

Date: Thursday, 30 August 2018

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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CENTRAL PLANNING COMMITTEE

ITEM 2: MINUTES – TO FOLLOW

SCHEDULE OF ADDITIONAL LETTERS

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

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Committee and Date

Central Planning Committee

30 August 2018

CENTRAL PLANNING COMMITTEE

Minutes of the meeting held on 2 August 2018

2.00 - 3.40 pm in the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Responsible Officer: Michelle Dulson

Email: michelle.dulson@shropshire.gov.uk Tel: 01743 257719

Present

Councillor Ted Clarke (Chairman)

Councillors Nat Green (Vice Chairman), Nick Hignett, Pamela Moseley, Tony Parsons, Alexander Phillips, Kevin Pardy, Keith Roberts and Roger Evans (substitute for David Vasmer)

20 Apologies for absence

Apologies for absence were received from Councillors David Vasmer (Substitute: Roger Evans) and Ed Potter.

21 Minutes

RESOLVED:

That the Minutes of the meeting of the Central Planning Committee held on 5 July 2018 be approved as a correct record and signed by the Chairman.

22 Public Question Time

There were no public questions or petitions received.

23 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.

With reference to planning applications to be considered at this meeting, Councillors Keith Roberts, Alex Phillips, Pam Moseley and Nat Green stated that they were members of the Planning Committee of Shrewsbury Town Council. They indicated that their views on any proposals when considered by the Town Council had been based on the information presented at that time and they would now be considering all proposals afresh with an open mind and the information as it stood at this time.

With reference to planning application 18/00251/FUL Land adjacent to Hawthorn Cottage, Longden, Shrewsbury - Councillor Keith Roberts stated that he was a member of Longden Parish Council but this would not affect his opinion when considering the application.

With reference to planning application 18/01747/FUL The Shropshire Nuffield Hospital, Longden Road, Shrewsbury - Councillor Keith Roberts stated that as he was the local Ward Councillor he would leave the table, take no part in the consideration of, or voting on, this item.

With reference to planning application 18/00644/VAR 28 Linley Avenue, Pontesbury, Shrewsbury - Councillor Nick Hignett stated that as he was the local Ward Councillor he would leave the table, take no part in the consideration of, or voting on, this item.

With reference to planning application 17/05587/FUL Proposed Development Land to the West of Meole Brace Retail Park, Shrewsbury - Councillor Tony Parsons stated that as he was the local Ward Councillor he would leave the table, take no part in the consideration of, or voting on, this item.

With reference to planning application 18/00644/VAR 28 Linley Avenue, Pontesbury, Shrewsbury - Councillor Roger Evans stated that he was a member of Pontesbury Parish Council but this would not affect his opinion when considering the application.

With reference to planning application 18/00251/FUL Land adjacent to Hawthorn Cottage, Longden, Shrewsbury - Councillor Roger Evans stated that as he was a member of Longden Parish Council and the local Ward Councillor he would make a statement and then leave the table, take no part in the consideration of, or voting on, this item.

With reference to planning applications 18/01916/FUL and 18/01917/LBC Lane House, Quarry Place, Shrewsbury - Councillor Nat Green stated that as he was the local Ward Councillor he would make a statement and then leave the table, take no part in the consideration of, or voting on, this item.

With reference to planning application 17/05587/FUL Proposed Development Land to the West of Meole Brace Retail Park, Shrewsbury - Councillor Ted Clarke stated that as he was the local Ward Councillor he would make a statement and then leave the table, take no part in the consideration of, or voting on, this item.

24 28 Linley Avenue, Pontesbury, Shrewsbury - 18/00644/VAR

In accordance with his declaration at Minute No. 23 Councillor Nick Hignett as local ward Councillor left the table during consideration of this item, took no part in the debate and did not vote on this item.

The Principal Planning Officer introduced this application for a variation of conditions 5 and 6 attached to planning permission 17/05054/FUL dated 12/12/2017 (Erection of three affordable dwellings) to remove reference to affordable to allow dwellings to

be sold on the open market with any proceeds from the sale being used for the development of affordable housing elsewhere in Pontesbury.

The Principal Planning Officer informed members that the proposal had been assessed on impact from the revised NPPF and there was no significant impact and the recommendation remains the same.

This application was previously deferred by Members for officers to seek further clarification from the applicant in relation to their future plans in Pontesbury. Further information had been submitted to Officers confirming that the applicant had recently legally exchanged the conditional contract for a site at the edge of Pontesbury, subject to the receipt of planning consent for a number of affordable homes. Officers understood that this planning application would shortly be submitted for consideration and were satisfied that the applicant was intending to provide new additional affordable homes within Pontesbury.

Members expressed their satisfaction that the applicant had come back with more firm plans for an alternative site for the development of affordable homes.

The Principal Planning Officer clarified that Standard Condition 1 was to be amended to refer to the development being begun before the expiration of three years from the date of the original permission.

Members unanimously expressed their support for the Officer's recommendation.

RESOLVED:

That conditions 5 and 6 attached to planning permission 17/05054/FUL dated 12/12/2017 (Erection of three affordable dwellings) be varied to remove reference to affordable to allow the dwellings to be sold on the open market.

25 Proposed Development Land To The West Of Meole Brace Retail Park, Shrewsbury - 17/05587/FUL

Councillor Ted Clarke as local ward Councillor vacated the Chair and Councillor Nat Green as Vice-Chairman presided as Chairman for this item.

In accordance with his declaration at Minute No. 23 Councillor Tony Parsons as local ward Councillor left the table during consideration of this item, took no part in the debate and did not vote on this item.

In accordance with his declaration at Minute No. 23 Councillor Clarke as local ward Councillor made a statement and then left the table did not take part in the debate and did not vote on this application.

The Planning Officer introduced the application for the erection of class A1/A3 Use unit with drive through, provision of parking, servicing, landscaping and all associated works 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 Planning Officer drew Members' attention to the Schedule of Additional Letters.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1), Councillor Ted Clarke addressed the Committee as the 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, a number of points were raised including the following:

- He was concerned that this was another development within the already congested retail park and about the cumulative impact on the access/egress into the retail park and onto the public highway;
- He felt that this development would increase the number of car journeys joining a busy roundabout and that a drive through in particular would create a different form of traffic, which would be short stay and heavier throughout the day;
- Nothing has been done to improve the flow of traffic within the retail park;
- Enough is enough.

Ms Hollie Barton, Agent on behalf of the applicant, spoke in favour of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Members raised concerns about increased traffic flow, heavy goods vehicles accessing the site and trespassing on disabled parking spaces, and about the loss of parking spaces for existing businesses. Members were however pleased that the internal road improvements were being addressed.

The Principal Planning Officer explained that although there were issues with the internal circulation he reminded Members that they should only be considering the impact on the public highway and not on the flow of traffic within the retail park as this was a matter for the owners.

In response to concerns about reduced safety on the public highway, the Principal Planning Officer explained that safety was the bastion upon which Highways assess all planning applications and although additional traffic may increase waiting times, it would be difficult to argue that the additional traffic would increase waiting times to a point where it would make the highway unsafe, unless it were to back up to other major roundabouts.

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

RESOLVED:

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

- The implications for increased traffic flow and waiting times on the public highway;

- Movement of traffic into, out of and within the development, especially the movement of HGVs across disabled spaces; and
- The adequacy of parking spaces for existing businesses.

26 Land Adj. Hawthorn Cottage, Longden, Shrewsbury - 18/00251/FUL

The Planning Officer introduced the application for the erection of 3 dwellings, formation of vehicular and pedestrian access and installation of package treatment plant 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 Planning Officer drew Members' attention to the Schedule of Additional Letters which included a representation from the Agent requesting that this application be deferred without debate so that a revised scheme could be submitted for consideration at a future meeting of this Committee in order to address the concerns of the community and the Parish Council.

Members unanimously expressed their support for deferral of this application.

RESOLVED:

That consideration of the application be deferred to a future meeting of this Committee.

27 The Shropshire Nuffield Hospital, Longden Road, Shrewsbury - 18/01747/FUL

In accordance with his declaration at Minute No. 23 Councillor Keith Roberts as local ward Councillor left the table during consideration of this item, took no part in the debate and did not vote on this item.

The Planning Officer introduced the application for the retention of existing two storey temporary unit on raised foundations to provide theatre with plant room above for a further period of three years 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 Planning Officer drew Members' attention to the Schedule of Additional Letters.

Members raised concern at the repeated use of temporary permissions and suggested that a one year extension be granted on the expectation that a more permanent solution to this temporary structure be sought.

RESOLVED:

That as per the Officer's recommendation temporary planning permission be granted but for a reduced period of 1 year subject to:

- The Conditions as set out in Appendix 1 of the report; and
- Standard Condition 1 being amended to read:
“The development hereby permitted shall be for a limited period being the period of 1 year from the date of this permission. At the end of this period the development hereby permitted shall cease. Following the expiration of this permission the temporary structure on site shall be removed and the land returned to its original condition”.

It was agreed to take Agenda Items 9 and 10 together (18/01916/FUL and 18/01917/LBC – Lane House, Quarry Place, Shrewsbury)

28 Lane House, Quarry Place, Shrewsbury - 18/01916/FUL

In accordance with his declaration at Minute No. 23 Councillor Nat Green as local ward Councillor made a statement and then left the table did not take part in the debate and did not vote on these applications.

The Technical Specialist Planning Officer introduced the applications for Full Planning Permission and Listed Building Consent for the erection of a single storey side extension and glazed rear extension with associated internal alterations affecting a Grade II building 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 Technical Specialist Planning Officer drew Members' attention to the Schedule of Additional Letters.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1), Councillor Nat Green addressed the Committee as the local ward Councillor. During his statement, a number of points were raised including the following:

- He was not against the principle of extending this property but was concerned that the external glazing was not in keeping with the rest of the house;
- Careful consideration must be given to the built environment;
- He hoped that the applicants would come back with alternative designs which integrated with the rest of the fabric of the house;
- The other part of the extension was in keeping with the rest of the house.

Mr Mark Gethin, the Applicant, spoke in favour of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Some members expressed concern that the glazed rear extension did not respect the history of the building, however, having considered the submitted plans and listened to the comments made by the speakers the majority of Members expressed their support for the Officer's recommendations.

RESOLVED:

That planning permission and listed building consent be granted as per the Officer's recommendations subject to the Conditions as set out in Appendix 1 of both reports.

29 Lane House, Quarry Place, Shrewsbury - 18/01917/LBC

See Minute 28 above.

30 Proposed Dwelling North East Of Waters Edge, Mill Road, Meole Brace, Shrewsbury - 18/02307/OUT

The Technical Specialist Planning Officer introduced the outline application (all matters reserved) for the erection of one 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. The Technical Specialist Planning Officer drew Members' attention to the Schedule of Additional Letters.

The Technical Specialist Planning Officer explained that the application followed on from a previous application (17/02536/OUT) for a similar scheme which had been refused due to insufficient information about the historic impact of the scheme on the conservation area. The applicant had been informed that a full application would be preferred however this outline application was supported by a Heritage Impact Assessment.

Although the Conservation Officer had no objection to the principle of a dwelling in this location, considerable detail would be required at Reserved Matters stage.

Members were concerned that the lack of design detail did not allow them to determine the impact of the scheme on the character and appearance of the Conservation Area.

The Principal Planning Officer informed Members that if minded to approve the application they could require any subsequent application for reserved matters to come back to Committee rather than being dealt with under delegated powers. Members were however concerned that if this outline application was approved any power over its design would be very limited.

The majority of Members expressed their objection to the application contrary to the Officer's recommendation as it was felt that insufficient information was available to allow them to determine the impact on the conservation area.

RESOLVED:

That planning permission be refused contrary to the Officer's recommendation due to insufficient information being available to allow Members to determine the implications of this application on the conservation area.

31 **Schedule of Appeals and Appeal Decisions**

With reference to the proposed residential development land to the West of Ellesmere Road Shrewsbury, the Principal Planning Officer informed the Committee that the applicants had withdrawn their appeal against refusal of their original application but were appealing the decision to refuse their second application. He further informed the Committee that the applicants had now submitted a third application for outline planning permission with all matters reserved.

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the Central area as at 2 August 2018 be noted.

32 **Date of the Next Meeting**

RESOLVED:

That it be noted that the next meeting of the Central Planning Committee be held at 2.00 p.m. on Thursday, 30 August 2018 in the Shrewsbury Room, Shirehall, Shrewsbury, SY2 6ND.

Signed (Chairman)

Date:

CENTRAL PLANNING COMMITTEE		
SCHEDULE OF ADDITIONAL LETTERS		
Date of committee: 30 August 2018		
<p>NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting</p>		
Item No.	Application No.	Originator:
5	17/05234/FUL: Land Off Greenfields Recreation Ground	Neighbour Dr Peter Day (21.08.2018)
<p>I have managed to quickly read some parts of this before the meeting with residents and some of this is incorrect and these comments should not be committed to paper without checking the Land Registry titles:</p> <p>4. <i>The available documents submitted with the registration would have been those referred to on the title which have been considered by officers and do not add anything further to consideration of the land's status. The 2010 date relates to the entry in the register when the land comprising the site and the adjacent recreation land, together with other land in the town, was transferred to Shrewsbury Town Council. This section for example is incorrect the documents are different</i></p> <p>Can I ask that these documents form part of the planning revocation and that documents should have been requested from the Town Council in this consideration and NOT from documents sent to me. These documents have not been previously disclosed to either planning application.</p> <p>Can I also add this is untrue:</p> <p>8. <i>Minutes of various meetings over the years potentially indicate that the land was acquired for use as public open space or for recreational purposes as part of a larger piece of land but this evidence is not conclusive as there are no clear plans or maps to identify what land is being referred to.</i></p>		
Item No.	Application No.	Originator:
5	17/05234/FUL: Land Off Greenfields Recreation Ground	Neighbour Dr Peter Day (22.08.2018)
<p>I have had a chance to review your recent officer report. I can only re-iterate what I have stated in my previous email, below for your convenience.</p> <p>Since the Greenfields Community Group requested a revocation of the planning application 12/00620/OUT we have undertaken further research into the history of Greenfields Recreation Ground and as far as we can discern (apart from temp allotment use) there were no formal decisions in respect of this land from the time of acquisition in the 1920's until the recent sale. The sale of the land which is now fenced off is Open Space because it was held by the Council for recreation purposes until the sale and because it was actually used for recreation by locals. There is in our view a good argument that the sale process was unlawful because there are special processes required when selling Open Space and these were not followed.</p> <p>As a matter of fact that this land has been held as open space for almost 100 years and has been used as such and should have been recognised as such and that policy relating to green space should be applied to it: see the revised version of the NPPF.</p>		

Paragraph 97 provides:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

1. an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
2. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
3. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The Greenfields Community Organisation believe that the Land Registry documents 2005 and 2010 and map attached to these documents and deed have vital information not previously disclosed by Shrewsbury Town Council that clearly demonstrate that this and is Greenfields Recreation Ground and indeed Open Space. Furthermore Shrewsbury Town Council understood this by their voluntary registration of land with the Land Registry in 2005 and 2010.

The error in not defining this land as Open Space requires immediate attention as we believe the above documents authoritatively establish this land as Open Space.

I have to ask again in terms of the revocation of planning process and my complaint regarding the information and process of this original planning application by Shrewsbury Town Council is this your final response.

Item No.	Application No.	Originator:
5	17/05234/FUL: Land Off Greenfields Recreation Ground	Neighbour Matthew Banner (22.08.2018)

I have looked at the planning document recently uploaded regarding the land off Greenfields, noticing your wording below.

6.1.15 Shropshire Council Commons registration officer has advised that the application to register the Greenfields Recreational Area as a village green is still being determined. The Council as Commons Registration Authority is minded to reject the application as not "duly made" as there have been two trigger events (as set out in Section 15C - Schedule 1A of the Commons Act 2006) with no corresponding terminating event. These trigger events affect a small portion of the application land. The determination of this current planning application need not and should not be held up by this decision.

I would therefore like to question aspects of this comment which are conflicting in nature. Firstly, with regards to the application being duly made, you have previously insisted and highlighted that the application land and the park are already separate entities and have no relationship with one another other than a land boundary. It seems contradicting to then say that trigger events affect a small portion of the land. If that is so, that land in question is not separate or you are being negligent in allowing this planning proposal to be accepted.

Secondly, when referring to trigger events. Again, since the building application land is separate (confirmed by you) there is no implication for accepting the tvg proposal. Irrespective of any trigger event which could be refuted and will. As far as I am concerned I live next to the park and which to protect and also have greater say over the land. I can argue this has nothing to do with the application since the land is separate and I have not included it in the tvg application. By rejecting the application under your current comments you are once again confirming the two lands are not separate or share a relationship more than a boundary between them which need further investigation and should

halt the building application being accepted. It is alarming to read that irrespective of the progress of this application that building can start, again showing negligence. Should this application be rejected on these points, I will instruct my solicitor to both sue the council over damages and negligence unless you can provide clarity on my comments.

Item No.	Application No.	Originator:
5	17/05234/FUL: Land Off Greenfields Recreation Ground	Neighbour Dr Peter Day (25 August 2018)

I attach the email I sent to Jane Raymond below and my complaint is the Town Council were not asked to validate or produce any documents to the Revocation Planning Decision (or have their 'its not a park' position verified by this process), but apparently documents provided to me, an amateur, were used instead. This cannot be the method of interrogating a planning decision? I have absolutely no qualifications that make me an authority in planning or the law.

However the community has since day one steadfastly refuted the Town Councils position both in its documents and through local testimony. Jane knew we, the Community, were looking into Land Registry Documents to Validate Council Minutes of 1925 but did not wait or request an update – nor did she as the investigating/planning officer request these Land Registry Documents. Most significantly for us and as stated above Jane did not make it incumbent on the Council to prove the land is not part of our Park. It is significant as once this land is gone a 100 years of recreation is lost to this community and I believe it is in the interest of all parties to get this right.

The community has additionally tried to protect a footpath that runs through Greenfields Recreation Ground. This is the most contentious aspect of the planning proposal as this footpath is used for approximately 300 journeys by this communities most vulnerable, its Primary School children, on their way to Greenfields Primary School. The development will build a road across this footpath endangering our very young.

Two applications to try and offer some protection to this route via a Village Green and Definitive Map application are still lost in the Councils procedures. However both Officers undertaking these applications have made pre decision comments to the Planning Officer against the applications and undermining decisions which have yet to be decided. These prejudicial comments appear in the Officers Report Aug 2018 and this is not acceptable. The application to afford some protection to our children via the Definitive Map application has taken since April 2017 and it is still in the application stage. This is also not acceptable.

There is a real sense in my community that we are being patronised by both Town and County Councils in the sale and planning process. There is a palpable sense of disaffection with the democratic process. I tried to reflect this in my email to Jane by expressing the communities disappointment that we could not submit our research before her decision on the revocation application was hastily made below.

Item No.	Application No.	Originator:
5	17/05234/FUL: Land Off Greenfields Recreation Ground	Neighbour I Welsby and R Norton (27.08.2018)

The above Planning Application shows no respect for the Greenfields Victorian Area which has only one vehicle access. Unless you live within this area, as we have for many years, one does not get to grips with these growing concerns.

This application will necessitate granting access to much larger vehicles, which will put the already strained infrastructure under increased daily pressure.

To expect residents to find alternative parking is quite unacceptable these days.

The entrance to the Recreational Ground, will provide the only vehicle access to the proposed development, and caution has to be respected as the children's play area joins onto the car park.

The entrance is the: Public Right of way, Play area, School run, Bowling and Social Club activities, Allotment Area, Cyclists, and Church/social parking.

In addition, there is an issue connecting to all mains services. The antiquated drainage system, which is sited practically right in the middle at the thread end of Falstaff Street. These drains already have problems, including foul smells, and have been known to flood cellars.

When entering Greenfields Street from the main Ellesmere Road, you could immediately be confronted with oncoming vehicles, in the single line access. Someone has to reverse. Driving on down to Hotspur St and Percy St, reversing and manoeuvring around one another is the only options, then the nasty bend into Falstaff St, where many a car has lost its wing mirror.

Construction of this size will put the recreational activities out of action for months and would interfere with the registered safe cycling path. Even D-value houses.

As winter approaches the vehicles on Ellesmere Road will increase two-fold. This adds further pressure from the reversing vehicles, due to shops with limited parking.

This Park is central to all houses, Old and New has been OPEN Space for many years.

A comparatively small amount of money could enhance this important Park. With extra parking, a return of trees with a seated picnic area would enhance and give this land its rightful place, where green areas are just as important as in the country.