



### Committee and Date

North Planning Committee

19<sup>th</sup> April 2016

## **NORTH PLANNING COMMITTEE**

### **Minutes of the meeting held on 22 March 2016**

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

**2.00 - 3.51 pm**

**Responsible Officer:** Emily Marshall

Email: emily.marshall@shropshire.gov.uk    Tel: 01743 257717

### **Present**

Councillor Arthur Walpole (Chairman)

Councillors Paul Wynn (Vice Chairman), Joyce Barrow, John Cadwallader, Gerald Dakin, Steve Davenport, Pauline Dee, Roger Hughes, David Lloyd and Peggy Mullock

### **119 Apologies for Absence**

Apologies for absence were received from Councillor Vince Hunt.

### **120 Minutes**

#### **RESOLVED:**

That the Minutes of the meeting of the North Planning Committee held on 23<sup>rd</sup> February 2016 be approved as a correct record and signed by the Chairman.

### **121 Public Question Time**

The Chairman advised that two public questions had been received in accordance with Procedure Rule 14 (a copy of the report containing the detail of the questions and the relevant formal responses is attached to the signed minutes)

#### Public Question 1

Received from Mr Guy Wellsbury and answered by the Chairman, Councillor Arthur Walpole regarding planning enforcement.

By way of a supplementary question Mr Wellsbury asked the following: the Council's Public Protection Department have been responsive, communicative and balanced in their response to our complaints of Generator noise at unsocial hours of the day and night. As I have said in my question, a simple response from the Planning Department, as promised, would be welcome.

We were disappointed when this Council Committee granted this application 12 months ago but that disappointment was dissipated slightly by the fact that the 19 conditions would provide our local environment with some protection.

From what I have witnessed in the last 12 months it would appear that meeting Shropshire Councils planning conditions is optional. From the website it would

appear that the last enforcement notice, in the whole of Shropshire, was issued 11 months ago. Not a brick has been laid in 12 months yet an incorrectly positioned caravan has been lived in and many more old wooden buildings erected, some in January this year. Some of these wooden building will have been in situ for 3 years very soon. How much longer will we have to wait for effective planning enforcement? We are becoming fed up. If this committee are unable to act on enforcement, who can?

The Chairman confirmed that a written response would be sent to Mr Wellsbury in due course.

## Public Question 2

Received from Councillor Chris Symes, Welshampton and Lyneal Parish Council and answered by the Chairman, Councillor Arthur Walpole regarding planning enforcement.

By way of a supplementary question Councillor Symes asked the following; the letter does not answer the question, when was the policy decision made by Shropshire Council to reduce the enforcement activity to an irrelevance? To quote the letter "the Council does not have the resource". Why not? The letter says that "most applicants comply with planning conditions". Is "most" 99% or 51%? How on earth do you know? Surely you are not coming to this conclusion on the grounds of "no complaints"?

The letter is inaccurate. As regards to application 10/0260/FUL, clearly the enforcement resource is aware of the Parish Council's concern about the mobile home, as it did visit and inspect the site at the P.C.'s request, and did instruct for the mobile home to be removed within six weeks, but two years later it is still there. Also, in a recent application for the erection of a barn on the same site, the Parish Council made reference to the unapproved mobile home.

The letter says that "planning enforcement is not within the remit of this committee" but the lack of enforcement to date, and ill-advised decisions by this committee in the past, culminate in the hideous eyesore at Brookmill which you have seen on the photographs because;

- This committee ignored the advice of local people regarding the fact that this field floods every winter and some summers.
- This committee ignored the fact that the reason the previous owner sold this land was because it can't support livestock.
- This committee ignored the Paris Council's opinion that a business plan purporting to stable and breed expensive, rare breed horses on this site was utterly unviable.
- This committee ignored the applicant's track record of abusing planning regulations even before the application was submitted.
- This committee decided that animal welfare was "someone else's problem".

Mr Chairman, planning enforcement in north Shropshire has become something of a joke. More than once I have been asked "what are Shropshire Council going to do

about it"? You may well set planning conditions but who is ensuring they are met? So, the question is, what is Shropshire Council going to do about it?

The Chairman confirmed that a written response would be sent to Councillor Symes in due course.

## 122 **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 Gerald Dakin declared that there was a perception of bias in relation to planning application 15/04233/FUL, Erection of 2 dwellings with garages and access, Valnorver, 26 Leek Street, Wem. Councillor Dakin stated that he would leave the room during consideration of the application.

## 123 **Valnorver, 26 Leek Street, Wem, Shrewsbury, Shropshire (15/04233/FUL)**

*(In accordance with his declaration made at Minute 122, Councillor Dakin left the room during consideration of this application.)*

The Principal Planning Officer introduced the application for the erection of 2no dwellings with garages and access. Members' attention was drawn to the information contained within the Schedule of Additional letters which included Appendix B, a list of recommended conditions and a further letter of objection that had been received from the neighbour at White Lodge.

Lorna Dakin a local resident spoke against 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) Councillor Pauline Dee, as local Ward Councillor, made a statement and then left the table, took no part in the debate and did not vote on this item. During her statement the following points were raised:

- She was supportive of the original proposal for bungalows on the site but she considered houses to be overdevelopment of the site;
- She was concerned that the proposed drawings did not include the proposed street scene south and east elevations as this would have shown the difference in height between Leek Street and Chapel Street; and
- She was concerned about the movement of HGV's and the storage of plant and other materials whilst the dwellings were being built.

David Davies Agent 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 response to comments made by the local Member, the Principal Planning Officer explained that concerns in relation to the absence of a submitted street scene were addressed through Condition 8 which required details of proposed finished floor levels to be submitted and approved prior to the commencement of the development.

Condition 6 addressed concerns that had been expressed in relation to the parking of vehicles on site, the storage of plant and materials used in constructing the development and the safety of pedestrians and the risks associated with vehicles parking on the pavement during the construction process. During the ensuing debate and in response to concerns expressed the Principal Planning Officer confirmed that the planning case officer was satisfied that there would be no considerable loss of light to neighbouring properties.

Having considered the submitted plans and listened to the comments made by all of the speakers the majority of Members expressed their support for the proposals.

**RESOLVED:**

That planning permission be granted in accordance with the Officer's recommendation, subject to:

- The prior signing and completion of a S106 agreement; and
- The conditions as referred to in the update sheet to Committee and set out in Appendix B.

**124 Land To North Of Knockin Hall Farm, The Avenue, Knockin, Shropshire, SY10 8HQ (16/00015/EIA)**

*(Councillor Arthur Walpole, as local member vacated the Chair. Councillor Paul Wynn as Vice-Chairman presided as Chairman for this item)*

The Principal Planning Officer introduced the application for the construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping. Members' attention was drawn to the information contained within the Schedule of Additional letters.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15) Councillor Arthur Walpole, as local Ward Councillor, made a statement and then left the table, took no part in the debate and did not vote on this item. During his statement the following points were raised:

- It was recognised that the farm was well established on the outskirts of Knockin and the application had not generated any adverse reaction from the Parish Council or local residents; and
- The importance of proper landscaping and the point made by the Parish Council in relation to ensuring that the development was properly screened was emphasised.

Having considered the submitted plans, Members unanimously expressed their support for the proposals.

**RESOLVED:**

That delegated authority be given to the Head of Planning Services to grant planning permission for the proposed development subject to;

- The conditions as set out in Appendix 1; and
- Additional conditions outlined by the Principal Planning Officer regarding external colour, surface water drainage, bat boxes, colour of roof mounted solar panels
- Any modifications to conditions if considered necessary by the Head of Planning Services.

**125 Land South Of Old Mopsis Way, Morda, Shropshire (15/04152/REM)**

The Technical Specialist Planning Officer introduced the application for the approval of reserved matters (layout, appearance and landscaping) pursuant to permission 13/03846/OUT for the erection of 10 no. single storey dwellings; formation of parking and vehicular access. Members' attention was drawn to the information contained within the Schedule of Additional letters.

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

Carole Warner, on behalf of Oswestry Rural Parish Council spoke against 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) Councillor Joyce Barrow, as local Ward Councillor, made a statement and then left the table, took no part in the debate and did not vote on this item. During her statement the following points were raised:

- The site was within open countryside and therefore development should be done in a sensitive way;
- She had concerns relating to the communal bin area and refuse collection arrangements; and
- Site levels should be dropped to the lowest point and a retaining wall built around the site to protect the amenity and privacy of neighbouring properties.

Elizabeth Burton, the applicant spoke in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Members of the Committee also expressed concerns relating to the site layout, the positioning of the communal refuse area and refuse collection arrangements generally and also the future maintenance of hedges and for these reasons agreed that consideration of the application be deferred to enable further investigation into these matters

**RESOLVED:**

That consideration of the application be deferred to enable further investigation into the site layout and in particular positioning of the communal bin area, the collection of bins and issues surrounding the future maintenance of hedges.

**126 Land South Of Hermitage Farm, Shrewsbury Road, Hadnall, Shropshire (15/05061/REM)**

The Technical Specialist Planning Officer introduced the application for the approval of Reserved Matters (appearance, landscaping, layout and scale) pursuant to outline application 14/01872/OUT for mixed residential development (28 dwellings) to include discharge of conditions 1, 6, 7, 8, 9, 10 and 11. Members' attention was drawn to the information contained within the Schedule of Additional letters.

Councillor Meriel Rees-Pullman on behalf of Hadnall Parish Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Helen Howie, Agent on behalf of the applicant spoke in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

During the ensuing debate, members of the Committee expressed concerns relating to the impact of the development on the gully that ran alongside the development site. In response the Agent confirmed that the gully was outside the development site and would be unaffected by the development also.

Having considered the submitted plans and listened to the comments made by all of the speakers, the majority of Members expressed their support for the officer's recommendation.

**RESOLVED:**

That planning permission be granted subject to the conditions in Appendix 1 and officers given delegated approval to issue the decision notice and to amend conditions accordingly if considered necessary.

*(Councillors Dakin and Dee requested that their vote against the proposal be recorded.)*

**127 Appeals and Appeal Decisions**

The Committee noted a pleasing number of recent decisions that had been upheld by the Inspector and thanked the officers involved for their work.

**RESOLVED:**

That the appeals and appeal decisions for the northern area be noted.

**128 Date of the Next Meeting**

It was noted that the next meeting of the North Planning Committee would be held at 2.00 p.m. on Tuesday 19<sup>th</sup> April 2016 in the Shrewsbury/Oswestry Room, Shirehall, Shrewsbury.

Signed ..... (Chairman)

Date: .....