



**Committee and Date**

Central Planning Committee

13 August 2015

**CENTRAL PLANNING COMMITTEE**

**Minutes of the meeting held on 16 July 2015**

**2.00 - 4.20 pm in the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

**Responsible Officer:** Linda Jeavons

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**Present**

Councillor Vernon Bushell (Chairman)

Councillors Ted Clarke (Vice Chairman), Peter Adams (Substitute) (substitute for Dean Carroll), Andrew Bannerman, Tudor Bebb, Roger Evans, Pamela Moseley, Kevin Pardy and David Roberts

**27 Apologies for absence**

Apologies for absence were received from Councillors Dean Carroll (substitute: Peter Adams) and Peter Nutting.

**28 Minutes**

**RESOLVED:**

That the Minutes of the meetings of the Central Planning Committee held on 21 May 2015 and 18 June 2015 be approved as a correct record and signed by the Chairman.

With reference to the Minutes of 18 June 2015, Members noted that at Minute No. 23 a vote to include a condition requiring charging point isolation switches had been taken but had been lost.

**29 Public Question Time**

There were no public questions, statements or petitions received.

**30 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.

At this juncture, some Members expressed their disagreement that local Ward Councillors could not vote on planning applications within their own Ward. It was noted that a Task and Finish Group had been convened to explore the process of

delivering Planning Committees and the anomaly of Ward Members joining the Committee to speak on an application and being allowed to remain after speaking but Committee Members being required to leave the table in the same circumstances had been discussed. A report on the findings would be considered by Cabinet and, if necessary, the Constitution would be amended accordingly. It was noted that all Members of Shropshire Council had been invited to submit their comments and/or attend the Task and Finish Group meetings and many Members had taken up the opportunity to do so. It was also noted that the input of a local Member at Planning Committees was a valued source of information and aided the decision-making process.

With reference to planning applications to be considered at this meeting, Councillor Andrew Bannerman stated that he was a member of the Planning Committee of Shrewsbury Town Council. He indicated that his views on any proposals when considered by the Town Council had been based on the information presented at that time and he 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 15/00999/FUL, Councillor Andrew Bannerman stated that he was acquainted with a neighbour of the plot under review and declared a personal interest.

With reference to planning application 15/00999/FUL, Councillor Roger Evans stated that he was acquainted with residents and declared a personal interest.

With reference to planning applications 14/00989/OUT and 15/00487/EIA, Councillor David Roberts declared an interest and would leave the room prior to consideration of these items.

### **31 Land Adjacent to Holcroft Way, Cross Houses, Shrewsbury, Shropshire (15/00539/OUT)**

The Technical Specialist Planning Officer introduced the application and with reference to the drawings displayed, drew Members' attention to the location, layout and proposed road layout.

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

In accordance with the Council's Scheme for Public Speaking at Planning Committees and Council Procedure Rules (Part 4, Paragraph 6.1) Councillor Claire Wild spoke on the proposal on behalf of Berrington Parish Council and as local Member. She spoke in support of the proposal, participated in the discussion but did not vote. During which she raised the following points:

- Berrington Parish Council supported the proposal subject to the construction of the construction access prior to any construction taking place;
- The applicant had undertaken a consultation exercise and she hoped that this good working relationship would continue;

- Construction of phases one and two should be sequential and carried out expeditiously within a three year period;
- Residents would welcome the construction of the proposed roundabout and the blocking up of Holcroft Way being carried out prior to any construction works taking place; and
- There was sufficient provision of play areas and allotments Cross Houses.

Ms H Howie, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In response to questions, the Technical Specialist Planning Officer explained that it would not be possible to impose a condition to control the order in which phases one and two would be built; a Construction Method Statement had been attached as a condition and would include details of both vehicular and temporary access; the 'blocking-up' of Holcroft Way to motor vehicles would be controlled by condition 13; the access for phase 1 had already been approved.

In the ensuing debate, Members considered the submitted plans, noted the comments of all speakers and acknowledged the views of the local Ward Member and Parish Council.

**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 Legal Agreement to secure the relevant affordable housing contribution at the prevailing rate at the time of the application for Reserved Matters, and the provision of an improved and enlarged roundabout on the A458.

**32 Proposed Residential Development Land Off Gorse Lane, Bayston Hill, Shrewsbury, Shropshire (14/00989/OUT)**

In accordance with his declaration at Minute No. 30, Councillor David Roberts left the room during consideration of this item.

The Principal Planner introduced the application and with reference to the drawings displayed, drew Members' attention to the location and layout, and confirmed that the applicant had signed the S106 Legal Agreement.

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

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Ted Clarke, as local Ward Councillor, made a statement, left the table, took no part in the debate and did not vote on this item. During his statement the following points were raised:

- This application had first been considered during a very challenging climate at a time when the Site Allocations and Management Development Plan (SAMDev) had not been scheduled for examination and Shropshire Council could not demonstrate a five year land supply. The recommendation at that time was a balanced one in view of the building being outside the development boundary in a prominent position in the long established “green wedge” between Bayston and Shrewsbury;
- The Planning Inspector had now undertaken a full public examination, following which no alterations to the blue-print plans for Bayston Hill had been suggested;
- Various appeal decisions had confirmed that Shropshire Council did now have in excess of the required five year land supply;
- Other similar opportunistic applications which sought to breach the long established development boundary for Bayston Hill had been refused under delegated powers, including one for farm land off Gorse Lane directly adjacent to the site to be considered at this meeting;
- Although this application was just for five houses, the proposed new access road layout did lend itself to future development right across the rising ground;
- Would be contrary to Core Strategy Policies CS1, CS4 and CS5 and the adopted Policy S8.2; and
- The economic benefit achievable from this development would be outweighed by the very damaging visual impact on this prominent open countryside location, currently in valuable arable agriculture use.

Ms Emma Kay, representing Bayston Hill Parish Council, spoke against the proposal in accordance with the Council’s Scheme for Public Speaking at Planning Committees.

Mr S Thomas, the agent, spoke for the proposal in accordance with the Council’s Scheme for Public Speaking at Planning Committees.

In the ensuing debate, Members considered the submitted plans, noted the comments of all speakers and held differing views. Some Members supported the proposal but others considered that, given the current situation, more weight could be afforded to SAMDev and there was no longer a need to develop outside the development boundary; there was no need for this type of housing in Bayston Hill; and the proposal would intrude into the open countryside.

**RESOLVED:**

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

- The site has not been identified as a site for residential development within the emerging SAMDev Plan and, in view of the stage the plan has now reached, significant weight can be given to this. The potential benefits that housing would bring are acknowledged and given weight but it is not considered that these benefits, or any other material considerations, would outweigh the emerging plan;

the policy support for a plan led approach or the harm caused by the intrusion into open countryside contrary to the environmental role of sustainability. As such the development of the site would be contrary to saved Policy HS3 of the SABC Local Plan, Policies CS1, CS4 and CS5 of the Core Strategy, policies S8.2, S16.2(ii), MD1 and MD3 of the SAMDev Plan and the NPPF.

**33 Proposed Residential Development to the South of Cross Lane, Bayston Hill, Shrewsbury, Shropshire (15/01107/FUL)**

The Principal Planner introduced the application and with reference to the drawings displayed, drew Members' attention to the location, layout and elevations.

Members had undertaken a site visit that morning and had viewed the site and 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 Shropshire Council's Highway Officer and the Case Officer.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Ted Clarke, as local Ward Councillor, made a statement, left the table, took no part in the debate and did not vote on this item. During his statement the following points were raised:

- He concurred and drew Members' attention to the comments of Bayston Parish Council as set out in the report; and
- Reiterated the concerns with regard to the poor condition of the access road, which should have been brought up to an acceptable standard prior to occupation of the existing three homes which had been granted planning permission subject to a Unilateral Undertaking.

Ms Emma Kay, representing Bayston Hill Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr S Thomas, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In the ensuing debate, Members considered the submitted plans, noted the comments of all speakers and continued to express their concerns regarding the poor condition of the access road.

**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 Legal Agreement to secure the relevant affordable housing contribution in accordance with the Council's adopted policy and to require the developer to make good any damage to the track arising from construction traffic within a time period to be stipulated by Shropshire Council.

**34 Poulton Farm, Little Minsterley, Minsterley, Shrewsbury, SY5 0BW (15/00487/EIA)**

In accordance with his declaration at Minute No. 30, Councillor David Roberts left the room during consideration of this item.

The Technical Specialist Planning Officer introduced the application and with reference to the drawings displayed, drew Members' attention to the location, layout and elevations.

Members had undertaken a site visit that morning, had viewed the site and assessed the impact of the proposal on the surrounding area.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Tudor Bebb, as local Ward Councillor, made a statement, left the table, took no part in the debate and did not vote on this item. During his statement the following points were raised:

- He supported the proposal;
- Odour would be controlled and regulated;
- No objections had been received from statutory consultees; and
- Entrance to the site would be via the existing access.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Given the footway/cycle route, a Member expressed concerns regarding highway safety and suggested that delivery/collection vehicles should be discouraged from using this route at the beginning and end of the school day. In response to comments from Members, the Principal Planner provided clarification on traffic movements and confirmed that a Traffic Assessment had been submitted and Highway Officers had raised no objections.

**RESOLVED:**

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

**35 Proposed Dwelling Rear of Enterprise House, Main Road, Pontesbury, Shrewsbury (15/00999/FUL)**

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Tudor Bebb, as local Ward Councillor, left the room, took no part in the debate and did not vote on this item. He did not return to the meeting.

The Technical Specialist Planning Officer introduced the application and with reference to the drawings displayed, drew Members' attention to the location, layout and elevations.

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

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:

- The conditions as set out in Appendix 1 to the report; and
- A Section 106 Legal Agreement to secure the relevant affordable housing contribution in accordance with the Council's adopted policy.

**36 Land Adjacent to 1B Racecourse Avenue, Shrewsbury, Shropshire (15/01382/FUL)**

The Principal Planner introduced the application and with reference to the drawings displayed, drew Members' attention to the location and proposed layout.

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

Mrs Penny Bicknell, the agent, spoke for the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

On behalf of the local Ward Member, Councillor Miles Kenny, the Chairman read out the following statement:

"This application is borderline between refusal and approval, but refusal would be inconsistent with previous approvals in the area and public opinion.

There were two 'public comments' both raising concerns about the beech tree - now resolved and one of these comments supported the rest of the proposal, pointing out the need for such dwellings in the area.

The issue is about 'siting, scale and design '

Racecourse Avenue is not a conservation area and consists of fairly uniform dwellings, except that a number of the front gardens are parking areas, there are a number of non-uniform garages, fences, gates and one large extension at the far end of Racecourse Avenue and a huge and modern garage opposite on a site granted outline permission for two dwellings. In addition to the left of the site is a mismatched collection of garages and outbuildings along with a large double gate.

Originally Highways objected on the grounds of lack of car parking, but this has been resolved. Highways now raise no objection and it would be contradictory and unsustainable to refuse this application on car parking grounds.

Nearby in Crowmere Road, numbers 71 and 73, permission was granted for small dwellings on smaller plots without off street parking and the precedence has been set for this area. There is outline permission for two similar sized dwellings opposite.

There are a number of older dwellings in Crowmere Road on much smaller plots.

This site has a larger amenity space than some of the other dwellings in the vicinity. Public opinion supports the provision of single starter low cost homes in urban environments instead of greenfield sites.

Accordingly it would be difficult to refuse this application and hope for success at appeal.

The officers recommend that this application be refused on the basis that it is a cramped plot. The plot is 46.29 square metres.

Nearby, in Crowmere Road there are a number of similar one bedroom dwellings that were given planning permission this century, all of them on smaller plots.”

In the ensuing debate, Members considered the submitted plans, noted the comments of all speakers and held differing views. Some Members commented that affordable homes were needed and recommended approval, subject to the protection of the amenities to the area during construction, protection of the Beech tree and other appropriate conditions. Other Members expressed concern with regard to the size of the dwelling, the impact on the Beech tree and the impact of the Beech tree on this property in future years and considered the proposal to be cramped and contrived.

**RESOLVED:**

That planning permission be refused as per the Officer’s recommendation.

**37 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the Central area as at 16 July 2015 be noted.



**38 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, 13 August 2015 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed ..... (Chairman)

Date: .....