



### Committee and Date

South Planning Committee

22 July 2014

## **SOUTH PLANNING COMMITTEE**

### **Minutes of the meeting held on 24 June 2014**

**2.00 - 5.31 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

**Responsible Officer:** Linda Jeavons

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### **Present**

Councillor Stuart West (Chairman)

Councillors David Evans (Vice Chairman), Andy Boddington, Nigel Hartin, Richard Huffer, John Hurst-Knight, Cecilia Motley, Madge Shingleton, Robert Tindall and David Turner (Substitute) (substitute for Tina Woodward)

### **14 Apologies for Absence**

Apologies for absence were received from Councillors William Parr and Tina Woodward (substitute: David Turner).

### **15 Minutes**

#### **RESOLVED:**

That the Minutes of the South Planning Committee held on 27 May 2014, be approved as a correct record and signed by the Chairman.

### **16 Public Question Time**

There were no public questions.

### **17 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 14/00784/EIA, Councillor D A Evans declared that he rented premises on the adjacent site and would leave the room and take no part in the consideration of, or voting on, this application.

With reference to planning application 14/00784/EIA, Councillor J Hurst-Knight declared that he was a friend of the family and would leave the room and take no part in the consideration of, or voting on, this application.

With reference to planning application 14/00784/EIA, Councillor R Tindall declared that the applicant was known to him but there was no close connection and he had had no involvement with the application.

With reference to planning application 13/00097/FUL, Councillor D Turner declared that he was a friend of the applicant and would leave the room and take no part in the consideration of, or voting on, this application.

**18 Application to Register Land known as Patshull Green, Albrighton as a Village Green**

The Commons Registration Officer introduced the report of the Head of Legal and Democratic Services (Monitoring Officer) for an application to register land known as Patshull Green, Albrighton as a Village Green.

**RESOLVED:**

That the application to register the land known as Patshull Green, Albrighton, as shown edged red on the plan (Appendix 1 to the report), be rejected as per the Officer's recommendation and for the reasons set out in the report.

**19 McKeand Smith & Co Ltd, Station Road, Albrighton, Wolverhampton, WV7 3EA (13/00097/FUL)**

In accordance with his declaration at Minute No. 17, Councillor D Turner left the room prior to consideration of this item.

The Principal Planner introduced the application and confirmed Members had undertaken a site visit the previous day and had viewed the site and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the access, proposed passing places and the existing and proposed elevations.

In the ensuing debate, Members considered the submitted plans and unanimously expressed support for the Officer's recommendation but expressed reservations regarding the design, density, access arrangements and land contamination. They suggested that the proposed number of passing places was inadequate, an improved landscaping scheme would be beneficial and the provision of alternative forms of energy should be explored.

**RESOLVED:**

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

**20 Land At Mardol House, King Street, Much Wenlock, Shropshire, TF13 6BL (13/00143/FUL)**

The Principal Planner introduced the application and confirmed Members had undertaken a site visit the previous day and had viewed the site, noted the relationship of the surrounding properties and the mix of architectural styles, and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location and proposed elevations.

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 David Turner, as the local Ward Councillor, made a statement, took no part in the debate and did not vote. During his statement, the following points were raised:

- If granted appropriate conditions would address concerns raised;
- Mature trees should replace any fatally damaged trees;
- He welcomed the reduction in scale of the development but questioned if the revised scheme had been consulted upon;
- The concerns with regard to the turning space for busses and the frequent and rapid turnover of vehicles using the short stay car park would be further complicated by the provision of a new access; and
- The use of appropriate materials in this area was important and he hoped that the applicant would pay due regard to the Much Wenlock Neighbourhood Plan.

Councillor Mrs M Hill, representing Much Wenlock 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 revised application had not been submitted to Much Wenlock Town Council for consideration; and
- She expressed concerns relating to the access and scale of the proposal and questioned if the roofscape would fit in with the surrounding area.

In the ensuing debate, Members noted the comments and concerns of all speakers and the majority of Members supported the proposal. They expressed concerns relating to the access arrangements and it was

**RESOLVED:**

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

- A Section 106 Agreement relating to affordable housing;
- The conditions as set out in Appendix 1 to the report; and
- That Officers be granted delegated authority to undertake a review of the access arrangements and for improvements to be made as appropriate.

**21 Criddon Hall Farm, Criddon, Upton Cressett, Bridgnorth, WV16 6UJ  
(13/01983/FUL)**

Application withdrawn by the applicant.

**22 Proposed Residential Development South Of A49, Ludlow (13/03862/OUT)**

The Technical Specialist Planning Officer introduced the application and confirmed Members had undertaken a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, she drew Members' attention to the location, indicative layout, pedestrian and cycle bridges and access (including roundabout).

Members noted the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting which detailed further comments from the agent.

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 Andy Boddington, as the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- The steep gradients on parts of the site would increase the risk of flooding, any flooding issues should be resolved before permission was granted and there was a need to ensure that there would be sufficient attenuation on the site to cater for a 1 in 100 year return storm event;
- With regard to noise and air pollution he drew attention to the closeness of the A49 bypass and commented that the freight train ran every day on the hour;
- He expressed concerns relating to the river and public safety;
- Many dog walkers drove to Fishmore View to walk their dogs and this caused problems with parked cars;
- Play provision could only be accessed by crossing the footbridge to Fishmore View and there were already issues of anti social behaviour relating to open space adjoining Fishmore View;
- The highways report was out of date;
- There was no town circular bus route;
- The proposal would encourage residents to drive away from Ludlow rather than use town centre facilities; and
- The proposal would not be sustainable.

Mr M Smith, 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 serious concerns with regard to flooding. The construction of the footbridge would create a "pinch point" for flood water; ground levels around his house had been raised as a result of development and all water flowed towards his property; and the area flooded 3/4 times per year; and

- The proposal was contrary to Article 8 of the Human Rights Act.

Mr A Williams, 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 application was for outline permission with only the principle of development and access up for consideration;
- The Highways Agency had raised no objections;
- Pedestrian access would be provided by the two proposed footbridges. In view of objections raised the applicant would be willing to remove the footbridge over the river to Fishmore View;
- Shropshire Council's Noise Specialist had confirmed that the potential impact of noise was not a significant issue;
- Shropshire Council's ecologist had raised no issues;
- Flooding – The Environment Agency and Shropshire Council's Drainage Officers had scrutinised and approved the Flood Risk Assessment;
- If the merits of the site and the access off the A49 had been confirmed earlier, the site might well have been identified in the Site Allocations and Management Development Plan (SAMDev); and
- In numerical terms this site had attracted relatively few objections.

In the ensuing debate, Members noted the comments and concerns of all speakers. They expressed their own concerns relating to drainage, flooding, access, noise and rail line safety and commented that the site visit had been inadequate and considered that a more informed visit should be undertaken prior to any decision being made. Members unanimously supported deferral of the proposal.

**RESOLVED:**

That this application be deferred in order that a more informed site visit could be undertaken and for the applicant to provide further information on surface water drainage and the implications for flooding, the proposed new roundabout on the A49, and the vehicular access to the neighbourhood shop off Bromfield Road.

**23 Land South Of A464, Shifnal, Shropshire (13/04840/FUL)**

The Principal Planner introduced the application and confirmed Members had undertaken a site visit the previous day and had viewed the site and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, site plan, elevations and landscaping proposals.

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

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 Stuart West, as the local Ward Councillor, made a statement and then left the room and took no part in

the debate and did not vote on this item. During his statement, the following points were raised:

- He expressed his concern that this was yet another site in Shifnal put forward for development;
- He had no problem with the site per se but this was one of many and Shifnal had received a disproportionately high number of applications;
- The town of Shifnal was currently reviewing and attempting to find solutions to the traffic situation but this was in its infancy; and
- He acknowledged the situation with regard to the five year land supply and expressed concerns about the cumulative impact of such applications on Shifnal.

(At this juncture, the Vice Chairman took the Chair.)

In the ensuing debate, Members expressed serious concerns regarding the cumulative effect of yet another application in Shifnal and considered that this should outweigh the lack of a five year land supply; the inability of the infrastructure to cope with further development; and the impact on the nature and character of the historic market town of Shifnal. Members noted that both the local Ward Councillor and Shifnal Town Council objected to the application.

In response to questions and comments, the Principal Planner provided clarification on the number of units already granted permission in Shifnal and drew Members' attention to the current five year land supply issue.

**RESOLVED:**

That consideration of this item be deferred to the next meeting, with Members minded to refuse the application, contrary to the Officer's recommendation, for the following reasons:

- The proposed development of 66 dwellings, in combination with the current valid planning permissions and resolutions in Shifnal Town, would cumulatively result in development harmful to the character of Shifnal and would have an unsustainable impact upon the Town's infrastructure in respect of highway network capacity, medical facilities and school capacity. The proposed development would therefore be contrary to Shropshire Core Strategy policies CS6 and CS8 and these adverse impacts would significantly and demonstrably outweigh the benefits in terms of the site contributing to the supply of housing land in Shropshire.

(The Chairman returned to the meeting and resumed the Chair.)

(The meeting adjourned at 3.52 pm and reconvened at 3.58 pm.)

**24 The Habit, 30 East Castle Street, Bridgnorth, Shropshire, WV16 4AN  
(13/04956/FUL)**

The Principal Planner introduced the application and confirmed Members had undertaken a site visit the previous day and had viewed the site and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, plans and elevations.

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

Mrs A Fitzpatrick, 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:

- She expressed concerns regarding the loss of light and requested that consideration of the application be deferred in order that a light impact assessment could be obtained;
- A considerable number of objections had been made with over half expressing concerns with regard to the impact on light; and
- Streets were narrow and access would be problematic.

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 John Hurst-Knight, as the local Ward Councillor, made a statement, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- Bank Street and Cliff Terrace were narrow and there would be no on-street parking; and
- There would be a loss of light to the window in No. 5 Bank Street.

In the ensuing debate, Members noted the comments and concerns of all speakers and the majority of Members supported deferral.

**RESOLVED:**

That this application be deferred to a future meeting in order for the applicant to provide a specialist light impact assessment report.

**25 Corfton Farm, Corfton, Craven Arms, Shropshire, SY7 9DD (14/00784/EIA)**

In accordance with their declarations at Minute No. 17, Councillor D Evans and J Hurst-Knight left the room prior to consideration of this item.

The Principal Planner introduced the application and confirmed Members had undertaken a site visit that morning and had viewed the site and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, access, proposed landscaping and elevations. In response to comments from Members, he confirmed that Condition

No. 17 should read: “no lorries shall leave the development site between 11.00 pm and 2.00 am hours.”, and Condition No. 5 could be amended to ensure the use of colour finish BS18B29.

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 Cecilia Motley, as the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During her statement, the following points were raised:

- This was a very large application located in a sensitive area and located just within the Shropshire Hills Area of Outstanding Natural Beauty (AONB). She commented that there was potential for it to dominate the area but acknowledged that this could be mitigated with appropriate landscaping;
- She had no problem with the use of colour finish BS18B29;
- Issues of odour and light should be taken seriously and conditioned and monitored appropriately;
- She welcomed the access arrangements; and
- She urged Members to have regard to the comments of the Parish Council and ensure that maximum consideration be given to reducing any adverse environmental and social impact upon the people of the parish.

In the ensuing debate, Members noted the comments and concerns of all speakers and the majority of Members supported the proposal. Members expressed differing views with some expressing reservations with regard to the impact on the landscape and concerns relating to water run-off onto the highway.

**RESOLVED:**

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

- Condition No. 5 being amended to ensure that the colour finish be BS18B29; and
- Condition No. 17 being amended to ensure that no lorries shall leave the development site between 11.00 pm and 2.00 am hours.

**26 The Leasowes, Sandford Avenue, Church Stretton, Shropshire, SY6 7AE (14/01173/OUT)**

The Principal Planner introduced the application and confirmed Members had undertaken a site visit that morning and had viewed the site and assessed 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 explained that whilst the application referred to ‘up to 52 dwellings’ the applicant, following discussions with Planning Officers, had submitted an updated indicative layout plan showing a total of 34 houses and a number of landscaped areas.

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 David Evans, the local Ward Councillor, made a statement, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He supported the building of up to 52 dwellings; and
- The site had been allocated for residential development in the emerging SAMDev.

Cllr Michael Braid, representing Church Stretton 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 had been allocated for residential development in the emerging SAMDev;
- Church Stretton Town Council supported up to 52 dwellings on this site and not the proposed 34;
- There was a shortage of sites in Church Stretton of sufficient size to cater for the remaining 18 dwellings; and
- Granting permission for just 34 homes would impact negatively on the five year land supply.

Mr R Hill, 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 original application was for up to 52 dwellings, but following consultation with the public and Planning Officers, the number had been reduced; and
- With regard to the number of dwellings, he commented that he would be guided and would accept the decision of the Planning Committee.

In the ensuing debate, Members noted the comments and concerns of all speakers and Members unanimously supported the proposal. Members acknowledged that the visibility splays on the junction onto Sandford Avenue would be widened but continued to express reservations regarding highway safety particularly as Sandford Avenue was already used by vehicles travelling in excess of the speed limit and given the increase in traffic that would be generated by this proposal; and they hoped that the applicant would work with the Traffic Management Team and implement any appropriate additional measures. With regard to the access road, they suggested the use of a more permeable surface rather than asphalt; and suggested that any landscaping scheme should be capable of integrating visually with the surrounding landscape and not impact adversely on the setting of the area.

#### **RESOLVED:**

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

## 27 Land Off Oldbury Road, Bridgnorth, Shropshire (14/01016/OUT)

The Principal Planner introduced the application and confirmed Members had undertaken a site visit the day before and had viewed the site and assessed the impact of the proposal on the surrounding area. With reference to the drawings displayed, he drew Members' attention to the location, tree removal and root protection plan. He confirmed that the applicant had agreed to Conditions Nos. 2 and 3 being amended to ensure that any application for approval of reserved matters shall be made before the expiration of 12 months and any permitted development shall be begun either before the expiration of two years from the date of any permission or before the expiration of 12 months from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Members noted the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting and detailing additional comments from a neighbour, agent and Bridgnorth Civic Society.

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 John Hurst-Knight, the local Ward Councillor, made a statement and then left the room and took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He commented and expressed concern that many of the trees, particularly at the entrance to the site, were the subject of Tree Preservation Orders and would be removed.

Mr M Pugh, 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:

- The site had not been included as a preferred site in the SAMDev process;
- The Planning Officer had been made aware of discrepancies in the report;
- The nearest bus-stop was over ½ mile away from the site;
- The Highways report had been based on the initial tree report;
- He questioned the ownership of some of the land;
- Traffic travelling along the road regularly exceeded the speed limit;
- The site would not be sustainable; and
- Most residents of Bridgnorth commuted outside the area.

Mr M Parrish, 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 site would be sustainable and complied with the ethos of the National Planning Policy Framework (NPPF); and
- The proposal would contribute towards affordable housing and provide economic benefits via a Community Infrastructure Levy.

In response to questions from Members, the Principal Planner explained that the proximity of Oldbury to Bridgnorth had been deemed as being sustainable; and provided clarification on a previous refusal and appeal decision.

In the ensuing debate, Members noted the comments and concerns of all speakers and the majority of Members supported refusal.

**RESOLVED:**

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

- The proposed development would have a detrimental impact upon the character and appearance of the Oldbury Conservation Area and its setting through the erosion of the rural character of the north eastern approach to the village by built development on this site, and the loss of a visually prominent section of roadside hedgerow and trees. The proposed development would therefore be contrary to Shropshire Core Strategy policies CS6 and CS17 and paragraphs 131, 135 and 138 of the National Planning Policy Framework (NPPF) and these adverse impacts would significantly and demonstrably outweigh the benefits in terms of the site contributing to the supply of housing land in Shropshire.

**28 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the southern area as at 24 June 2014 be noted.

**29 Date of the Next Meeting**

It was noted that the next meeting of the South Planning Committee will be held at 2.00 pm on Tuesday, 22 July 2014 in the Shrewsbury Room, Shirehall.

Signed ..... (Chairman)

Date: .....