



Committee and Date

North Planning Committee

6th May 2014

NORTH PLANNING COMMITTEE

Minutes of the meeting held on 8 April 2014

In the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

2.00 - 3.29 pm

Responsible Officer: Emily Marshall

Email: emily.marshall@shropshire.gov.uk Tel: 01743 252726

Present

Councillor Arthur Walpole (Chairman)

Councillors Paul Wynn (Vice Chairman), Joyce Barrow, Steve Davenport, Pauline Dee, Vince Hunt, David Lloyd, David Minnery and Peggy Mullock

142 Apologies for Absence

Apologies for absence were received from Councillors M. Bennett and G. Dakin.

143 Minutes

That, subject to the deletion of the words "Disclosable Pecuniary" at Minute 131, Page 86, in relation to the interest stated by Councillor Lloyd for planning application 13/03184/FUL Plas Wilmot, Weston Lane, Oswestry, the Minutes of the meeting of the North Planning Committee held on 25th June 2013 be approved as a correct record and signed by the Chairman.

144 Public Question Time

There were no public questions, statements or petitions received.

145 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.

Councillor Paul Wynn declared that he had an interest and would leave the room prior to consideration of planning application 13/03413/OUT Land South of Hill Valley Golf Club, Tarpoley Road, Whitchurch, Shropshire due to perception of bias.

146 Refuse Tip, Maesbury Road Industrial Estate, Maesbury Road, Oswestry, Shropshire (14/00369/COU)

The Principal Planning Officer introduced the application for change of use from refuse tip to sale of static and touring caravans.

In response to a question, the Principal Planning Officer confirmed that a Condition in relation to Wat's Dyke which ran adjacent to site was not required at the current time.

Having considered the submitted plans for the proposal Members unanimously expressed their support for Officer's recommendation.

RESOLVED:

That Planning Permission be granted in accordance with the officers recommendation.

**147 Field Farm Marchamley Wood, Shrewsbury, Shropshire, SY4 5LH
(14/00852/FUL)**

The Principal Planning Officer introduced the application for a two storey extension to dwelling and an extension to existing garage/workshop to provide annex, explaining that the application had been brought to the Committee for consideration as it was an application made on behalf of an officer of the Council.

Having considered the submitted plans for the proposal Members unanimously expressed their support for the Officers recommendation.

RESOLVED:

That Planning Permission be granted in accordance with the officer's recommendation.

(Councillor Paul Wynn left the meeting at this point.)

**148 Land South of Hill Valley Golf Club, Tarporley Road, Whitchurch, Shropshire
(13/03413/OUT)**

The Principal Planning Officer introduced the outline application for a residential development (up to 86 dwellings) including vehicular access (off Tarporley Road). He drew Members' attention to the schedule of additional letters, which included a briefing note from the agent. It was noted that the application had been deferred at the meeting held on 11th March to allow Members to undertake a site visit to assess the impact of the proposal on the surrounding area. A site visit had taken place that morning and the site had been viewed from various points.

Ms E. Jones, the agent for the application spoke in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- i. The site was within a sustainable location, within walking distance of the town centre and local amenities and adjacent to the settlement boundary;

- ii. Views of the site were largely filtered and obscured by vegetation and the natural topography of the wider surrounding landscape;
- iii. The development would alter the character of the landscape, but it would not have a significant adverse impact on the environment;
- iv. The pattern of the development was not different to other existing developments within the area and greater weight than was reasonable had been attributed to this by officers;
- v. The European Protected Species 3 test matrix had been misapplied in this case as the impact of the loss of the intermediate and distant Great Crested Newt habitat that would occur was classed as low and could be addressed through mitigation; and
- vi. The application was in accordance with the relevant policies and should be approved in accordance with the NPPF presumption in favour of sustainable development.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Council held on 27 February 2014, Councillor P. Mullock, as the local Ward Councillor, stated that she had no further comments to make since the last meeting; Councillor P. Mullock took no part in the debate and did not vote.

Having considered the submitted plans for the proposal, the majority of Members commented that the site visit had been worthwhile and expressed their support for the officer's recommendation to refuse the application, stating that they considered that the site was inappropriate in terms of its narrow width and its location in relation to the built up edge of town.

RESOLVED:

That Planning Permission be refused in accordance with the officers recommendation.

(Councillor Paul Wynn rejoined the meeting at this point.)

**149 Land North of Jubilee Cottage, Harmer Hill, Shrewsbury, SY4 3DZ
(13/04682/OUT)**

The Principal Planning Officer introduced the application for the erection of six detached dwellings (including one affordable unit) with means of access and layout. He drew Members' attention to the schedule of additional letters and confirmed that consideration of the application had been deferred at the meeting on 11th March 2014 in order that the implications of the written ministerial statement issued by Nick Boles MP and the Planning Practice Guidance with regard to issues concerning the phasing of development in the settlement and the shared residential and agricultural access could be assessed prior to any decision being made.

Mr R. Purslow, local resident, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees during which the following points were raised:

- i. He agreed with the points made by the Parish Council;

- ii. He asked for an explanation as to why a previous application in the village for 14 dwellings had been rejected by Planning Officers in September 2013 as being unsustainable; and
- iii. Why was another development within the settlement now considered to be sustainable.

Mr R. Jeffrey, Myddle and Broughton Parish Council, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees during which the following points were raised:

- i. The views of the Parish Council were driven by the (Community Led Plan) CLP which had received a 46% response rate, so the views expressed were well founded and current;
- ii. The response to the CLP had indicated that the community of Harmer Hill were least in favour of residential development;
- iii. The CLP had allowed for 53 properties, however the number granted planning permission had already reached 41
- iv. The application was not in accordance with the NPPF as it failed to provide economic, social and environmental benefits to the area; and
- v. The proposal went against the wishes of the residents of the Parish as expressed in the CLP, in that the development was for too many dwellings and they were in the wrong location, thereby diminishing the character of the village and the open countryside.

The Chairman reported that Ms P. Stephan, the agent for the applicant, had registered to speak in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees. However she had been unable to attend the meeting and so he referred Members of the Committee to page 9 of the Minutes of the previous meeting and the points made by Ms. Stephan at that time.

At the previous meeting concern had been expressed at the location and form of the agricultural access, however it was noted that although the submission remained the same in this respect, it was preferable to having the access located at either end of the development where visibility would be limited.

In response to comments made by Mr Purslow, and comparisons to a similar application for a residential development within Harmer Hill that had recently been refused by Shropshire Council, the Principal Planning Officer explained that the decision was taken at a time when the Council considered it had a five year supply of housing land, meaning the development boundary of Harmer Hill was a saved policy and that particular application site was located outside the development boundary and therefore in open countryside.

Concern was expressed at the access onto the B5476 Wem Road, which had a 40mph speed limit, although it was felt that this limit was not usually observed by motorists. The Principal Planning Officer highlighted the fact that the Highways Authority considered the proposals to be satisfactory and had raised no objection to the development.

Having considered the submitted plans for the proposal, the majority of Members expressed the view that whilst, hearing and understanding the views of the local community, it would be difficult to find reasons to refuse the application that would be sustainable on appeal and for this reason they supported the officer's recommendation.

RESOLVED:

That, subject to the applicants entering into a S106 Legal Agreement to secure affordable housing, and an update to Condition 1, Planning Permission be granted in accordance with the officer's recommendation.

150 Land North of Burntwood House, Babbinswood, Whittington, Oswestry Shropshire (13/01717/FUL)

The Principal Planning Officer introduced the application for the development of two dwellings and the relocation of the existing building store. He explained that additional photographs of the area had been supplied and were available for the Committee to view.

Mrs P. Raine, Whittington Parish Council, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees during which the following points were raised:

- iv. The Parish Council wanted to stress that Babbinswood was not a village, it was only a hamlet, the village was Whittington and the two should remain separate;
- v. If the proposals were approved, it could create a precedent for other land owners to start developing their land;
- vi. Whittington Parish Council were opposed to any development that could lead to the hamlet of Babbinswood becoming absorbed into the village of Whittington; and
- vii. Whittington Parish Council's Planning Policy Statement recognised its obligations to identify a maximum of 100 residential properties within the village, was well on its way to meet this obligation and should not be forced to accept development to balance the shortcomings of others.

Mr Frank Davis, a local resident spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees during which the following points were raised:

- i. Babbinswood was a hamlet, not a village;
- ii. The site was located outside the existing development boundary;
- iii. The proposals would not have a significant impact on Shropshire Council's Housing Land supply, but would have a significant impact on the character of the area;
- iv. The proposed hedgerow removal would have an adverse impact on a diverse range of species;
- v. The proposed visibility splays were inadequate for a busy and fast section of road, which was located between two bends;

- vi. A site visit should be carried out in order for Members to see the issues that were particular to this site.

Mr David Parker, agent for the applicant spoke in support of the proposal in accordance with Shropshire Council’s Scheme for Public Speaking at Planning Committees during which the following points were raised:

- i. The development would have a direct benefit to local employment as the applicant was a local developer;
- ii. The development would make a small but meaningful contribution to the Council’s housing land supply;
- iii. The development would create much needed new homes for local people;
- iv. The scheme would reflect the pattern and style of existing homes in the village;
- v. The hedgerow would be replanted to offset the length that would be lost; and
- vi. In response to concerns relating to the merging of the two settlements of Whittington and Babbinswood, the owner had indicated that a restrictive legal covenant would be placed on the adjoining field to prevent further development.

In response to concerns relating to access and Highways safety, Mr D. Parker the agent for the applicant confirmed that the southern visibility splay land was within the ownership of the applicant and the land which the visibility splay to the North passed through was owned by Shropshire Council.

Having considered the submitted plans for the proposal, the majority of Members expressed their support for the officers recommendation.

RESOLVED:

That subject to the applicant’s entering into a S106 Legal Agreement to secure a financial contribution to affordable housing, Planning Permission be granted in accordance with the officer’s recommendation.

151 Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the northern area be noted.

152 Date of the Next Meeting

It was noted that the next meeting of the North Planning Committee would be held at 2.00 pm on Tuesday 6th May 2014, in the Shrewsbury Room, Shirehall.

Signed (Chairman)

Date: