



**Committee and Date**

Central Planning Committee

29<sup>th</sup> May 2014

**CENTRAL PLANNING COMMITTEE**

**Minutes of the meeting held on 1 May 2014**

**2.00 - 4.35 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

**Responsible Officer:** Shelley Davies

Email: shelley.davies@shropshire.gov.uk Tel: 01743 252719

**Present**

Councillor Vernon Bushell (Chairman)

Councillors Ted Clarke (Vice Chairman), Andrew Bannerman, Tudor Bebb, Dean Carroll, Miles Kenny, Pamela Moseley, Peter Nutting, Kevin Pardy and David Roberts

**163 Apologies for absence**

An apology for absence was received from Councillor Mrs J MacKenzie.

**164 Minutes**

**RESOLVED:**

That the Minutes of the meeting of the Central Planning Committee held on 3<sup>rd</sup> April 2014 be approved as a correct record and signed by the Chairman.

**165 Public Question Time**

There were no public questions, statements or petitions received.

**166 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 and P 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 14/00328/EIA, Councillor D Roberts stated that he knew the applicant and, for reasons of bias, he would leave the room during consideration of this item and not vote.

**167 Land Opposite Ellesmere Drive, Ellesmere Road, Shrewsbury (13/05124/FUL)**

The Chairman explained that the applicant had requested that the application be deferred.

**RESOLVED:**

That the application be deferred to a future meeting as requested by the applicant.

**168 Land Adjacent Field House, Shepherds Lane, Shrewsbury, SY3 8BT (14/01105/FUL)**

The Technical Specialist Planning Officer introduced the application and explained that the Parish Council had objected to the application as the site was outside the development boundary being promoted in SAMDev. In relation to objections raised regarding the proximity of plot 9 to Field House, she drew Members attention to an amended plan and additional comments on the Schedule of Additional Letters from the Agent, which agreed to move Plot 9 further away from Field House. It was further explained that the proposal was considered to be sustainable and at this point in time a five year land supply could not be demonstrated. The Technical Specialist Planning Officer confirmed that Members had undertaken a site visit that morning to view the site and had 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 further comments from a local resident and the Agent.

Mr G Wallach, on behalf of local residents, 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 application was not supported in Bicton;
- The application was contrary to SAMDev;
- Shepherds Lane was a narrow road with no street lighting;
- The access was near an accident black-spot;
- Refuse vehicles and other large vehicles would cause nuisance to neighbouring properties;
- The application was ribbon development; and
- The sewage system was already overloaded.

Councillor J Overall, 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:

- Although he considered this was the right area for the type of development proposed, the density of the site was too high and should be reduced from 6 to 4 dwellings;

- The proposal would surround Field House on 2 sides, which was unacceptable and would be overbearing; and
- The access was too narrow and should be widened.

Mr N Thorns, the agent, spoke in support of the proposal in accordance with the Council's scheme for public speaking at Planning Committees, during which the following points were raised:

- The site was located in a sustainable location and had a pub, shop and a regular bus route;
- There was a primary school within 900 metres of the site;
- The proposal rounded off the settlement and met the three sustainability tests in line with the NPPF;
- The low density scheme reflected the village setting;
- The access had been agreed by Highway Officers and was wider than Holyhead Road;
- There were no drainage issues and the puddle on site was due to impacted hardcore;
- The scheme had been designed to avoid any overlooking to Field House; and
- There had been discussion on site yesterday to move plot 9 further away from Field House.

In response to questions from Members, the Technical Specialist Planning Officer noted that existing drainage issues had been raised by local residents, but assured Members that the proposed conditions would resolve any issues.

Responding to questions regarding the density issues and the affordable housing contribution, the Technical Specialist Planning Officer explained that the scheme was of a low density and as the proposal was for just 6 dwellings, in accordance with the Council's adopted policy in relation to affordable housing it did not amount to a whole house on site.

Members questioned why the access road would not be built to an adoptable standard. The Technical Specialist Planning Officer explained that there was no requirement for the road to be built to this standard but it could be brought up to an adoptable standard in the future. In response to this issue, the Agent confirmed that the road would be built to an adoptable standard.

In light of other developments in Shrewsbury it was suggested that there should be a condition to state that no work take place until the access road was finished to an acceptable standard to avoid construction vehicles leaving mud onto the road. The Technical Specialist Planning Officer explained that it was usual in large schemes for the developer to submit a Construction Traffic Management Plan, which had not been requested for this proposal but could be added as a condition to any permission granted.

**RESOLVED:**

That planning permission be granted in accordance with the Officer's recommendation, subject to:

- A Section 106 Legal Agreement to secure the relevant affordable housing contribution;
- To the conditions as set out in Appendix 1 to the report; and
- The additional requirement of Construction Traffic Management Plan.

**169 Bank House Poultry, Yockleton, Shropshire (14/00328/EIA)**

Councillor D Roberts, local Ward Member left the room during consideration of this item in accordance with his declaration in Minute 166 above.

The Technical Specialist Planning Officer introduced the application and explained that the proposals comprised Schedule 1 EIA development and therefore a Committee decision was mandatory under the Council's Scheme of Delegation. The Parish Council supported the proposal and there had been no objections from statutory consultees. He confirmed that Members had undertaken a site visit that morning to view the site and had assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, elevations, proposed access and landscaping scheme.

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 Environment Agency.

Members considered the submitted plans for the proposal and unanimously expressed their support for the Officer's recommendation.

**RESOLVED:**

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

**170 Development Land West Of Bryn Road, The Mount, Shrewsbury, Shropshire (14/00743/OUT)**

The Principal Planning Officer introduced the application and explained that this was an outline application for residential development. The site was located in an area of open countryside outside the Shrewsbury urban area. He further explained that the proposal was considered to be sustainable and at this point in time a five year land supply could not be demonstrated. He confirmed that Members had undertaken a site visit that morning to view the site and had 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 further comments from the Principal Planning Officer in response to objections to the validity of the procedure and from the Mount Resident's Group requesting that the site be considered as a Local Green Space.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the Council Meeting held on 27<sup>th</sup> February 2014, Councillor P Nutting, as the local Ward Councillor, made a statement, took no part in the debate and did not vote. He questioned the validity of procedure as raised in the Schedule of Additional Letters and suggested that the application should be deferred to the next meeting to allow time for any objections to be received in relation to the advertisement of the departure and for the Local Green Space request to be considered. He raised concern in relation to the reservations of the Conservation Officer and questioned why an outline application had been submitted in a Conservation Area.

The Principal Planning Officer responded to the issues raised by Councillor P Nutting. He explained that the application had been advertised as a Major in a Conservation Area in the Shropshire Star on 4<sup>th</sup> March 2014 for a 21 day period expiring on the 25<sup>th</sup> March 2014 in addition to a Site Notice displayed on and expiring on the same day and therefore the additional advertisement was to publicise the application as a Departure from the Development Plan and would be determined under delegated powers if no new material considerations were raised. In relation to the Local Green Space issue, the Principal Planning Officer advised that this type of request should be submitted as part of the SAMDev consultation and could not be considered at this stage of the process. He added that the Conservation Officer had mentioned a number of concerns but noted that careful design would mitigate any harm and clarified that outline applications could be submitted for a Conservation Area but the applicant might be requested to provide further information. For this application the applicant had submitted an indicative plan and therefore no further information was required.

Ms K Anderson, on behalf of local residents, CPRE and the Ramblers 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 request for the area to be Local Green Space was supported by 200+ people;
- The site was outside the development boundary and in a conservation area;
- The area was valuable open space leading to the river;
- Development should only be permitted in a Conservation Area if there was no loss of open space or views of the area;
- The landscape was intrinsic to the area and should not be flattened as proposed by the applicant; and
- The area should be preserved and enhanced in line with the Conservation Areas Act.

Ms H Ball, on behalf of Shrewsbury Town 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 site was not a sustainable site, if it was it would have been included in SAMDev;

- Green space such as this green corridor of the River Severn should be protected;
- Local residents of the Mount were not in support of the application;
- The Government was clear on the protection of such sites and the need to safeguard countryside to preserve the settings of towns;
- Shrewsbury took pride in the fact that there was agriculture right on the doorstep of the town; and
- The impact of development on this site would compromise the area for future generations.

*At this point in the meeting Councillor M Kenny stated that he was a member of the Planning Committee of Shrewsbury Town Council when this application was discussed. He indicated that his views on the proposal when considered by the Town Council had been based on the information presented at that time and he would now be considering the proposal afresh with an open mind and the information as it stood at this time.*

Mr A Sheldon, 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 area was outside the development boundary but it was not classed as green belt land;
- The location was sustainable in line with the NPPF;
- The area was privately owned and had no public access;
- The application would constitute infill development;
- The trees and hedges would be protected;
- The view through the site and the topography of the site would be retained; and
- This application was in outline only and a reserved matters application would be submitted for later approval.

In the ensuing debate, Members expressed concern in relation to the loss of open green space and the vital link between this and the town stating that the adverse impacts outweighed the benefits of the proposal. It was added that the comments of the Conservation Officer were not conclusive and the site had not been allocated or mentioned in SAMDev. Members also noted that the full ecology report had not been available for Members to view and that an application for a Village Green could be made at any time.

In response, the Principal Planning Officer apologised for the full ecology report not being available but noted that the comments of the Ecology Officer had been published on the website and explained the difference between a Village Green application and the request received for the area to be considered as Local Green Space.

The solicitor advised that the application was in outline at this stage and suggested that if Members were not satisfied that they had enough information to determine

the application then they should defer the application for further information on the matters raised.

Having considered the submitted plans for the proposal the majority of Members expressed their objection to the proposal and considered that the development was contrary to Shropshire Core Strategy development plan policies CS6 and CS17.

The Area Planning and Building Control Manager sought clarification from Members as to which parts of Policy CS17 they considered the proposal to conflict with.

**RESOLVED:**

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

- The LPA consider that the proposed development would fail to protect and enhance the high quality and local character of Shropshire's natural, built and historic environment, and would adversely affect the visual, ecological, heritage and recreational values and functions of these assets, their immediate surroundings and their connecting corridors. Accordingly the proposal is considered contrary to Shropshire Core Strategy development plan policies CS6 and CS17. As such the adverse impacts of granting permission are considered to significantly and demonstrably outweigh any benefits when assessed against the policies in the National Planning Policy Framework taken as a whole.

*Councillor D Roberts rejoined the meeting during discussion of this item but did not take part in the debate or vote on the application.*

**171 Land to rear 110-112 London Road, Shrewsbury, SY2 6PP (13/02781/FUL)**

The Area Planning and Building Control Manager introduced the application and confirmed that Members had undertaken a site visit that morning to view the site and had assessed the impact of the proposal on the surrounding area. He detailed the planning history to the application noting that the appeal decision to a previous refusal had been appended to the committee report. With reference to the drawings displayed, he drew Members' attention to the location, layout and elevations. He also highlighted the changes to the current scheme compared to the previous application, which was dismissed on appeal.

A number of additional letters had been received in objection to the application. The Area Planning and Building Control Manager read these out to the Committee. The objections included the following issues:

- The narrow access was unsafe and inadequate;
- The increased traffic would create noise and vibration;
- The proposal was out of character and would result in loss of privacy for residents and cause harm to wildlife;

- The application did not address the issues raised in the previously refused application;
- That the fence to the neighbouring property should be retained; and
- The parking space for No. 112 London Road should be conditioned for the occupiers only and not commercial vehicles.

The Area Planning and Building Control Manager reported that the application had been subject to a significant amount of objection. He added that the previous issues raised by the inspector had been largely overcome with the amendments to the revised scheme and explained that the inspector had awarded costs against the Council in relation to the refusal reason of highway safety despite dismissing the appeal.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the Council Meeting held on 27<sup>th</sup> February 2014, Councillor T Clarke, as the local Ward Councillor, made a statement, took no part in the debate and did not vote. He stated that he considered the access to the site to be inadequate and still had concerns in relation to this issue.

Mr P Enticknap, on behalf of local residents, spoke against the proposal in accordance with the Council's scheme for public speaking at Planning Committees, during which the following points were raised:

- Local residents had raised significant concerns in relation to the proposal;
- The previous refusal was the correct decision as appeal was dismissed;
- The proposal was an unacceptable form of development and did not protect and enhance the natural environment;
- The application was not appropriate in scale and constituted back-land development;
- The proposal was in close proximity to a number of trees which might be removed in future; and
- The proposal was contrary to Policy CS6 and the NPPF.

Ms H Ball, on behalf of Shrewsbury Town 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 application had caused significant local concern;
- The proposal constituted back-land development;
- The lack of pedestrian access was unacceptable;
- It would be detrimental to the green character of the area;
- Although there was no right to a view there was a right to privacy;
- The proposal was in close proximity to a number of trees; and
- The proposal was contrary to Policy CS6.

Councillor J Tandy, local Ward Member, 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 application was still unacceptable despite the amendments to the scheme;
- Utilizing residential gardens was an inappropriate form of development;
- Over 73 objections to the development had been received; and
- The access would be difficult for emergency and commercial vehicles to enter.

In response to a question from a Member, the Area Planning and Building Control Manager stated that the concerns of the access had not been overcome completely but the removal of one dwelling had addressed most issues and a condition in relation to the proposed material of the driveway to reduce disturbance to neighbouring properties had been included.

In the ensuing debate, Members expressed the view that although they had concerns regarding the access and the loss of amenity/privacy for local residents they accepted that the amended scheme had addressed a number of previous concerns and considered that there would be no defensible reason for refusal.

**RESOLVED:**

That The Area Planning Manager be given delegated authority to grant planning permission, subject to:

- A Section 106 Legal Agreement to secure an affordable housing contribution;
- Additional conditions in relation to construction hours and restricting the displaced car parking space for occupiers; and
- The conditions as set out in Appendix 1 to the report.

**172 Appeals and Appeal Decisions**

Members considered the Schedule of Appeals and Appeal Decisions for the Central area as at 1<sup>st</sup> May 2014.

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the Central area as at 1<sup>st</sup> May 2014 be noted.

**173 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, 29<sup>th</sup> May 2014 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....