



<u>Committee and Date</u>
North Planning Committee
8 th April 2014

<u>Item</u>
2
Public

Minutes of the North Planning Committee meeting held on Tuesday 11th March 2014
2.00 p.m. – 6.04 p.m. in the Shrewsbury Room, Shirehall, Shrewsbury.

Responsible Officer Shelley Davies

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PRESENT

Councillors: A.E Walpole (Chairman)
P. A. D. Wynn (Vice-Chairman)

Mrs. J. Barrow, M. Bennett, G. L. Dakin, S. Davenport, Mrs P. A. Dee, V. J. Hunt, D. G. Lloyd MBE and Mrs M. R. Mullock.

128. APOLOGIES FOR ABSENCE

An apology for absence was received from Mr D. Minnery.

129. MINUTES

RESOLVED:

That the Minutes of the meeting of the North Planning Committee held on 11th February 2014 be approved as a correct record and signed by the Chairman subject to the following amendment to Minute 114:

That the disclosable pecuniary interest stated by Councillor Dakin in relation to planning application 13/04268/OUT, Proposed Housing Site West of Chester Road, Whitchurch be amended to read due to perception of bias.

130. PUBLIC QUESTION TIME

None received.

131. 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 Lloyd stated that he had a disclosable pecuniary interest and he would leave the room prior to consideration of planning application 13/03184/FUL Plas Wilmot, Weston Lane, Oswestry due to perception of bias.

132. PROPOSED RESIDENTIAL DEVELOPMENT EAST OF GYRN ROAD, SELATTYN, SHROPSHIRE (13/01735/OUT)

The Principal Planning Officer introduced the application, drawing Members' attention to the schedule of additional letters. It was noted that the application had been deferred at the meeting held on 11th February to allow Members to undertake a site visit to assess the impact of the proposal on the surrounding area. It was confirmed that the site visit had taken place that morning.

Councillor S. West-Wynn on behalf of Selattyn and Gobowen 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 results of a housing needs survey the Parish Council undertook in March 2012 indicated that any further development in Selattyn should be limited to infill development and none of the four proposed sites were supported;
- ii. The proposed development did not comply with the SAMDev proposals;
- iii. The application site was outside the development boundary for Selattyn; and
- iv. The proposal exceeded the Parish Council's housing target of 5 dwellings.

Mr T. Betts, 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. The objections raised by local residents included concerns in relation to highway safety, risk of flooding and denigration of the natural environment;
- ii. Reference was made to the statement from Nick Boles MP that planning was not the preserve of lawyers and councils;
- iii. There was no infrastructure in Selattyn to support any new development;
- iv. The recommendation for approval was based solely on the lack of a 5 year housing land supply; and
- v. The Committee had reasonable grounds to refuse the application.

Ms P. Stephan, the 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 application site was closest site to the village;

- ii. An exhibition showing details of the proposed development held in Selattyn was well attended by local residents and received positive feedback;
- iii. The proposal included an area of open space and access to the school car park area;
- iv. The application was supported by the trust that owned the land and the governors of the school;
- v. The applicant had undertaken remedial works to resolve the surface water flooding issues;
- vi. The application was a logical extension to the village; and
- vii. There was no opportunity for infill development in the village.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Council held on 27 February 2014, Councillor D. Lloyd MBE, as the local Ward Councillor, made a statement against the proposal but took no part in the debate and did not vote.

In response to comments made in relation to the concerns of the Tree Officer regarding the loss of trees, the Principal Planning Officer explained that these concerns had been overcome by a revised indicative layout which showed how the site could be laid out without impacting on the trees.

Having considered the submitted plans for the proposal the majority of Members expressed concern in relation to the elevated nature of the site and that the proposed development would have an adverse impact on the quality of the landscape. Additionally Members questioned whether the proposed access to the school car parking area was possible due to the steep gully.

RESOLVED:

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

1. The site is located in an area characterised by the prominent, sloping topography on the edge of the settlement and elevated above the existing properties with established hedge and tree boundaries. It is considered that in principle the development of this elevated site and the associated removal of the boundaries to create the access to the site and to the school car park would have an adverse impact on the character and appearance of the village, would dominate the immediate area, would result in the loss of existing landscaping and not contribute towards conserving and enhancing the natural environment contrary to policy CS6 of the Shropshire Core Strategy. It is considered that the adverse impact of developing the site and the harm to the intrinsic character and beauty of the countryside would significantly outweigh the benefits and that the proposed development would therefore fail the environmental role of sustainable development contrary to the National Planning Policy Framework.

133. LAND EAST OF THE OLD RECTORY, SELATTYN, SHROPSHIRE (13/03821/OUT)

The Principal Planning Officer introduced the application, drawing Members' attention to the schedule of additional letters. It was noted that the application had been deferred at the meeting held on 11th February to allow Members to undertake a site visit to assess the impact of the proposal on the surrounding area. It was confirmed that the site visit had taken place that morning.

Mr B. Barnes, 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. Selattyn lacked basic services and would not support any new development;
- ii. Selattyn had a well-established development boundary;
- iii. The proposals would harm the intrinsic character of the village;
- iv. The site was in agricultural use for part of the year;
- v. The development would look out of place;
- vi. There would be no social benefits to the village and
- vii. The harm of the development would outweigh any benefits.

Councillor S. West-Wynn on behalf of Selattyn and Gobowen Parish Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees and reiterated his comments made for the previous application (13/01735/OUT).

Mr D. Parker, the 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. There was local support for the application;
- ii. The development was well sited and would be beneficial to the future of the Primary school;
- iii. Limited weight should be given to the SAMDev proposals;
- iv. There was no possibility for infill development within the development boundary of Selattyn;
- v. There was safe highway access to the proposed development; and
- vi. The scheme would provide affordable housing.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Council held on 27 February 2014, Councillor D Lloyd MBE, as the local Ward Councillor, made a statement against the proposal but took no part in the debate and did not vote.

Having considered the submitted plans for the proposal the majority of Members expressed their support for the Officer's recommendation, subject to an additional condition to ensure the dwellings would be no more than two storeys in height.

RESOLVED:

That Planning Permission be granted in accordance with the Officer's recommendation and with an additional condition restricting the height of the properties to a maximum of two storeys.

Councillor D. Lloyd MBE left the meeting at this point

**134. PLAS WILMOT, WESTON LANE, OSWESTRY, SHROPSHIRE
(13/03184/FUL)**

The Principal Planning Officer introduced the application, drawing Members' attention to the schedule of additional letters. It was noted that the application had been deferred at the meeting held on 11th February to allow Members to undertake a site visit to assess the impact of the proposal on the surrounding area. It was confirmed that the site visit had taken place that morning.

Mrs H. Roberts, 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. The proposed access was a poor alternative to the approved access via Weston Lane;
- ii. The owner of the hedge was not willing to move the hedge to improve visibility;
- iii. Vehicle would not be able to pass safely and the lack of street lighting and footpaths would be extremely dangerous to pedestrians;
- iv. The refuse collection arrangement was unsatisfactory and would be hazardous to visually impaired pedestrians;
- v. It was questioned whether local access groups had been consulted; and
- vi. As the road would not be adopted it therefore would not be treated in bad weather.

Mr R. Hill 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. Today was the first time he had seen a car parked on the road;
- ii. Estate roads were increasingly becoming common practice in new developments; and
- iii. More residents would be affected if the access was via Weston Lane.

Mr P. Richards, on behalf of the owners of Plas Wilmot 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 proposed access was supported by the owners of Plas Wilmot and viewed as an improvement to the approved access;

- ii. The Proposed access would preserve the existing access/approach to Plas Wilmot; and
- iii. The Campaign for the Protection of Rural England (CPRE) was supportive of the proposed access.

In response to a query, Mr M. Wootton, Area Highways Development Control Manager outlined the current guidance in relation to visibility splays and confirmed that a 2 metre by 90 metre splay was adequate.

Having considered the submitted plans for the proposal Members unanimously expressed the view that the access was contrived and did not adequately address highway safety, increasing the risk of conflict with the adjacent access to the Cricket Club and traffic on Morda Road.

RESOLVED:

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

1. The proposed use of the existing un-adopted road off Morda Road to serve the 7 dwellings approved adjacent to Plas Wilmot was considered to result in an unsafe and contrived access, increasing the risk of conflict with the adjacent access to the Cricket Club and traffic on Morda Road and not providing satisfactory layout or width along the length of the road for the increase in dwellings.

Councillor D. Lloyd MBE rejoined the meeting at this point.

135. LAND ADJOINING 8A ST MARTINS MOOR, ST MARTINS, OSWESTRY (13/05016/OUT)

The Principal Planning Officer introduced the application and noted that the application had been deferred at the meeting held on 11th February to allow Members to undertake a site visit to assess the impact of the proposal on the surrounding area. It was confirmed that the site visit had taken place that morning.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Council held on 27 February 2014, Councillor S. Davenport, as the local Ward Councillor, made a statement against the proposal but took no part in the debate and did not vote.

In response to a query in relation to sustainability, the Principal Planning Officer explained that the site was in an existing settlement, not isolated with key services available locally.

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

RESOLVED:

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

136. LAND ADJACENT ORCHARD HOUSE, WEM ROAD, HARMER HILL, SHREWSBURY (13/04939/OUT)

The Principal Planning Officer introduced the application confirming that the Committee had undertaken a site visit that morning to view the site and assess the impact of the proposal on the surrounding area.

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. A previous application on the site for 14 dwellings was rejected by Planning Officers in September 2013 as being unsustainable;
- ii. Why was the site now considered to be sustainable; and
- iii. The application should be deferred in light of the statement made by Nick Boles MP to allow local residents the opportunity to read the guidance.

Councillor 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 application site was outside the development boundary for Harmer Hill and in open countryside;
- ii. There were no services in Harmer Hill and therefore the location was unsustainable;
- iii. Access onto Wem Road would be a hazard;
- iv. The application changed the nature of the area; and
- v. The development was contrary to the views of the community and was in the view of the Parish Council too much, too soon and in the wrong place.

Mr D. Parker, the 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 application had been revised and was for less than half of the properties proposed in the previously refused scheme;
- ii. The separation distances between the properties exceed the required minimum;
- iii. Harmer Hill was included in the SAMDev proposals as a Community Cluster;
- iv. The proposed development would not be prominent in the street scene and would be screened by trees and hedges; and
- v. The site was included previously in the development boundary for Harmer Hill.

In accordance with Rule 6.1 of the Council Procedure Rules contained in Part 4 of Shropshire Council's Constitution, Councillor B. Williams addressed the Committee as the Local Member, during which the following points were raised:

- i. The application was contrary to the Parish Plan and SAMDev proposals;
- ii. A previous application on this site was refused and deemed unsustainable;
- iii. The site was not in the Parish Plan as suggested by the agent;
- iv. The SAMDev document recently approved by Council praised the involvement of Parish Councils, approving this application would go against that statement; and
- v. The Committee should support local people and refuse the application.

Debate ensued with Members noting the difficult position they faced in relation to this application and the difficulties in balancing the views of the community against the National Planning Policy Framework and the question of the relative weight to be accorded to different policies.

In response to a query regarding the access, the Principal Planning Officer confirmed that the hedge was in the ownership of the applicant and therefore it would be possible to alter the hedge to improve the visibility.

In response to a query in relation to affordable housing, the Principal Planning Officer, explained that the applicant had indicated that one of the dwellings would be allocated as affordable and a Section 106 legal agreement would be required in relation to this matter.

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

RESOLVED:

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

137. LAND NORTH OF JUBILEE COTTAGE, HARMER HILL, SHREWSBURY (1304682/OUT)

The Principal Planning Officer introduced the application drawing Members' attention to the schedule of additional letters and confirming that the Committee had undertaken a site visit that morning to view the site and assess the impact of the proposal on the surrounding area.

Mr R. Purslow, local resident, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees and reiterated his comments made for the previous application (13/04939/OUT).

Councillor R. Jeffery, Myddle and Broughton Parish Council, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees and reiterated his comments made for the previous application (13/04939/OUT) adding the following points:

- i. Harmer Hill and Myddle, although being part of the same parish, were quite separate communities;
- ii. There was an application for a further 13 properties in the pipeline; and
- iii. The Parish Council wanted new development in Myddle not Harmer Hill.

Ms P. Stephan, the 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. There had been no objections received from consultees;
- ii. The concerns made by the Parish Council had been responded to and were contained in the report;
- iii. The Highways Officers had stated that the one access for the dwelling and for agricultural vehicles was satisfactory;
- iv. The land was grade 3 agricultural land and only represented 2% of the farming activities of the land owner;
- v. The comments in relation to Great Crested newts being present on the site were questioned; and
- vi. The proposed development was appropriate, in a sustainable location and would have no adverse impact.

In accordance with Rule 6.1 of the Council Procedure Rules contained in Part 4 of Shropshire Council's Constitution, Councillor B. Williams addressed the Committee as the Local Member, during which the following points were raised:

- i. The information from the Parish Plan stated by the agent had been taken out of context;
- ii. The application was in open countryside and was ribbon development;
- iii. The older houses referred to in the report were built before development controls was introduced; and
- iv. The site was on a very busy road.

During debate concern was raised in relation to the shared access and the cumulative effect of development in this area stating that there needed to be a phased approach to development in the settlement.

Having considered the submitted plans for the proposal the majority of Members expressed the view that the application should be deferred to allow time for the the implications of the written ministerial statement issued by Nick Boles MP to be considered with regard to the concerns raised.

RESOLVED:

That this application be deferred 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.

138. LAND SOUTH OF HILL VALLEY GOLF CLUB, TARPORLEY ROAD, WHITCHURCH (13/03413/OUT)

The Planning Officer introduced the application, drawing Members' attention to the schedule of additional letters.

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 in a sustainable location and the principle of development was acceptable in this location in accordance with the NPPF;
- ii. The majority of available views of the site were localised and limited to the northern edge of Whitchurch;
- iii. The proposals would bring about a change to the character of the landscape but this would not have an adverse impact that would outweigh the benefits of the scheme;
- iv. The European Protected Species 3 test matrix had been misapplied by Officers; and
- v. Officers had failed to take a proportionate approach in considering the feasibility of alternative solutions with regard to the presence of Great Crested Newts.

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, made a statement against the proposal but took no part in the debate and did not vote.

Having considered the submitted plans for the proposal, the majority of Members expressed their support for a site visit.

RESOLVED:

That this item be deferred until a future meeting of this Committee, to allow the Committee to undertake a site visit to assess the impact of the proposal on the surround area.

139. MULLER DAIRY (UK) LTD, SHREWSBURY ROAD, MARKET DRAYTON (13/05043/FUL)

The Planning Officer introduced the application, drawing Members' attention to the schedule of additional letters.

Councillor V. Brown, Moreton Say 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 Parish Council fully support the employer and the benefits the business brings to the area;
- ii. The structure was not appropriate in scale and design and therefore was contrary to CS17; and
- iii. The proposal would have an adverse impact on the area and the scheme should go underground.

Mr R. Froud-Williams, the 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 bridge would link the existing building to the new building;
- ii. The area was designated as employment land;
- iii. To put the scheme underground was uneconomic;
- iv. The proposal offers the most efficient solution;
- v. The cladding would offer interest to the design;
- vi. The structure would not be seen in isolation; and
- vii. The development would not cause significant harm to the area.

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. Wynn, as the local Ward Councillor, made a statement against the proposal but took no part in the debate and did not vote.

Responding to queries, the Principal Planning Officer confirmed that the bridge would be grey in colour with no advertisements displayed on it and any changes required to the street lighting would be at the expense of the applicant.

Having considered the submitted plans for the proposal Members were unanimously in support of the Officer's recommendation subject to the inclusion of an additional condition to ensure that the structure be removed when it was no longer required.

RESOLVED:

That Planning Permission be granted in accordance with the officer's recommendation with an additional condition requiring removal of the structure if it was no longer required.

140. APPEALS AND APPEAL DECISIONS

RESOLVED:

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

141. DATE OF THE NEXT MEETING

RESOLVED:

That it be noted that the next meeting of the North Planning Committee would be held at 2.00 p.m. on Tuesday 8th April 2014, in the Shrewsbury Room, Shirehall, Shrewsbury.

CHAIRMAN:

DATE: