



Date: Tuesday, 22 December 2015

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Contact: Emily Marshall, Committee Officer  
Tel: 01743 257717  
Email: [emily.marshall@shropshire.gov.uk](mailto:emily.marshall@shropshire.gov.uk)

## **NORTH PLANNING COMMITTEE**

### **SCHEDULE OF ADDITIONAL LETTERS**

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

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**Date: 22<sup>nd</sup> December 2015**

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**Please Note**

**On December 17<sup>th</sup> 2015 at a meeting of Full Council the Council's Site Allocations and Management of Development Plan, (SAMDev), was formally adopted as planning policy by the Council. This as a consequence is now attributed full planning weight in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 in relationship to all applications as referred to below.**

Item No.	Application	Originator
5	13/02994/OUT - Hengoed	Agent

The applicant has withdrawn the application

This is therefore no longer on the agenda for determination.

Item No.	Application	Originator
7	15/04781/EIA – Burlton Lane Farm	Parish Council

Further correspondence has been received from the Local Parish Council thanking for notification of the Committee meeting and confirming no one will be attending from the Parish Council. Comment is also made that the Council's response to the application, supported the development but raised some concerns about the disposal of waste.

However, in response to this the Chairman and Vice Chairman have now had a positive meeting with the farmer and have been re-assured that there will be no waste disposed any closer to Myddle Village than is currently the case. As a result the concerns are withdrawn.

Item No.	Application	Originator
8	15/04348/FUL – Walnut House	Objector

A further objection has been received which is attached in full.

*In response to this comment officers would note that the condition on the previous planning permission does not prevent a planning application for change of use being submitted and considered.*

*Furthermore a condition does not prevent a permitted development change of use.*

Dear Councillors

Application Number. 15/04348/FUL Walnut House

The application before you is for permission to create an individual free market house in an area outside of the development boundary of the Parish of Ruyton XI Towns.

The emotional connection outlined by the applicant and their agents to baby sitting duties and care in old age should have little or no weight accorded to it. It is not established that, that will be the only use, as the proposed dwelling is not inextricably linked to Walnut House as it is now.

In application 04/13043/FUL, the retrospective permission given to erect the barn in the first place, condition No. 2 says:

*The building hereby permitted shall be used solely for the purposes ancillary to Walnut House and SHALL NOT AT ANY TIME OR FOR ANY PERIOD be used as independent residential accommodation or be let or sold for residential or commercial purposes.*

An important fact given little weight by the case officer.

This is a clear and unequivocal statement. Doesn't say until the next owners move in and want to change it even though they should have been aware of it at purchase.

The case officer notes that the red boundary line of the application site has been moved to allow the barn to be sold off at a future date. So the overriding purpose of the application is to be able to sell the barn off as a separate dwelling at some undetermined future date.

**The case officer accepts or acknowledges the following:**

Acknowledges, the condition No. 2 in application 10/13043/FUL, but fails to give it much weight.

Accepts, there is little or no historic value to the recycled materials used in the construction of the barn.

Accepts, therefore it does not fulfil the criteria needed for Core Strategy policy CS5 relating to open countryside and the re-use of buildings to form dwellings.

Accepts, that this weighs negatively in the overall planning balance.

Acknowledges that regard should be given to permitted development rights and he mentions class B1. However the agent states that *it is accepted that in this instance the building is not strictly within Class B1 or B8 and has no permitted development rights as it is restricted to purposes ancillary to Walnut House.*

Accepts, that the sites position outside of the development boundary weighs against the proposal.

Accepts, that there are no footpaths and that will discourage people from walking the 1km or so to the village Grocery/Post Office shop. (The road is also narrow and has no street lighting. It is more likely that 98% of all human movements will be by motor vehicles, my comments)

Accepts, that what is being applied for is a completely separate dwelling.

Accepts, that the site red boundary line has been moved to allow this to happen.

Acknowledges that the proposal will give rise in the number of vehicle movements to and from the site but that is not likely to result in any obstruction of the public right of way. Unproven.

Accepts, that the site occupies an open countryside location.

Accepts, that it involves the change of use of a non heritage asset to an open market residential use.

Accepts, that the building is already in residential use, yet in 6.1.6 of his report talks of the conversion of an existing redundant building. The building in planning terms is not redundant and shouldn't be considered as such.

Acknowledges revised permitted development rights allow (subject to meeting the set criteria) most agriculture buildings and office accommodation can be converted to dwellings but fails to say this is not the case when there is already a planning condition in place to stop this.

Acknowledges, that the building will make only a small contribution towards housing. I suggest only a tiny one.

Accepts, that Ruyton XI Towns already has consent for an additional 100 dwellings and a further 15 more by infilling. (Therefore there is no need to build or convert buildings outside of the current development boundary, my words)

Goes on in 7.2 to say the proposal has some social, economic and environmental benefits. Which when assessed as a whole, currently weigh in favour of a change of use as envisaged by the NPPF.

The NPPF is neither the only, nor the overriding document to be considered.

In view of all of the above negatives he accepts, it is difficult to understand how the recommendation to grant the application is arrived at.

Nowhere in this report do the words social, economic, or environmental even appear, let alone to describe any benefits derived from them in this proposal.

The officer's report seems to totally ignore condition No. 2 the LPA put on the previous application for this site, forbidding this type of development for this building.

To ignore, or give little weight to planning conditions previously put on a site and in still in force , by the LPA, without any valid reasons being given, could set a precedent that planning history is just that, history.

We consider that the proposed conversion of this building into a separate residence would constitute a development detached from Ruyton XI Towns and would be out of keeping with the rural feel of the area. It would be considered to have a detrimental impact on the rural isolation of the site and as such erodes the value of this part of the open countryside. We believe this development would be contrary to Core Strategy polices CS5, CS6 and CS17.

The proposal does not deliver any significant and demonstrable economic, social or environmental benefits and therefore is not aligned with Shropshire Councils adopted and emerging housing allocation policies.

The site should not be considered as sustainably located. It is not reasonably accessible on foot given the narrow road devoid of a traffic free footpath and the considerable distance from the main village services and facilities. We believe this to be contrary to Core Strategies CS4, CS6 and paragraphs 7, 17 and 38 of the NPPF.

There are no significant economic or environmental benefits specific to this change of use proposal. The proposal would not perform a social role as identified within paragraph 7 of the NPPF

le. Supporting strong vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its social and cultural well being.

We believe there are significant adverse material considerations that demonstrably outweigh any perceived benefits that could be derived from this proposal.

Please take the above comments into consideration.

D White