



Date: Tuesday, 30 April 2019

Time: 2.00 pm

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

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## **NORTH PLANNING COMMITTEE**

### **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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# Agenda Item 9

<b>NORTH PLANNING COMMITTEE</b>		
<b>SCHEDULE OF ADDITIONAL LETTERS</b>		
<b>Date: 30<sup>th</sup> April 2019</b>		
<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>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
6	19/01010/FUL – Land E. of Lea Hall Farm, Lee	Ellesmere Rural Parish Council
<p>The Parish Council notes the new orientation proposed which removes any impact on the neighbouring listed building. The scheme falls within a central position within the named settlement and corresponds to policy. The Parish Council supports this application.</p> <p><b>Officers Comments:</b></p> <p>The comments are of the Parish Council are acknowledged; however, they are not necessarily concurred with for reasons provided within the Officer Report. Mainly that it is the Officers judgement that the application site does not hold a central location, by virtue of being on the edge of the settlement, bounded by open agricultural fields to the south and east. And that the proposal does not comply with policy in that the application site cannot be considered as an infill plot due to it being bounded by development on one side only, the west, with this development constituting agricultural development, to which this site forms part of the historic farmyard.</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
6	19/01010/FUL – Land E. of Lea Hall Farm, Lee	Ellesmere Rural Parish Council
<p>The planning agent (Berrys) has submitted a 'Technical Note: Application response to Conservation comments', which can be viewed in full on the planning file.</p> <p>Alongside this submission is a revised Block Plan (Drwg no: SA28433_03 Rev F) and is to be included within the committee presentation, alongside the originally submitted Block Plan (Drwg No: SA28433_03 Rev E).</p> <p><b>Officers comments:</b></p> <p>Due to the timing of this Technical Note being submitted, 4pm on Monday 29<sup>th</sup> April. With the deadline for Additional Letters being 5pm on this same date, a verbal update will be provided to members at the committee meeting.</p> <p>The amended Block Plan shows no change other than a single annotation being</p>		

removed, showing the removal of “access to field” through the site. The removal of this note is unclear, as access through the site does not form any of the reasons for refusal. However, it was commented on by the Councils Conservation Area, due to the annotation referring to no field gate shown on the plan. So, it can only be assumed that the removal of this note is to remove any inconsistencies.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
7.	18/02657/FUL - Black Country Metal Works Ltd (British Ironworks)	Oswestry Rural Parish Council

Further representation has been received:

Further to the Parish Council’s last response and following an Extraordinary Parish Council meeting held on 19 April 2019 I have been instructed to inform you that the Council does not agree that it has been adequately consulted and has agreed to object to the application thus:

“Further to the Parish Council’s comment made on 26 March 2019 the Parish Council wishes to make it very clear that it objects to this application because Condition 13 on the 2009 application has still not been discharged.

Condition 13 states “Prior to the commencement of the development the applicant shall undertake access improvements the design of which shall be in accordance with Highways Agency design standards and to be certified as being complete by the Local Planning Authority in consultation with the Highways Agency.” The reason: “To ensure that the A5 Trunk Road continues to serve its purpose as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption to the flow of traffic expected to be generated by the development and to protect the interest of road safety on the trunk road”.

The Council expects the Conditions applicable to this current application to be adhered to and actioned within 12 months from the determination of the application.

The Council would also like confirmation as to whether this application is a new application, retrospective or a regularisation.”

Officer’s comments

The Comments of the Parish Council are noted and whilst it is considered the Local Parish Council has been consulted in accordance with normal planning procedures, consideration has been given to the issue raised with regards to non-compliance with condition 13 of the 2009 approval for the site as outlined in the Officer’s report. The application is retrospective.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
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7	18/02657/FUL - Black Country Metal Works Ltd (British Ironworks)	Objector
Member of the public raises concerns that application is recommended for approval in consideration of site's planning history and non-compliance with highway conditions on previous approval for the site.		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
7	18/02657/FUL - Black Country Metal Works Ltd (British Ironworks)	Mrs. Ruth Cragg
<p>Comments received outlining concerns with regards to Committee report published in relation to this application. (A copy of this report was emailed to members by the author).</p> <p>All comments made have been considered and raise no further concerns in relation to this application and the Officer recommendation.</p> <p>As members will be aware, if Members agree with the Officer recommendation and support the application then this is the decision that will be made by the Council. It is considered perfectly reasonable to allow modifications to the conditions wording if considered necessary and this can be in consultation with the Local Member and Chair of Committee, if considered necessary. (If a significant change was considered necessary this would be the procedure followed in any case).</p> <p>As made clear in paragraph 1.4 of the officer's report this application seeks to regularise the current position on site. The description of the development is in accordance with detail as set out on the application form submitted as part of the application. The applicants have not raised any concerns with regards wording in relation to application description. Members will be aware of the current situation having visited the site earlier today.</p> <p>Reference to the Dutch barns and overflow car parking is made within the report and there is no further comment on this aspect.</p> <p>Traffic matters are as discussed in the report. The Fire issue as raised by Oswestry Rural Parish Council is a Building Regulations matter and this aspect is referred to in paragraph 6.13.1 Also further update from Oswestry Rural Parish Council is referred to above in this update sheet.</p> <p>The comments with regards to public footpaths within the surrounding vicinity of the site are noted, however no further comment is considered necessary on this aspect to discussion as referred to in the Committee Report.</p> <p>Comments made in respect of Consultee responses are noted and there is no further comment as advice has been adhered to and recommended conditions have been considered and adjusted if considered necessary by Officers in the recommended conditions as set out in appendix 1 attached to the report.</p> <p>Comments as made on the Officer's appraisal are noted and it is considered these</p>		

are repetitive and mostly covered earlier in the author's critique of the Committee report, and whilst all comments have been considered there is no further Officer comment to make as all relevant aspects are considered covered in the Committee report.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
7	18/02657/FUL - Black Country Metal Works Ltd (British Ironworks)	Ministry of Housing.

On Monday April 29<sup>th</sup> 2019 the Case Officer was informed by the Ministry of Housing that the Secretary of State has received a request to call in the above application, under section 77(1) of the Town and Country Planning Act 1990.

The letter indicates that if Committee is minded to grant permission on the application, that the Council cannot issue a decision to permit development on application until the Secretary of State has considered the case against his call-in policy and issued a decision. The Secretary of State will of course endeavour to make a decision as soon as is practically possible following your committee meeting.

If the council refuses permission then they may proceed with the issuing of the Decision Notice.

**Officer comments.**

In response to the call-in request, as indicated in the letter on behalf of the Secretary of State the application still needs to be determined by this Committee and it is recommended that the recommendation in relation to this application be changed to read as:

Delegate to the Planning Services Manager for approval subject to confirmation from the Secretary of State that the application is not to be called in and the conditions as outlined in appendix one attached to this report and any modifications to these conditions as considered necessary by the Planning Services Manager.