



### Committee and Date

North Planning Committee

12<sup>th</sup> May 2015

## **NORTH PLANNING COMMITTEE**

### **Minutes of the meeting held on 17 March 2015**

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

**2.00 - 4.30 pm**

**Responsible Officer:** Shelley Davies

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### **Present**

Councillor Paul Wynn (Chairman)

Councillors Paul Wynn (Vice Chairman), Joyce Barrow, John Cadwallader, Gerald Dakin, Steve Davenport, Pauline Dee, Vince Hunt, David Lloyd, Peggy Mullock and Roger Hughes (Substitute) (substitute for David Minnery).

### **136 Apologies for Absence**

Apologies for absence were received from Councillor Arthur Walpole and David Minnery (substitute: Roger Hughes).

### **137 Minutes**

That the Minutes of the meeting of the North Planning Committee held on 17<sup>th</sup> February 2015 be approved as a correct record and signed by the Chairman.

### **138 Public Question Time**

There were no public questions, statements or petitions received.

### **139 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 Pauline Dee declared her interest in planning application 14/05473/FUL as she was a Member of the Shropshire Housing Alliance and left the room during consideration of and voting on this item.

Councillor Joyce Barrow declared her interest in planning application 14/05461/VAR due to a perceived disclosable pecuniary interest and left the room during consideration of and voting on this item.

**140 Land At Lostford Lane, Wollerton, Shropshire (14/04787/VAR)**

The Principal Planning Officer introduced the application for a variation of Condition No. 1 (approved plans) attached to planning application 11/04429/FUL approved on appeal to amend the approved plans. It was explained that the application had been considered at the previous meeting held on 17<sup>th</sup> February 2015 at which Members had been minded to refuse Planning Permission due to concerns in relation to the design, scale and appearance of the proposed agricultural building. Further information had been provided within the Officer's report which sought to address the concerns raised at the previous meeting. The Officer's report recommended approval of the application. The Principal Planning Officer drew Members' attention to the independent report by Reading Agricultural Consultants.

In accordance with Rule 6.1 of the Council Procedure Rules contained in Part 4 of Shropshire Council's Constitution, Councillor Karen Calder addressed the Committee as the local ward Councillor, during which a number of points were raised including the following:

- A number of ecological aspects of the proposal were questioned;
- She confirmed that cattle had only been recently put on the land; and
- The proposals were contrary to Policies CS5 and CS6 of the Shropshire Core Strategy.

The Principal Planning Officer explained that he was unable to answer the questions from the Local Member, but advised that additional conditions in relation to foul and surface drainage could be added to any permission granted if Members felt this was necessary. The Principal Planning Officer referred to the independent report by Reading Agricultural Consultants, noting that although the report did not address the concerns raised by the Committee, guidance in relation to the amount of floor space required for cattle was included and it was for Members to decide how much weight to give this report.

Having considered the submitted plans and given consideration to the independent report by Reading Agricultural Consultants, the majority of Members expressed concern in relation to the design, scale and appearance of the proposed agricultural building and for these reasons considered the application to be contrary to Core Strategy Policy CS6.

**RESOLVED:**

That planning permission be refused against the Officer's recommendation for the following reason:

The Committee considered that the proposal failed to conserve and enhance the natural environment and that the scale, design and appearance of the proposed agricultural building was not appropriate for the local context and character and as such would be contrary to Core Strategy Policy CS6.

#### 141 Alexandra Road, Oswestry, Shropshire, SY11 1LU (14/05473/FUL)

*In accordance with her declaration at Minute No. 139, Councillor Pauline Dee left the room during consideration of this item.*

The Principal Planning Officer introduced the application for the erection of 53 extra care apartments with associated support accommodation and 8 bungalows and associated works. The Principal Planning Officer confirmed that the Committee had undertaken a site visit that morning to assess the impact of the proposed development on neighbouring properties and the surrounding area and drew Members' attention to the schedule of Additional Letters.

Mr Paul Wiseman, on behalf of local residents spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Ms Heather Sutton, on behalf of the applicant spoke in support of the proposal in accordance with Shropshire 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 Vince Hunt, as local ward councillor, made a statement and then left the room, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- He welcomed this type of application and the development of a brownfield site but raised concerns in relation to the scale of the proposal; and
- Considered the development would cause overlooking to neighbouring properties.

In response to concerns relating to parking provision, the Principal Planning Officer clarified that there was no policy to require parking provision and added that proposal provided cycle parking for residents and staff.

During the ensuing debate, the concerns of local residents and the Town Council in relation to the scale and density of the development were acknowledged. Members raised concern regarding the balconies on the Northern side of the development that overlooked the proposed bungalows and it was suggested that these be replaced with Juliet style balconies to avoid any issues overlooking.

Having considered the submitted plans for the development, the majority of Members' expressed their support for the Officers recommendation.

#### **RESOLVED:**

That the Area Planning Manager/Principal Planning Officer be granted delegated powers to grant planning permission subject to:

- Four of the balconies on the Northern side of the development be replaced with Juliet balconies; and
- The conditions set out in Appendix 1.

*Councillor Pauline Dee re-joined the meeting at this point.*

**142 Development Land South Of Aspen Grange, Weston Rhyn, Oswestry, Shropshire (14/01654/OUT)**

The Principal Planning Officer introduced the outline application for residential development (All Matters Reserved) and confirmed that the Committee had undertaken a site visit that morning to assess the impact of the proposed development on neighbouring properties and the surrounding area. The Principal Planning Officer drew Members' attention to the schedule of Additional Letters.

In accordance with Rule 6.1 of the Council Procedure Rules contained in Part 4 of Shropshire Council's Constitution, Councillor Robert Macey addressed the Committee as the local ward Councillor, during which a number of points were raised including the following:

- The Parish Council objected to the development due to the problems in relation to foul and surface water drainage;
- The site was double the size of the SAMDev site; and
- The drainage issues were an ongoing problem in Weston Rhyn with no permanent solution in sight.

Mr Robert Davies, agent for the application spoke in support of the proposal in accordance with Shropshire 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 David Lloyd, as local ward councillor, made a statement and then left the room, took no part in the debate and did not vote on this item. During his statement, the following points were raised:

- The development was a strain on the current infrastructure; and
- The temporary solution to mitigate the foul drainage issues was not suitable.

The Principal Planning Officer advised that the concerns raised by Members in relation to foul drainage was a pre-existing issue and it was out of the developers control to enable an upgrade to the foul drainage system.

Having considered the submitted plans the majority of Members present expressed concern in relation to the foul drainage issues and for this reason considered the application to be contrary to Core Strategy Policy CS6.

**RESOLVED:**

That Members were minded to refuse Planning Permission against the Officer's recommendation.

The Committee raised concern in relation to the foul drainage infrastructure and did not consider the issue could be mitigated by conditions and also that part of the application site was not within the SAMDev.

A further report, on reasons for refusal would be considered at a future meeting of this Committee, in accordance with Shropshire Council's Constitution.

**143 Proposed Residential Development Land East Of Kingfisher Way, Morda, Shropshire (14/05461/VAR)**

*In accordance with her declaration at Minute No. 139, Councillor Joyce Barrow left the room during consideration of this item.*

The Principal Planning Officer introduced the application for a variation of Condition No. 12 attached to Planning Application No. 13/01393/OUT dated 31<sup>st</sup> October 2014 to achieve access from Weston Road only and drew Members' attention to the schedule of Additional Letters.

The Solicitor in attendance drew Members' attention to the legal requirement for reasons for refusal to be clear and precise and capable of being evidenced. Failure to substantiate reasons on the event of an appeal could lead to an award of costs against the Council.

Having considered the submitted plans the Members unanimously expressed concern in relation to the impact on the local highway network and for this reason considered the application to be contrary to Core Strategy Policy CS6.

**RESOLVED:**

That planning permission be refused against the Officer's recommendation for the following reason:

The Committee considered that the proposal to access the whole of the application site from a single vehicle access would have a harmful effect on the local highway network contrary to Core Strategy Policy CS6.

*Councillor Joyce Barrow re-joined the meeting at this point.*

**144 Development Management Report to seek Delegated Authority to Planning Officers**

The Principal Planning Officer introduced the report of the Planning Services Manager.

**RESOLVED:**

That planning officers be granted delegated authority to review and determine any outstanding planning applications previously considered by Committee, with a resolution for approval, but which require reconsideration in light of the Ministerial Statement of 28<sup>th</sup> November 2014 and the Cabinet decision of 21<sup>st</sup> January 2015 provided that any applications, where the balance of considerations would result in a different decision to that taken by Committee, will be referred back to Committee for reconsideration.

**145 Appeals and Appeal Decisions**

**RESOLVED:**

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

**146 Date of the Next Meeting**

It was noted that the next meeting of the North Planning Committee will be held at 2.00 pm on Tuesday 14th April 2015 in the Shrewsbury Room, Shirehall

Signed ..... (Chairman)

Date: .....