



**Committee and Date**

South Planning Committee

8 May 2019

**SOUTH PLANNING COMMITTEE**

**Minutes of the meeting held on 9 April 2019**

**12.00 - 3.51 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), Simon Harris, Nigel Hartin, Richard Huffer, Cecilia Motley, Madge Shineton, Robert Tindall and Tina Woodward

**91 Apologies for Absence**

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

**92 Minutes**

**RESOLVED:**

That the Minutes of the meeting of the South Planning Committee held on 12 March 2019 be approved as a correct record and signed by the Chairman.

**93 Public Question Time**

There were no public questions or petitions received.

**94 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 18/00945/FUL, Councillor Robert Tindall declared that he was acquainted with the objector/neighbour and would take no part in the consideration of and voting on this item.

**95 Buildings to The North of Small Heath Farmhouse, Ashford Bank, Claverley, Wolverhampton (16/03673/COU)**

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 on a previous occasion.

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

- Local people had continued to express concerns with what was currently taking place on the site. They had also expressed disappointed regarding the Planning Inspector's decision;
- She had requested that this application be formalised in planning terms as it was approved by Members in March 2017 and so welcomed the return of this application to this Committee for consideration;
- She commented that in light of the Planning Inspector's decision regarding Unit 1, in relation to the traffic routing agreement not being viewed as appropriate for B2 use, the Officer's view is that the S106 Legal Agreement should now be reconsidered regarding the B1 use for the remainder of the site;
- Conditions – With reference to Condition No. 7 (Appendix 1) she suggested that the word 'not' be deleted otherwise there would be no daytime opening hours, and requested that the opening hours be formalised in line with the Inspector's decision and conditions as set out in Appendix 2. This would mean that the opening times on a Saturday would be between 09.00 and 13.00 and would then be in line with the timings as set out in Condition No. 8 (Appendix 1).

In the ensuing debate, Members noted the comments of the Local Ward Member 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, subject to Condition No. 7 being amended to read as follows:

- The use hereby permitted shall be carried out on Monday – Fridays between 08.00 and 18.30 and Saturdays 09.00 and 13.00, and at no time on Sundays, Bank or Public Holidays.

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

In accordance with his declaration at Minute No. 94, Councillor Robert Tindall took no part in the discussion and voting upon this item.

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 on a previous occasion.

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 Robert Tindall, 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:

- An application for a dwelling on this site was first considered at a previous meeting when the decision to grant planning permission had been unanimous. He hoped that Members would grant permission for this amended scheme.

In the ensuing debate, Members noted the comments of the Local Ward Member 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;
- There being no material objections raised by the Shropshire Council's Tree Officer and Drainage Officer; and
- A Section 106 Legal Agreement to ensure the dwelling remains an affordable dwelling in perpetuity.

**97 13 Love Lane, Bridgnorth, Shropshire, WV16 4HE (18/01233/FUL)**

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 the previous day and had viewed the site and had assessed the impact of a proposal on the surrounding area.

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

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

In the ensuing debate, Members noted the comments of all speakers and considered the submitted plans. In response to a question from a Member, the Area Planning Manager confirmed that the hours of work/construction could be controlled by a condition.

**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; and
- In order to protect the amenity of occupiers of nearby and neighbouring properties from potential nuisance, an additional condition to control hours of work/construction.

**98 Proposed Development Land East Of Meadowbrook Close, Alveley, Shropshire (18/03172/FUL)**

The Area Planning Manager introduced the application and with reference to the drawings displayed, he drew Members' attention to the location, layout and elevations. He drew Members' attention to the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting and appraised Members of further representations received from Bridgnorth District CPRE and from the agent regarding drainage.

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

Mr B Lloyd, representing local residents and Alveley Green Belt Preservation Group, 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, 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:

- This application had generated local objections including those of the Parish Council, particularly because the proposed site was within the Green Belt;
- **Access to the proposed site** - The bungalows along Meadowbrook Close are recognised by Shropshire Council Highways as being served by a relatively narrow carriageway width of 4.2 metres and in order to pass vehicles have to mount the footways. Frequently the turning heads on the estate roads, Meadowbrook Close being no exception, are used for parking. She was concerned that the turning heads on the proposed new development may be used in the same way. The Officer's report referred to parking on footways as being a policing matter; however, she considered that we should not be adding to known highway issues but should be seeking appropriate solutions to address them;
- Significant engineering works to culvert the watercourse would involve heavy plant coming and going from the site and residents were concerned that Meadowbrook Close was the proposed access for these works. The road is not suited to this type of movement;

- The route for other plant to the site is shown as via an access off the A442. This will involve a lengthy haul over agricultural land which is very concerning as the soil in the area is heavy clay and the fields tend to retain water. Consequently, this could mean that stoning would be required in order for the plant to get to its location in wet weather. This potential route would also cross a very well used public right of way and no comment regarding this has been made by Outdoor Recreation Officers;
- **Drainage Fields and Sewerage Treatment Plant** – It is essential that the true nature of the clay soil is addressed in terms of the suitability for soakaways. The watercourse on occasions has very limited waterflow, at other times it can receive surface water from the catchment area, which has the potential to create localised flooding. Therefore the use of a package treatment works is a cause for concern;
- The village is connected to a main sewerage system which one would hope could accommodate a further six dwellings – this would be the preferred option and she welcomed the late representation from the applicant which indicated that a connection to the mains sewage disposal network would be forthcoming;
- **Green Belt** – The proposed development included a pair of two-storey semi-detached houses which would conflict with the openness of the Green Belt and be overbearing in this location and contrary to Core Strategy Policy CS5;
- Should Members be minded to permit this application in Green Belt she requested the following conditions:
- Construction Method Statement – during the culverting and construction works deliveries to the site should be scheduled so they do not conflict with the waste/recycling collection day, which is a Monday, and should avoid school start and finish times;
- Construction Times – The start time should be changed from 7.30 am to 8.00 am due to the site's close proximity to a residential estate, this would reduce disturbance first thing in the morning;
- Planting Scheme – The turning heads should be appropriately screened with native hedging and also native trees to reduce the glare of car headlights travelling across the open land and more importantly to offer a corridor for wildlife and to enhance the overall development and its setting in the mature landscape. Details should also include the permissive right of way and point of access/egress to join the public right of way which offers a link to the primary school and shops. To reduce the likelihood of any future tenants and property owners removing the old field boundary hedges backing onto their respective properties, or damage during construction, she welcomed any protection that could be offered to the important hedge boundaries of the current field system being included in the Management Plan.
- Lighting – Lighting should be kept to a minimum to minimise the effect on wildlife and dark skies. Any lighting fixed to houses should be directed downwards and should not be high intensity lights;
- Finally, a local resident has indicated that the treatment works outfall would require access onto their land – but Officers have advised that this is a private matter; and
- In conclusion, she asked Members to give consideration to the appropriateness of this scheme within the Green Belt.

Mr H Pitt, the applicant, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees and responded to questions from Members regarding the future management of the site.

In the ensuing debate, Members noted the comments of all speakers and considered the submitted plans. During the debate Members expressed concerns regarding the poor design of the dwellings, encroachment on to Green Belt land, the impact of the scale and design of the dwellings on the openness of the Green Belt, drainage and the narrow access from Meadowbrook Close onto the site. Members commented on the need to retain and protect existing hedgerows and the importance of having an agreed robust landscaping plan. In response to questions the Area Highways Development Control Manager (South) explained that it would be difficult to justify that a further six dwellings would warrant road improvements and road widening.

**RESOLVED:**

That this application be deferred to enable the applicant to give further consideration to the design of the dwellings and landscaping of the site.

**99 47 Folley Road, Ackleton, Shropshire, WV6 7JL (18/05705/FUL)**

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 noted the additional information as set out in the Schedule of Additional Letters circulated prior to the meeting, and the additional information submitted by the Neighbours' Planning Consultant which was circulated at the meeting.

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

Mrs D Humphreys, representing local residents, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In the ensuing debate, Members noted the comments of all speakers and considered the submitted plans. In response to questions, the Area Planning Manager explained that a decision on a planning application could not be based on the potential behaviour of those living in a property, and there was other legislation in place that could be pursued by neighbours if necessary.

**RESOLVED:**

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

Given the difference in levels, orientation and proximity the proposed development will be overbearing and will adversely affect the privacy of the occupants of

neighbouring properties. The proposal is therefore contrary to Shropshire Core Strategy policies CS6 and Site Allocation and Management of Development (SAMDev) Plan policy MD2.

**100 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 9 April 2019 be noted.

**101 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 Wednesday, 8 May 2019 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....