

THE STRETTONS CIVIC SOCIETY



22nd February 2021
Ref. 18/01258/OUT

Complaint – Publicity for Planning Permission Applications

I am writing to explain that Shropshire Council may be at risk of breaching the Development Management Order 2015. The reason is that I have received information that the Southern Planning Committee, at its meeting on 16th February, decided to approve planning application 18/01258/OUT for five houses at Springbank Farm. I have not been able to verify this information because the minutes of the meeting have not yet been published, nor has a decision been issued by the Planning Services Manager. Assuming that the committee has taken such a decision it would be contrary to the provisions of the Council's Development Plan and would therefore need to be publicised before a decision is made. The location of the application site at Springbank Farm lies outside the Church Stretton Development Boundary and is an isolated site within the open countryside of the Shropshire Hills AONB, where any approval of an application for market housing is contrary to policy and therefore exceptional. (Core Strategy CS5 and SAMDev policy MD7a are the relevant policies).

The Order that requires such a Council intention to be publicised is 15(1) and 15(2) of Development Management Order 2015 as follows:

15(1) An application for planning permission must be publicised by the local planning authority to which the application is made in the manner prescribed in this article.

15(2) In the case of an application for planning permission for development which:

(b) does not accord with the provisions of the development plan in force in the area in which the land to which the application refers is situated, - - -.

The back story to this application is as follows. An application to build six market houses at Springbank Farm was made in 2018 and was publicised in the usual manner as 18/01258/OUT and some public comments were made; the Church Stretton Civic Society was one of the organisations which made a comment. At that time the review of the Shropshire Local Plan was at an early stage and there was uncertainty about the development of the SAMDev allocated housing site CSTRO18, which is adjacent to Springbank Farm, because of the risk of pollution to the boreholes of the Montgomery Water Company: both these issues were relevant to the Springbank Farm application and by agreement between Shropshire Council and the applicant a decision on it was deferred. By 2020 the local plan review reached the Regulation 19 Pre-submission draft stage. Further examination of the site allocated for housing showed that it was not viable: the planning applications relating to the site were withdrawn and Shropshire Council decided to de-allocate it; it now features in the draft local plan as a site to be deleted. With these two related issues having moved forward the applicant asked the Council to resume consideration of the application for houses at Springbank Farm. A number of significant changes were made to the application; the number of dwellings was reduced from six to five and the layout changed, reports on a tree survey and flooding issues were added to the documents. These changes, taken together with the de-allocation of CSTRO18 and the two year deferment were sufficient reason for the Council to have re-advertised the application for public consultation. This opportunity was not taken and

the application together with an officer's report which recommended refusal on the grounds that it did not accord with conditions of the Shropshire development plan was referred to the Southern Planning committee for determination.

I therefore request that you call-in the report of the Southern Planning Committee. If the committee has, against the recommendation of the planning officer, proposed that the application should be approved and that you consider there are valid and compelling reasons for that decision to be endorsed that you should proceed to advertise the proposal to allow for a public consultation in accordance with the provisions of the Development Management Order 2015.

I have copied this letter to Ian Kilby the Planning services Manager.

Yours sincerely

(Charles W Simmonds) Chairman

Andrew Begley, Chief Executive
Shropshire Council
Shirehall
Abber Foregate
Shrewsbury
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