, this is unlit, and the majority of essential day to day services and facilities are in Shrewsbury and would be accessed by private car due to an inadequate bus service. The proposal would therefore not provide any environmental benefits due to it not contributing to a low carbon economy and also by reason of the adverse impacts. Therefore taking the three dimensions of sustainability together it is not considered that the proposal represents sustainable development when assessed against the policies in the NPPF when taken as a whole.
2. The LPA considers that the proposal would have an adverse impact on the character and appearance of the settlement and the surrounding countryside due to a loss of open character as a result of the extension of built development alongside the road that would have a 'ribboning' effect and unacceptably elongate and extend the village into the open countryside. Accordingly it is considered that the adverse impacts would significantly and demonstrably outweigh the benefits and the proposal is considered contrary to Shropshire Core Strategy Policies CS5 and CS6 and the NPPF taken as a whole.

**142. DEVELOPMENT LAND ADJACENT MARY WEBB ROAD, OFF NEW PULLEY LANE, BAYSTON HILL, SHREWSBURY, SHROPSHIRE (13/03793/FUL)**

With reference to Minute No. 130, the Planning Officer introduced the application and explained that this application had been deferred at the previous meeting in order that further negotiations could be undertaken with the application in relation to the improvement and maintenance of the footpath to the north east of the site. Subsequently, Shropshire Council's Highways

Development Control Officer had confirmed that the £2,500 offered by the applicant would be sufficient to upgrade and maintain the footway. With reference to the drawings displayed, he drew Members' attention to the revised layout and proposed elevations and confirmed that Members had undertaken a site visit on a previous occasion and had assessed the impact of the proposal on the surrounding area.

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

In accordance with his declaration of interest, Councillor T Clarke made a statement in accordance with paragraphs 6(7) and 6(8) of the Members Code of Conduct on planning matters in Part 5 of the Council's Constitution and then left the room for this item. He commented that he was very much in favour of affordable housing but expressed disappointment with this proposal and the lack of detail. The proposal was contrary to Shropshire Council policies in terms of density, did not meet the local standard for the provision of recreational space and would not be sustainable.

Mr A Brinckley, 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 expressed concerns relating to traffic and referred the meeting to a fatal accident that had taken place close to the proposed entrance in 2008;
- The footpath between the site and Meole village was unlit and raised health and safety issues;
- It would not be acceptable to expect children to use a potentially unsafe footpath to access play areas over a quarter of a mile away from their homes; and
- He urged refusal of this application.

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 Mrs J MacKenzie, as the local Ward Councillor, made a statement, took no part in the debate and did not vote. She encouraged and welcomed affordable housing but stressed that any provision should be based on the impact it would have to the quality of life and residents needed to be sure that they would have adequate access to services. She questioned if there was any leeway to reduce the number of dwellings based on the proposed provision of recreational space.

In response, the Planning Officer drew Members' attention to paragraphs 6.1.2 and 6.3.2 of the report and confirmed that the play area was outside of Flood Zones 2 and 3.

Ms E Kay, Clerk to Bayston Hill 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 development would not be sustainable and there was a need to upgrade the infrastructure prior to any permission being implemented;
- The S106 Agreement should not be granted until the applicant had provided a guarantee to upgrade and maintain the link footpath. £2,500 would not be sufficient to maintain this path and provide adequate lighting to enable children to use the footpath safely;
- The proposal was contrary to the Bayston Hill Parish Plan; and
- Why should Bayston Hill CIL money be used to contribute to the development when it would be an extension of Shrewsbury.

Mrs J Teichman, 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 homes would be managed by the Trust from an office based in Shrewsbury town centre;
- They were committed to providing high quality accommodation for local people and had an excellent reputation;
- The homes met the Sustainable Homes Code Level 3 standard;
- Arising from the last meeting, the only issue to be addressed was the potential improvement of the footpath and a sum of £2,500 for improvements and maintenance had been agreed with Shropshire Council Officers; and
- There were no further outstanding technical issues.

In the ensuing debate, Members expressed differing views. Some expressed concerns relating to the density of the site; and the inadequate provision of community space and the potential for the play area to become water-logged. Further concerns were also expressed with regard to the potential for speeding along Pulley Lane and suggested that the speed limit should be reduced along this stretch of road. During their site visit Members had noted that the link footpath had been submerged and was very muddy, and as this would be the main route for children walking to and from Meole school expressed the view that this footpath should be suitably constructed and maintained at all times, although they doubted that £2,500 would be adequate for this purpose. Other Members acknowledged that the site would be sustainable and the homes would be built to a high standard.

The majority of Members supported the proposal and it was

**RESOLVED:**

That, subject to a Section 106 Legal Agreement to secure the affordable occupation of the 10 low cost ownership and 23 rented dwellings in perpetuity and a commuted sum of £2,500 to upgrade and maintain the surface of the footway between the site and Meole Village and subject to the

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

**143. PROPOSED RESIDENTIAL DEVELOPMENT LAND OFF LIMES PADDOCK, DORRINGTON, SHREWSBURY, SHROPSHIRE (14/00190/OUT)**

Councillor P Nutting left the room in accordance with his declaration in Minute No. 139 above.

The Planning Officer introduced the application and confirmed that Members had undertaken a site visit that morning to view the site and assess the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, indicative layout and access arrangements. He drew Members' attention to the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting.

Mr P Smith, 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 expressed concern that there had been a tsunami of applications to build outside of a preferred area and because of the lack of a five year land supply developers were free to apply to build wherever they wished to; and
- Developers were not taking into account the feelings and wishes of the residents.

Councillor Mrs L Crowhurst, representing Condover 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:

- Condover Parish Council had previously considered and rejected this site during the Site Allocations and Management of Development (SAMDev) process;
- The site had been excluded as a preferred site due to its topography;
- Visibility on to the site off the A49 was restricted;
- The site was grade 3 agricultural land and, if developed, the agricultural use would be lost forever;
- Approval for two houses could open the floodgates for further development;
- Condover Parish Council had produced a robust SAMDev plan and had identified other sites for development; and
- She urged refusal on the grounds of access, topography, it was grade 3 agricultural land and the site had not been supported by Condover Parish Council or Shropshire Council during the SAMDev process.

Councillor T Barker, the local Ward Councillor, 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 acknowledged that Shropshire Council was in a difficult position due to the five year land supply issue; and
- He drew Members' attention to the ministerial statement issued by Nick Boles MP that morning, which in his view called into question the basis upon which the five year land supply was calculated.

Mr P Middleton, 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 SAMDev process had took the whole field into consideration and this application was for a portion of the site;
- The access had been approved by the Highways Agency; and
- A five year land supply could not be demonstrated.

In the ensuing debate, Members suggested that, in view of the ministerial statement issued by Nick Boles MP that morning, a decision on this application be deferred.

**RESOLVED:**

That this application be deferred in order that the implications of the written ministerial statement issued by Nick Boles MP that morning can be assessed prior to any decision being made.

**144. LAND AT JUBILEE FARM, CHURCH ROAD, DORRINGTON, SHREWSBURY, SY5 7JL (14/00188/OUT)**

Councillor D Roberts left the room in accordance with his declaration in Minute No. 139 above.

**RESOLVED:**

That this application be deferred in order that the implications of the written ministerial statement issued by Nick Boles MP that morning can be assessed prior to any decision being made.

**145. LAND NORTH OF TOP FARM, KINTON, SHREWSBURY, SHROPSHIRE (13/05065/OUT)**

Councillor D Roberts left the room in accordance with his declaration in Minute No. 139 above.

**RESOLVED:**

That, subject to a Section 106 Legal Agreement to secure the relevant affordable housing contribution and to the conditions as set out in Appendix 1 to the report, planning permission be granted as per the Officer's recommendation.

**146. APPEALS AND APPEAL DECISIONS**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the Central area as at 6 March 2014 be noted.

**147. DATE OF THE NEXT MEETING**

**RESOLVED:**

That it be noted that the next meeting of the Central Planning Committee would be held at 2.00 p.m. on Thursday, 3 April 2014.

CHAIRMAN: .....

DATE: .....