



Committee and Date

Central Planning Committee

15 January 2015

CENTRAL PLANNING COMMITTEE

Minutes of the meeting held on 11 December 2014

2.00 - 5.10 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Michelle Dulson

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Present

Councillor Vernon Bushell (Chairman)

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

74 Apologies for absence

An apology for absence was received from Councillor David Roberts.

75 Minutes

RESOLVED:

That the Minutes of the meeting of the Central Planning Committee held on 13th November 2014 be approved as a correct record and signed by the Chairman.

76 Public Question Time

There were no public questions, statements or petitions received.

77 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 Andrew Bannerman and Peter 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.

Councillors Pamela Moseley and Kevin Pardy declared that they were Town Council representatives on Shropshire Playing Fields Association.

78 Princess House, The Square, Shrewsbury, Shropshire (14/04383/FUL)

The Technical Specialist Planning Officer introduced the application and confirmed that 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, layout, access and elevations.

Members noted the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting which detailed a further comment from a member of the public in relation to materials to be used given the historic setting.

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 Andrew Bannerman, as the local Ward Councillor, made a statement and then left the table, took no part in the debate and did not vote. During his statement the following points were raised:

- He had no dispute with the principle of conversion as the proposal could make a good living space;
- He felt that the recommendation as it stood was unsatisfactory as it was a sensitive site in the heart of an historic town and it was important to create something of architectural merit;
- Design was key, but was something that the Committee rarely considered, although training on this issue had been requested;
- It was not good enough to say that the design was subjective, officers should consider the views of experts;
- He felt that more weight should be given to the opinion of English Heritage in relation to the elevational details, materials and finishes;
- He drew attention to paragraph 6.2.4 in relation to the facades facing Princess Street and High Street, and paragraph 6.2.6 in relation to proposed solar PV Panels on the first floor elevation;
- Led into accepting the proposal without the proper guidance and requested that a Design Review Service (eg MADE) be consulted in order to provide independent, objective, expert feedback on the design of the proposed development; and
- He urged the Committee to defer its decision until the proposal had been submitted to a design review panel.

In response to concerns about the proposed solar pv panels on the first floor elevation of the main block, the Technical Specialist Planning Officer explained that the solar panels were included to add interest as the developer was required to retain the current ventilation apertures and that if approved a condition would be imposed requiring full details to be submitted for approval.

Concern was raised about an appeal against non-determination if the matter were to be deferred.

It was suggested that an appropriate way forward would be to form a small consensus group with the Chairman, Councillor Bannerman, English Heritage and the Planning Officers in order to oversee the discharge of Conditions.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers.

RESOLVED:

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

- Officers resolving the issues contained in Condition No's. 3, 4 and 6, namely materials, doors and windows and solar PV Panels, in consultation with Councillor Bannerman;
- The conditions as set out in Appendix 1 to the report; and
- A Section 106 Agreement to secure two affordable units.

79 Proposed Residential Development to the NW of Ford, Shrewsbury, Shropshire (14/03451/FUL)

With reference to Minute No. 71, the Principal Planning Officer introduced the application and explained the risks involved in refusing the application for the reasons previously given as outlined in the addendum, he also drew Members' attention to the location, layout and elevations.

Members had undertaken a site visit on a previous occasion and had viewed the site and 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 which detailed further objection comments from members of the public.

Mrs M Blythe, 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:

- Site fell outside the development boundary in open countryside so would be contrary to CS5;
- The bridleway was a much valued amenity and well used. No access rights existed along this route which was too narrow to allow turning;
- The development would cause a nuisance and a hazard to residents and would have a negative impact on residential amenity;
- The site was unsustainable and too remote; it was a 40 minute round trip to the shop on foot; and
- The development would damage the natural environment and would not satisfy the three strands of sustainable development set out in the NPPF.

Mr R Blythe, on behalf of Mrs Z Robbins, representing the Nesscliffe Hills & District Bridleway Association, spoke against the proposal in accordance with the Council's scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Only vehicular farm access existed over the very narrow bridleway;
- Access to the field had, until recently, been via a different entrance;
- The development would impact on the surface of the bridleway, the trees and the wildlife, as well as the nearby properties;
- Concern for the safety of riders and walkers etc;
- Delivery vehicles would block the road; and
- It was illegal to drive a motorised vehicle up a public bridleway.

Mr B Clyne, representing Ford 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 local community were opposed to this proposal;
- The proposal would fail the three dimensions of sustainable development contained within the NPPF, namely, economic, social and environmental roles;
- There would be a net detrimental effect as agricultural land would be lost;
- The site was remote and so transport was required in order to access local amenities;
- Concern for the surface of the bridleway;
- Impact on local residents of traffic associated with the development; and
- The proposal did not comply with adopted or emerging policies nor the NPPF.

Mr S Thomas, 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:

- Agricultural land was classified into grades according to quality with the site being Grade 3 Good to Moderate Land. Government policy advised that only the best and most versatile agricultural land should be protected, and this was usually defined as Grades 1 and 2;
- The site only occupied 0.13 hectares with 90% of the field remaining unaffected;
- Clifton Coach House would be some 18 metres away from the side elevation of one of the plots so no overlooking would occur;
- The proposed boundary of the site was 7 metres away from Clifton Coach House and, if deemed necessary, some additional tree planting and/or fencing could take place;
- There was no private right to a view;
- The bridleway would be unobstructed and agricultural access already existed;
- The site would benefit from two off-site parking spaces;
- Endorse officers comments in the report and in particular paragraph 6.1 onwards;
- It was a sustainable location for development and a Section 106 contribution would be made; and

- The Committee had approved a similar, much larger scheme in the Ford area and created a precedent.

Mr G Smith, on behalf of Mrs N Qureshi, 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:

- Mrs Qureshi's late husband had lived at Penybryn, Ford;
- She did not wish to cause any detriment to neighbouring properties;
- Believed there would be no direct impact on Clifton Coach House as the two dwellings would be 18 metres away; and
- Only a small proportion of the field was taken, the quality of which was limited and for which she received only a nominal rent.

In response to a query, the Area Highways Development Control Manager (Central) explained the implications for the Council in relation to ownership of the bridleway however this was not a planning consideration and could not be taken into account.

In accordance with Council Procedure Rules (Part 4, Paragraph 6.1) Councillor Roger Evans, as local Member, participated in the discussion and spoke against the proposal but did not vote. During which he raised the following points:

- The wish to refuse this application had been unanimous at the previous meeting
- It was a step too far when local residents wished Ford to remain open countryside;
- Approval for 30 dwellings had already been approved;
- Did not contribute to the economic viability;
- Not sure it satisfies the NPPF;
- The proposed site was way out of the village where there was a history of flooding; and
- People would not walk to do their shopping.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers.

Members were still minded to refuse the application as nothing had been put forward to alter their view; it was one of only a few bridleways supported by Shropshire Council; the proposal was contrary to the SAMDev; and further vehicular access would have an impact on existing properties.

RESOLVED:

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

- The Local Planning Authority considers that the proposal would represent an unacceptable encroachment into open countryside, isolated from essential services and facilities along an unlit and unpaved highway leading to reliance on private motor vehicle. Accordingly the proposal would fail to satisfy the three

dimensions to sustainable development defined within the National Planning Policy Framework: the economic, social and environmental roles. Given the Council's current five year housing land supply position, the proposed scheme is not considered necessary to meet Shropshire Council's housing development requirements or the community's needs in terms of health, social and cultural well-being and would therefore undermine the strategy for the location of housing. Accordingly, the proposal would fail to accord with the aims and requirements of saved policy H3 of the Shrewsbury and Atcham Borough Plan, adopted Core Strategy policies CS4, CS5, CS6 and emerging site allocation and management of development policies MD1 and MD3.

80 Proposed Closure of New College Road at Wenlock Road

The Area Highways Development Control Manager (Central) introduced this application for a Traffic Regulation Order and closure of New College Road for access by all motor vehicles at its junction with Wenlock Road, Shrewsbury.

He confirmed that 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 of the proposed closure.

He drew attention to the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting which detailed further objection comments from a member of the public together with two letters from local residents.

Mr P Marston, 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:

- Informal consultation was unfair;
- The original decision was to close New College Road at London Road;
- Requested a temporary closure to allow the impact of closure to be assessed;
- His request for a separate access to his property had not been seriously considered;
- He felt that this proposal overturned previous decisions; and
- The road should be restored to when the original development had been allowed in the 1950s, with a service road and access directly onto Wenlock Road.

In response, the Area Highways Development Control Manager (Central) did not think that a signed only closure would work. He explained that whilst not strictly in accordance with the Section 106 Agreement the proposed closure at Wenlock Road had been requested by local residents and had been discussed with the College who had no interest in where the closure was carried out. He confirmed that the Section 106 Agreement could only be disputed by the parties involved and there was only a slight risk that the College might, in future, say it was not carried out in accordance with the Agreement.

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 Jane MacKenzie, as the local Ward Councillor, made a statement and then took no part in the debate and did not vote. During her statement the following points were raised:

- Aware it was a very sensitive issue;
- New College Road was very narrow with vehicles traveling at speeds of up to 50mph;
- Ebnal Road was wider and better able to cope with the additional traffic;
- Only 3 objections had been received from residents of Ebnal Road; and
- Although she appreciated the difficulties raised for a number of local residents she felt that the proposal represented the views of the majority of residents.

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

- Pleased local Councillors had been involved;
- Concerned why it was any better to close New College Road at Wenlock Road rather than London Road however residents were obviously in favour of it; and
- He was happy to propose a temporary closure in order for the impact to be assessed.

The Area Highways Development Control Manager (Central) explained that a trial could be done by some temporary measure however the current Traffic Order consultation would have to be abandoned.

RESOLVED:

That the proposed Traffic Regulation Order and permanent closure of New College Road for access by all motor vehicles at its junction with Wenlock Road, Shrewsbury shall not proceed and the committee request that an experimental Traffic Regulation Order and closure be implemented instead, which includes a six-month consultation period and will allow the impacts of the closure to be assessed.

81 Former Shelton Hospital, Somerby Drive, Shrewsbury, Shropshire, SY3 8DN (14/02402/FUL)

The Principal Planning Officer introduced this application and confirmed that 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, layout, access and elevations.

Members noted the additional information as detailed in the Schedule of Additional Letters circulated prior to the meeting which detailed further comments from members of the public, a petition objecting to the scheme and further objection comments from Sport England.

Mrs K Pearce, representing Racecourse Lane Residents Association, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Concern about the density and layout of the proposal;
- Wished to see a revised layout protecting existing facilities;
- The proposal would lead to the loss of the junior football pitch, which, coupled with cuts to the Shropshire Youth Service, was a double blow for the children who used the facilities;
- The proposal raised equality / deprivation issues;
- A petition had been signed by 1060 local residents objecting to the proposal;
- There were safety issues in relation to the proximity of the cricket pitch to proposed housing;
- Traffic levels would become unacceptable; and
- It would not be in the public interest to approve this application.

Mrs J Griffiths, representing the Cricket Club, 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 Cricket Club had a long standing history of some 130 years and have had to fight for the survival of the Club;
- Access to the ground had always been through the site; concern that access had not been decided;
- Concern that emergency vehicles would not be able to get to the ground;
- Fencing would not reduce the impact on properties; there would be potential for injuries;
- The long term costs to the Club were unknown; and
- The Club had not been engaged in the process.

With the agreement of the Chairman, Mr H Thorne, the agent, was permitted to speak for up to six minutes and spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- It was easy to lose sight of what the application was for, which was 240 houses whilst retaining the biggest listed building in Shropshire;
- The applicants had consulted widely on the application and had held meetings with officers, the Town Council, the School and Church, had held public meetings and met individual objectors and had done its best to address any concerns;
- Changes to footpaths and access had been made as a result;
- The recreational facilities had been discussed with officers; a new bowling club house and car park was being proposed in a better location; the applicant had met with the Football Club who said they were going to abandon the pitch; there was scope to relocate the football pitch onto the old boiler house site;
- In response to Sport England concerns, Mr Thorne explained that the proposal only took away 6% of the playing field;

- It was felt that the benefits outweighed these concerns;
- The bowling green could not be left on the existing site;
- Following meetings with the Cricket Club, a 5 metre high permanent boundary fence would be erected to prevent balls reaching the houses;
- The applicant would pay for the repositioning of the cricket square; and the houses would be fitted with toughened glass;
- The Council will take ownership of the Cricket Ground via a Section 106 Agreement; and
- The proposal would provide 240 homes on a sustainable, brownfield site and had the support of officers and English Heritage.

In response to a query, the Area Highways Development Control Manager (Central) discussed access through the site including crossing points and pedestrian access. He explained that the raised crossing on Racecourse Lane would not be a controlled crossing but was hoped to address some traffic issues by reducing speeds.

Although Members welcomed plans for reuse of the old hospital building they were concerned about the negative impact on the current sports facilities and open space.

In response to a query, the Principal Planning Officer explained that in light of Sport England's objections, if members resolved to approve the application, the report and decision would have to be sent to the National Planning Casework Unit to make a decision or it may decide that officers can make a decision, however this could delay determination of the application by up to four weeks. He reminded Members that the National Planning Policy Framework advocated working with developers in order to obtain an acceptable proposal.

In response to a query it was confirmed that in order to mitigate the loss of a large number of mature trees, 200 replacement trees would be planted.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers.

RESOLVED:

That this application be deferred to allow the applicant to produce revised plans to address aspects of Sports England's objection.

82 Proposed Residential Development Opposite The Crescent, Nesscliffe, Shrewsbury, Shropshire (14/03357/OUT)

The Principal Planning Officer introduced the application and confirmed that 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, layout, access and elevations.

In response to a query the Principal Planning Officer confirmed that if approved it would be ensured that the lane leading to the school drop-off / pick-up facility was sufficiently wide to allow for turning and passing vehicles.

Concern was raised that the application was contrary to the SAMDev and Parish Plan and that young children would have to cross the main road in order to access the play and recreational facilities. In response, the Principal Planning Officer explained that the location of play facilities was indicative and that the developer would enter into an agreement with the Parish Council to either maintain the existing provision or to use land put aside by the developers. It was for the Parish Council to determine the most appropriate location for play provision.

RESOLVED:

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

- The conditions as set out in Appendix 1 to the report; and
- A Section 106 Agreement to secure affordable housing in accordance with the prevailing rate current at the time of submission of Reserved Matters.
- The developer being requested to discuss the preferred location for play provision with the Parish Council prior to the submission of any Reserved Matters application.

83 Schedule of Appeals and Appeal Decisions

Members requested a list of all ongoing appeals and the Principal Planning Officer updated the Committee on recent appeal decisions.

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the Central area as at 11 December 2014 be noted.

84 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 15th January 2015 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed (Chairman)

Date: