



Committee and Date

North Planning Committee

7th July 2015

NORTH PLANNING COMMITTEE

Minutes of the meeting held on 9 June 2015

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

2.00 - 4.43 pm

Responsible Officer: Shelley Davies

Email: shelley.davies@shropshire.gov.uk Tel: 01743 252719

Present

Councillor Arthur Walpole (Chairman)

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

5 Apologies for Absence

Apologies for absence were received from Councillors Mrs. P. Dee, V Hunt and D. Minnery.

6 Minutes

RESOLVED:

That the Minutes of the meeting of the North Planning Committee held on 12th May 2015 and 14th May 2015 be approved as a correct record and signed by the Chairman subject to the following amendment to Minute 153 (12th May 2015):

Councillor Shiela Martinson, on behalf of Whitchurch Rural Parish Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

7 Public Question Time

There were no public questions, statements or petitions received.

8 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.

9 **Land Off Drayton Road, Hodnet, Market Drayton, TF9 3NF (14/03403/OUT)**

The Planning Officer (Technical Specialist) introduced the outline application for the erection of 14 dwellings (to include access and footpath link to Wollerton) 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. Members' attention was drawn to the information contained within the Schedule of Additional letters.

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

Councillor Chris Mackie, on behalf of Hodnet Parish Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Mr Nigel Thorns, 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 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:

- Questioned the update in relation to SAMDev;
- Stated that there had been objection from the Parish Council and local residents; and
- Urged Members take the additional information in relation to SAMDev into account.

The Planning Officer (Technical Specialist) explained that although SAMDev could now be given more weight as the proposed development site was outside the development boundary for Hodnet, this had not changed the recommendation to approve the application.

Having considered the submitted plans and listened to the comments made by the speakers, the majority of Members expressed their objection to the application contrary to the Officer's recommendation.

RESOLVED:

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

It was acknowledged that the housing proposed by the development would contribute economically and socially by boosting the housing supply including open market and affordable housing and help towards improved pedestrian link between Wollerton and Hodnet to which weight was given. However it was considered that this was

outweighed by the harm identified. The Committee were concerned that the development would result in an unacceptable harm to the open countryside and have an adverse impact on the adjacent conservation area specifically on the approach to the village. Furthermore weight was given to the fact that the proposed development was not plan led being contrary to both current saved policies of the North Shropshire Local Plan, the emerging policies in the Site Allocations and Management of Development DPD, which classified the site as being within open countryside contrary to Shropshire Core Strategy CS5, and the environmental impact on the countryside as indicated in paragraph 7 of the National Planning Policy Framework.

**10 Long Lane Farm, Long Lane, Marchamley, Shropshire, SY4 5LB
(14/05739/FUL)**

The Planning Officer (Technical Specialist) introduced the application for the erection of a detached dwelling 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. Members' attention was drawn to the information contained within the Schedule of Additional letters.

Councillor Chris Mackie, on behalf of Hodnet Parish Council spoke in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

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:

- Approval of the application would allow the applicant's family to move into the larger farmhouse;
- The application had the full support of the Parish Council and the Community;
- There had been no objections to the application; and
- It met the tests for the 3 strands of sustainability.

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

RESOLVED:

That planning permission be refused, in accordance with the Officer's recommendation for the following reason:

The proposed development was located within an area of defined as open countryside for planning policy purposes and accordingly would lead to sporadic and unsustainable development that would undermine the "rural rebalance" approach to development. Accordingly the proposal failed to comply with adopted policies CS4, CS5, CS6, and CS17 of the Core Strategy; and Government advice contained in the National Planning Policy Framework (in particular paragraph 55) as the development

would be detached from Marchamely settlement, would result in a residential encroachment into the open countryside and would put a reliance on the motor car to access day to day local services.

11 **Spar Convenience Store, Forge Lane, Newtown, Baschurch (14/05767/VAR)**

The Planning Officer (Technical Specialist) introduced the application for the variation of condition No.23 (opening hours) attached to planning permission 11/04795/FUL dated 14.03.12 to amend Sunday opening hours to between 8:00 hours - 22.00 hours and drew Members' attention to the information contained within the Schedule of Additional letters.

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

- As local ward Councillor he had received a number of complaints from immediate neighbours in relation to the use of the store generally;
- Baschurch was very different on a Sunday compared to a week day and he considered this had been underestimated in the Officer's report; and
- If Members were minded to approve the application he suggested amending the closing time to 8pm.

In response to a query from a Member the Principal Planning Officer advised that the information from the technical consultees was that there were no issues with a closing time of 10pm and therefore it was not reasonable to reduce the requested closing time from 10pm to 8pm.

Having considered the submitted plans for the proposal, the Committee unanimously expressed their support for the application but agreed that temporary permission be granted for a period 12 months to monitor the impact of the amended opening hours on neighbouring properties.

RESOLVED:

That planning permission be granted for a period 12 months to monitor the impact of the amended opening hours on neighbouring properties and subject to the conditions set out in Appendix 1, of the Officer's report.

12 Development Land Adj 5 Bridgewater Street, Whitchurch, Shropshire (14/05685/FUL)

The Principal Planning Officer introduced the application for the erection of ten dwellings; formation of access and associated drainage works and drew Members' attention to the information contained within the Schedule of Additional letters. The Principal Planning Officer added that the outstanding bat survey had been received this morning but Ecology had not yet had the opportunity to comment on this survey.

Having considered the submitted plans for the proposal, the Committee unanimously expressed their support for the Officers' recommendation.

RESOLVED:

That delegated powers be given to the Area Planning Manager to grant approval, subject to the resolution of the outstanding ecology issues and subject to the conditions set out in Appendix 1.

13 Proposed Residential Development West Of Darlee Cottage, Brownhill, Ruyton XI Towns, Shropshire (14/04168/OUT)

The Principal Planning Officer introduced the outline application for the erection of 2 no. dwellings to include means of access 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. Members' attention was drawn to the information contained within the Schedule of Additional letters.

The Solicitor advised Members in relation to the weight that can be given to affordable housing provision following a recent appeal decision, noting that the appeal in question did not look at all the arguments regarding affordable housing provision and therefore an up-coming appeal would be treated as a test case in relation to this issue. It was added that in the meantime the Council continued to give full weight to the Affordable Housing Policy but Members should bear in mind that the Planning Officer's recommendation had not taken into account the recent appeal decision which was a material consideration and take this into account in their decision.

Councillor Ros Slowley, on behalf of Ruyton XI Towns Parish Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Amy Henson, 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 accordance with Rule 6.1 of the Council Procedure Rules contained in Part 4 of Shropshire Council's Constitution, Councillor Nick Bardsley addressed the

Committee as the local ward Councillor, during which a number of points were raised including the following:

- The Council's position was not secure in relation to affordable housing;
- A full application was required for this proposal due to the challenging nature of the site; and
- The access was unsatisfactory and on a dangerous stretch of road.

In response to queries from Members the Principal Planning Officer reported that proposed highways conditions were outlined in the Schedule of Additional letters and confirmed that Policy H13 of the Oswestry Borough Local Plan was not a saved policy and had been taken over by Policy CS6.

Having considered the submitted plans for the proposal, the majority of Members expressed support for the Officer's recommendation but had concerns regarding issues relating to access and highway safety and requested that matters reserved for later approval be determined by this Committee.

RESOLVED:

That planning permission be granted subject to:

- The conditions set out in Appendix 1;
- The applicant entering into a S106 to secure an affordable housing contribution; and
- The application for reserved matters being considered by the North Planning Committee.

14 Proposed Residential Development West Of Cottage Lane, St Martins, Shropshire (15/00566/REM)

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 surrounding area and neighbouring properties.

15 Hunky Dory, Tern View, Market Drayton, Shropshire, TF9 1DU (15/01386/COU)

The Principal Planning Officer introduced the change of use application for the provision of swimming lessons (retrospective) and drew Members' attention to the additional information that had been circulated to the Committee.

Mr Ian Nurser, local resident, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

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

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

RESOLVED:

That planning permission be refused, in accordance with the Officer's recommendation for the following reason:

It was considered that the proposed change of use was inappropriate due to the frequency of the lessons to be carried out, which would result in the proposal having a detrimental impact upon the residential and neighbouring amenity of the area. Furthermore the change of use would impact upon the shared private access to the site also, therefore was contrary to Policies CS6 of the Shropshire Core Strategy and the aims and provisions of the NPPF.

16 Grove Barn, Ash Parva, Whitchurch, SY13 4DT (14/04555/FUL)

The Principal Planning Officer introduced the application for the proposed orangery link extension and internal alterations to include the increase in height of the side boundary wall.

Mr Hinchcliffe, 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 Gerald Dakin, 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 property was previously derelict and was now a beautiful home;
- The applicant would like to alter their home to suit their current lifestyle; and
- The extension and alterations had been accepted in principle.

Having considered the submitted plans for the development Members unanimously expressed their support for the application contrary to the Officers recommendation.

RESOLVED:

That delegated powers be given to the Area Planning Manager to grant approval, against the Officer's recommendation subject to the inclusion of relevant conditions, to be agreed in conjunction with the Local Member.

17 Grove Barn, Ash Parva, Whitchurch, SY13 4DT (14/05253/LBC)

The Principal Planning Officer introduced the Listed Building Consent application for the erection of orangery link extension to an existing barn conversion, to include the increase in height of the side boundary wall and incorporating the removal of 1 no. window and brickwork below to create access affecting a Grade II Listed Building.

Mr Hinchcliffe, 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 Gerald Dakin, 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 property was previously derelict and was now a beautiful home;
- The applicant would like to alter their home to suit their current lifestyle; and
- The extension and alterations had been accepted in principle.

Having considered the submitted plans for the development Members unanimously expressed their support for the application contrary to the Officers recommendation.

RESOLVED:

That delegated powers be given to the Area Planning Manager to grant approval, against the Officer's recommendation subject to the inclusion of relevant conditions, to be agreed in conjunction with the Local Member.

18 Bryn-y-Groes, Llanyblodwel, Oswestry Shropshire, SY10 8NB (15/00452/EIA)

(The Chairman, as the local ward Councillor for this application vacated the Chair and the Vice-Chairman, Councillor Paul Wynn presided for this item.)

The Principal Planning Officer introduced the application for construction of two poultry sheds, feed bins and plant room; formation of new vehicular access with visibility splays (following closure of existing access); ancillary works and associated landscaping and reported the following amendments to conditions 11 and 12:

11. Manure will be moved off site in sealed and covered trailers.

Reason: In consideration of the amenity of the surrounding area.

12. No feeding stuffs will be delivered to the site outside the hours of 8am – 6pm Monday – Saturday or at any time on bank holidays.

Reason: In the interests of surrounding residential amenity.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Arthur Walpole, 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 stated that the application was an important development for the applicant;
- There had been no objections raised to the application; and
- Any concerns would be governed by the Environmental Permit.

Having considered the submitted plans for the development Members unanimously expressed their support for the Officer’s recommendation.

RESOLVED:

That planning permission be granted in accordance with the Officer’s recommendation subject to the conditions set out in Appendix 1 and conditions 11 and 12 amended as follows:

- 11. Manure will be moved off site in sealed and covered trailers.
Reason: In consideration of the amenity of the surrounding area.
- 12. No feeding stuffs will be delivered to the site outside the hours of 8am – 6pm Monday Saturday or at any time on bank holidays.
Reason: In the interests of surrounding residential amenity.

19 Appeals and Appeal Decisions

RESOLVED:

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

20 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 7th July 2015, in the Shrewsbury Room, Shirehall, Shrewsbury.

Signed (Chairman)

Date: