



Committee and Date

Central Planning Committee

10 September 2015

CENTRAL PLANNING COMMITTEE

Minutes of the meeting held on 10 September 2015

2.00 - 5.02 pm in the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Linda Jeavons

Email: linda.jeavons@shropshire.gov.uk Tel: 01743 257716

Present

Councillor Vernon Bushell (Chairman)

Councillors Ted Clarke (Vice Chairman), Andrew Bannerman, Tudor Bebb, Dean Carroll, Roger Evans, Pamela Moseley, Peter Nutting, Kevin Pardy, David Roberts and Jon Tandy

39 Apologies for absence

There were no apologies for absence.

40 Minutes

RESOLVED:

That the Minutes of the meeting of the Central Planning Committee held on 16 July 2015 be approved as a correct record and signed by the Chairman.

41 Public Question Time

There were no public questions, statements or petitions received.

42 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 15/03009/FUL, Councillor Dean Carroll stated that he was a member of the Student Accommodation Task and Finish Group.

With reference to planning application 14/00254/FUL, Councillor David Roberts stated that he was acquainted with the developer and declared a personal interest.

43 Land to the South of Hillside Drive, Shrewsbury, Shropshire (15/02212/FUL)

The Technical Specialist Planning Officer introduced the report 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 accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Pam Moseley, as local Ward Councillor, made a statement, left the table, took no part in the debate and did not vote on this item. During her statement the following points were raised:

- This site had been identified in SAMDev for 20 homes and there had never been any deviation from this number. This site would not be suitable for 25 dwellings – 20 would be more appropriate.
- Shropshire Council now had a five year land supply;
- The increase in the number of proposed dwellings represented an increase of 20% on the SAMDev allocation;
- Would have a detrimental impact on neighbouring properties;
- Contrary to Core Strategy Policy CS6;
- Hillside Drive was narrow and even narrower when cars were parked. The additional vehicle journeys which would result from the higher figure of 25 dwellings would be excessive;
- There had been many objections and she urged refusal;
- Would result in the loss of the last field in the area and would be surrounded by the river and railway line; and
- If granted, requested an additional condition to control working hours on the site.

In the ensuing debate, Members considered the submitted plans, noted the comments of all speakers and held differing views. In response to comments and questions from Members, the Technical Specialist Planning Officer and Principal Planner explained that the allocation number of 20 was a guidance figure and not a maximum; the application was considered to be in keeping with other housing in the area; highways had raised no objections; scale, layout and density was considered to be appropriate; five dwellings would not have a significant impact; an additional condition to control working hours could be added to any permission; CIL monies could be used towards the provision of any play equipment; and any play areas/open space would be maintained and managed by a management company or the Town 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;
- A Section 106 Legal Agreement to secure on site affordable housing; and
- The following additional condition:

No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

44 Former Shrewsbury Sixth Form College, The Tannery, Barker Street, Shrewsbury, Shropshire (15/03009/FUL)

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 Andrew Bannerman, as local Ward Councillor, made a statement in support of the proposal, left the table, took no part in the debate and did not vote on this item.

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
- The following additional condition:

No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

45 42 North Street, Shrewsbury, Shropshire, SY1 2JJ (15/02310/FUL)

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

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
- The following additional condition:

No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

46 **Land North Of Top Farm, Kinton, Shrewsbury, Shropshire (13/05065/OUT)**

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor David Roberts, as local Ward Councillor, made a statement in support of the application, left the table, took no part in the debate and did not vote on this item.

With reference to agenda items 8 to 19 (Minute Nos. 46 to 56), the Principal Planner explained that the planning applications had previously been considered and granted approval, subject to S106 Legal Agreements. However, because of the delay caused by both the Ministerial Statement and the number of applications requiring agreement, it had not been possible to release the decisions. Since that time the Main Modifications had been the subject of consultation. Policies not subject to modification could now be given significant weight. He reminded Members that the applications had previously been considered as being sustainable, and, prior to the adoption of SAMDev, it was considered that those schemes which would significantly boost housing supply should still be considered as being acceptable. Even upon adoption it would not be sufficient to refuse a scheme simply because it would be contrary to policy or policies because, as a matter of law, weight must now be given to the presumption in favour of sustainable development and a balancing exercise must be undertaken weighing sustainable development against emerging policy.

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

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. In response to questions, the Planning Officers explained that more weight could now be afforded to SAMDev; the Parish Council had been notified that this application would be considered and determined at this meeting and had been given one week's notice in line with statutory requirements; and provided clarification on the number of houses that had been approved in Kinton.

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;
- A Section 106 Legal Agreement to secure the relevant affordable housing contribution at the Reserved Matters stage; and
- The following additional condition:

No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

47 Development Land Adj Leylands, Pulley Lane, Bayston Hill, Shrewsbury, Shropshire (14/00254/FUL)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Jon Tandy, as local Ward Councillor, left the table, took no part in the debate and did not vote on this item.

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

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

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:

- The original permission for this site was granted reluctantly at a time of total disarray;
- This application was an important test of the principle of the continued integrity of the long established green boundary separating Bayston Hill from Shrewsbury;
- The site had unsuccessfully been put forward for inclusion in the Local Plan;
- Following the latest SAMDev examination the current Inspector had again not mooted any modifications to the existing village development plans;
- Concerned about the proposed, and already commenced, short, steep site access point out onto the narrow downhill section of Pulley Lane. This route was already over used on a daily basis by a majority of the existing 2000 plus households;
- The absence of any footway/pavement alongside the site compounded the problems of the sole access/egress point; and
- Would be contrary to SAMDev policy S16.2ii.

Mr C Hitchcock, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Mr H Thorne, 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 expressed differing views. Some Members commented that this was a brownfield site, highways had raised no objections, and the proposal would provide a mix of dwellings. Other Members commented that the area was already over-developed and expressed concerns with regard to highway safety. In response to comments, the Principal Planner explained that any decision would be an "on-balance" decision and drew Members' attention to paragraph 2.4 of the report; and Counsel's opinion had indicated that anything under a seven year land supply would be challengeable.

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;
- A Section 106 Legal Agreement to secure the relevant on-site affordable housing provision (two shared ownership dwellings); and
- The following additional condition:

No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

48 The Fox Inn, Ryton Shrewsbury, Shropshire (14/00701/FUL)

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 one on-site affordable dwelling.

49 Development Land North Of A458, Ford, Shrewsbury, Shropshire (14/01819/OUT)

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Roger Evans, 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 made:

- The position with regard to SAMDev had now changed;
- The Parish Council had not had sufficient time to call a meeting to reconsider this application;
- Ford had been designated as countryside;
- Planning applications had only been granted because of the lack of a five year land supply;
- The Parish Council had undertaken a Housing Needs Survey and had requested that the area be designated as open countryside; and
- The working/construction hours should be conditioned.

In the ensuing debate, Members considered the submitted plans and noted the comments of all speakers. Some Members expressed concern regarding the access and highway safety but noted that any highway improvements would be secured by a legal agreement and the application had been assessed by the Highways Agency.

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;
- A Section 106 Legal Agreement to secure the relevant affordable housing contribution at the Reserved Matters stage; and
- The following additional condition:

No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

50 Land East Of Bicton Lane, Bicton, Shrewsbury, Shropshire (14/02239/OUT)

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

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

Mr T Saul, a local resident, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Claire Wild spoke on behalf of Councillor John Everall the local Ward Councillor. She made a statement, left the table, took no part in the debate and did not vote on this item. During her statement the following points were made:

- Shropshire Council now had a five year land supply;
- The area had been designated as open countryside;
- The proposal would be contrary to policies as set out in the report; and
- SAMDev could now be afforded more weight and urged refusal.

Mrs H Howie, 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 the majority of Members supported refusal. In response to comments, the Principal Planner and Solicitor reiterated that even upon the adoption of SAMDev a proposal not included within SAMDev could still be supported and it would not be sufficient to refuse a scheme simply because it would be contrary to policy or policies.

RESOLVED:

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

- Development of the proposed site would be contrary to the local Development Plan policies for the location of housing in both adopted and emerging policy (including SAMDev policy Policy S16.2(vi)). It is now considered that emerging policy not subject to modification is given significant weight and that there are no other material considerations that would outweigh the conflict with the Development Plan policies or tip the balance in favour of supporting this proposal; and
- The site is considered to be situated in open countryside and as the proposal does not fall within any of the exceptions set out in CS5 or any of the special circumstances set out within the NPPF the scheme would result in new housing in the countryside that would be in conflict with Policy CS5 of the Core Strategy and the NPPF.

(At this juncture, the meeting adjourned at 4.26 pm and reconvened at 4.38 pm.)

(Councillors David Roberts and Tudor Bebb did not return to the meeting.)

(Councillor Roger Evans rejoined the meeting at Minute No. 56.)

51 Proposed Development Land NW Of Montford Bridge, Shrewsbury, Shropshire (14/02964/OUT)

Mr I Hutchinson, representing Montford Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

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

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 provision according to the rate at submission of a Reserved Matters application.

52 Proposed Residential Development East Of Wilcot Lane, Nesscliffe, Shrewsbury, Shropshire (14/03259/OUT)

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

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 time of the Reserved Matters application.

53 Land West Of Mulberry House, Great Ryton, Shrewsbury, Shropshire (14/03338/OUT)

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 time of the Reserved Matters application.

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

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

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 time of the Reserved Matters application.

55 Land Off Horsebridge Road, Minsterley, Shrewsbury, Shropshire (14/03670/OUT)

Mr D Leeson, representing Minsterley Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

(At this juncture, Councillor Roger Evans returned to the meeting and abstained from voting on this application.)

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.

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;
- A Section 106 Legal Agreement to secure the relevant affordable housing contribution at the time of the Reserved Matters application; and
- The following additional conditions:
 1. No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

2. That the number of dwellings on this site be limited to no more than 15 dwellings.

56 Proposed Development Land West Of 12 Little Minsterley, Minsterley, Shrewsbury, Shropshire (14/00808/FUL)

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

Mr D Leeson, representing Minsterley Parish Council, spoke against the proposal in accordance with the Council's Scheme for Public Speaking at Planning Committees.

Ms C Jennings, 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 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 at the time of the Reserved Matters application.

57 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the Central area as at 10 September be noted.

58 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, 8 October 2015 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed (Chairman)

Date: