



Committee and Date

North Planning Committee

1st July 2014

NORTH PLANNING COMMITTEE

Minutes of the meeting held on 3 June 2014

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

2.00 - 5.36 pm

Responsible Officer: Shelley Davies

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Present

Councillor Arthur Walpole (Chairman)

Councillors Paul Wynn (Vice Chairman), Joyce Barrow, Gerald Dakin, Steve Davenport, Vince Hunt, David Lloyd, David Minnery, Peggy Mullock, Karen Calder (substitute for Martin Bennett) and Chris Mellings (substitute for Pauline Dee)

1 Election of Chairman

It was proposed, duly seconded and

RESOLVED:

That Councillor A. Walpole be elected Chairman for the ensuing year.

2 Apologies for Absence

Apologies for absence were received from Councillors M. Bennett (substitute: Mrs K. D. Calder) and Mrs. P. Dee (substitute: C. Mellings).

3 Appointment of Vice-Chairman

It was proposed, duly seconded and

RESOLVED:

That Councillor P. Wynn be appointed Vice-Chairman for the ensuing year.

4 Minutes

That the Minutes of the meeting of the North Planning Committee held on 6th May 2014 be approved as a correct record and signed by the Chairman.

5 Public Question Time

There were no public questions, statements or petitions received.

6 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 stated he knew the applicant of planning application 14/00344/COU but it was not a pecuniary interest.

Councillor Joyce Barrow declared that she would leave the room prior to consideration of planning application 13/01393/OUT due to a disclosable pecuniary interest. She added that she would also leave the room prior to consideration of planning applications 13/04845/FUL and 13/04226/OUT due to a perception of bias.

Councillor Paul Wynn stated that he was the applicant for planning application 14/00344/COU and would leave the room prior to consideration of the item.

Councillor Karen Calder declared that she would leave the room prior to consideration of planning application 14/00344/COU due to perceived bias.

(Councillor Joyce Barrow withdrew from the meeting whilst consideration of planning applications 13/04845/FUL, 13/01393/OUT and 13/04226/OUT took place).

7 Land West of Morda Bank, Morda, Shropshire (13/04845/FUL)

The Principal Planning Officer introduced the application. She drew Members' attention to the schedule of additional letters and confirmed that Members had attended a site visit on 2nd June 2014 and had assessed the impact of the proposed development on neighbouring properties and the surrounding area. She explained that due to new information regarding a small pond at the Cottams, a further ecology report was required and therefore it was recommended that the application be deferred for an ecological assessment of the pond.

Following advice from the Council's Solicitor, the Chairman explained that if the Committee considered the application to be acceptable in principle, they could grant the Area Planning and Building Control Manager delegated power to approve the application subject to the completion of an ecological assessment of the pond and the satisfactory resolution of any ecology issues.

Mr John Mellor, representing Morda Residents Group, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees during which the following points were raised:

- The Residents Group were working alongside the Parish Council to maintain the identity of Morda rural village;
- The village was at risk of being subsumed into Oswestry Town, therefore resulting in a larger urban sprawl;

- The application fell short of meeting the National Planning Policy Framework requirements on all three counts of Economic, Social and Environmental criteria;
- A previous application for 64 houses was refused by Oswestry Borough Council;
- The density of the scheme was too high and the design was poor;
- The infrastructure was already congested, in particular, traffic, flooding and drainage;
- The important physical gap between Morda and Oswestry would be reduced to 30 Metres;
- There were no long term plans to improve the infrastructure or protect the rural nature of the village;
- The proposal was unnecessary, unwanted and unsustainable; and
- The development would remove the final tract of green land that separated the town of Oswestry from the village of Morda, and would impact on the tranquil surroundings of Love Lane.

Councillor Robert Milton, representing Oswestry Rural 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:

- The Parish Council were opposed to the application and consider that the site should be removed from SAMDev;
- The site was in the Oswestry Rural Parish Council boundary, not Oswestry Town Council;
- The proposal would result in a loss of identity for Morda;
- The increase in vehicles from the proposed development would add to an already congested road;
- Concerns were raised in relation to drainage and it was noted that excess drainage water would flow down into the Glentworth Estate and further exacerbate drainage problems in Weston;
- The development would harm aquatic macrophytes and invertebrates;
- There were other sites in Morda where development would be preferred; and
- The unique nature of the village would be lost if the development was approved.

Mr Jon Rowson, the applicant, spoke for the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees during which the following points were raised:

- The site was in a sustainable location which had been identified by SAMDev as appropriate for new housing;
- David Wilson homes had carried out pre-application consultation with the local community about the preliminary plans;
- As a result of discussions with the community and officers, the preliminary plans were significantly revised and the number of homes reduced from 85 to 65; and

- The development would provide additional housing supply for Shropshire Council in line with the National Planning Policy Framework.

During the ensuing debate Members of the Committee acknowledged that the Council did not currently have a five year housing land supply and that the site had been allocated under SAMDev; however concern was expressed in relation to the loss of open green space that separated the town of Oswestry from the village of Morda. Additionally, Members considered the infrastructure in Morda to be inadequate and felt the proposals would adversely affect highway safety and drainage.

The Principal Planning Officer highlighted the fact that the Council Highway Officer considered the proposals to be satisfactory and had raised no objection to the development and added that the applicant had submitted a transport statement as detailed in the report. She outlined the services available in the village and stated that although the site was located in the village of Morda it was close to the town of Oswestry, the second largest market town in Shropshire.

Having considered the submitted plans for the proposal the majority of Members expressed their objection to the proposal.

RESOLVED:

That Members were minded to refuse planning permission against the Officer's recommendation in view of concerns in relation to traffic volume and highway safety, drainage, the loss of green open space and outstanding ecology issues.

A further report, on reasons for refusal and information in relation to the outstanding ecology assessment, would be considered at a future meeting of this Committee in accordance with Shropshire Council's Constitution.

8 Proposed Residential Development, Land East of Kingfisher Way, Morda, Shropshire (13/01393/OUT)

The Principal Planning Officer introduced the outline application, confirming that Members had attended a site visit on 2nd June 2014 and had assessed the impact of the proposed development on the surrounding area. With reference to the plan of Morda displayed, he drew Members' attention to the location of the site in relation to the other planning applications in Morda and a current scheme for Severnside Housing that was near completion. He explained that one of the accesses to the site was located in flood zone 3 and as such it would be expected that people and property would be located out of that area. He further explained that following an assessment it had been agreed by the applicant that the access road would be elevated to avoid any potential problems, but if flooding did occur residents would be able to use the alternative access via the Severnside development.

Principal Planning Officer read out a late representation in relation to ecology issues and suggested that if Members were minded to approve the application an additional condition would be required in relation to this issue.

Councillor Robert Milton, representing Oswestry Rural 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:

- The Parish Council strongly opposed the development and did not support any development in Morda until the community had been consulted;
- Morda had seen a number large scale development in recent years which had increased traffic in the village;
- Residents would be likely to use Weston Road, a narrow unclassified lane, to avoid town centre routes;
- The Village Hall would be adversely affected by the development;
- The school was already full to capacity; and
- There were other sites with planning permission or Brownfield sites available.

Mr Stuart Taylor, 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 which the following points were raised:

- The proposal was a logical extension to the village and had limited visual impact;
- The development was an extension to the Severnside development;
- The one access would be via the Severnside development which was near completion;
- There would be a safe walking route into the village;
- The development would not adversely affect highway safety;
- A condition could be included to avoid the road through the site being used as a rat run; and
- The scheme would increase the housing supply in Shropshire.

In response to the Chairman's query in relation to the two accesses to the site, the agent confirmed that both accesses could be used by residents and noted that the Weston Road access was, on its own, acceptable to the developer if the Committee were opposed to two accesses.

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 the layout, access and highway safety and requested that matters reserved for later approval be determined by this Committee

RESOLVED:

That subject to:

- The conditions set out in Appendix 1;
- The applicant entering into a S106 agreement to secure the provision of affordable housing;
- Additional conditions relating to ecology as per verbally updated by the Principal Planning Officer; and
- Matters in relation to access and layout reserved for later approval be determined by this Committee.

Outline Planning Permission be granted in accordance with the Officer's recommendation.

9 Proposed Residential Development to the South of Weston Road, Morda, Shropshire (13/04226/OUT)

The Principal Planning Officer introduced the outline application, confirming that Members had attended a site visit on 2nd June 2014 and had assessed the impact of the proposed development on neighbouring properties and the surrounding area. With reference to the plan of Morda displayed, he drew Members' attention to the location of the site and showed an indicative layout plan submitted by the applicant.

Councillor Robert Milton, representing Oswestry Rural 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:

- The Parish Council was in objecting to the application;
- A survey was required to establish the requirements of the village;
- The Parish Council had concerns in relation to the access;
- The school was oversubscribed;
- Development in Morda had been relentless in recent years; and
- Morda had no infrastructure in place to support these developments.

Mr Dave Parker, 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 which the following points were raised:

- The proposal was different to the other applications on the agenda for Morda;
- It was a small scale development on a small site and was a logical addition to the village;
- The development would create a more attractive end to the village and remove the bad bend on the road which was of local concern;
- The development would include a good mix of house types;
- The infrastructure of the village would be improved through the payment of the Community Infrastructure Levy; and
- The site had good access to local services.

Having considered the submitted plans for the proposal, the majority of Members expressed their support for the Officer's recommendation but noted the difficult position they faced in relation to balancing the views of the community against the National Planning Policy Framework.

RESOLVED:

That subject to:

- The conditions as set out in Appendix 1 to the report; and

- The applicant entering into a Section 106 Legal Agreement to secure the provision of affordable housing.

Outline Planning Permission be granted in accordance with the Officer's recommendation.

(Councillor Joyce Barrow rejoined the meeting at this point.)

**10 Land Adj to The Larches, Shawbury Road, Wem, Shrewsbury, SY4 5PF
(14/00797/OUT)**

The Principal Planning Officer introduced the outline application. He drew Members' attention to the schedule of additional letters and confirmed that Members had attended a site visit that morning and had assessed the impact of the proposed development on the surrounding area.

Mr Angus Gregory, on behalf of local residents, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- The Planning Officers had carefully considered the development of this site and he supported their recommendation to refuse the application;
- Wem Town Council unanimously expressed objection to the proposal;
- The site was divorced from the town centre;
- There was a pinch point by the bridge which made pedestrian access difficult;
- The Shawbury Road footpath was inadequate and dangerous;
- There were drainage issues associated with the field and nearby properties;
- More information was required in relation to water tables to prevent flooding;
- The development was contrary to Policy CS5;
- The bus service was sporadic; and
- The National Planning Policy Framework was for guidance only and logic had been applied for this application.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Council held on 27 February 2014, Councillor Chris Mellings, as the local Ward Councillor, made a statement, took no part in the debate and did not vote. During his statement the following points were raised:

- He fully supported the Officer's recommendation to refuse the application;
- He agreed with the comments made by Mr Gregory relating to drainage, pedestrian highway safety and that the site was divorced from the town;
- The site had been discounted at the first stage of the SAMDev process; and
- The benefits of the proposal would not outweigh the harm.

Having considered the submitted plans for the proposal, Members unanimously expressed their support for the officer's recommendation to refuse the application.

RESOLVED:

That Planning Permission be refused in accordance with the Officer's recommendation.

11 Development Land East Of 163 Wrexham Road, Whitchurch, Shropshire (14/00459/OUT)

The Principal Planning Officer introduced the outline application. She drew Members' attention to the schedule of additional letters and confirmed that Members had attended a site visit that morning and had assessed the impact of the proposed development on the surrounding area.

Mr Ken Tidy, on behalf of local residents, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- The site had previously been refused for planning permission by North Shropshire District Council;
- The traffic junction at Chemistry and Wrexham Road was dangerous;
- The highway issues had not been adequately taken into account; and
- The footbridge over the canal had resulted in a number of letters of support but this was no longer included in the project.

Mr Michael Birch, on behalf of local residents, 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:

- The development was small and well prepared;
- Local concerns had been taken into account by the developer;
- The concerns regarding the junction at Chemistry and Wrexham Road had been addressed;
- The development would allow access to the canal; and
- The footbridge had been removed due to the potential for it to become a focal point for Anti-Social Behaviour.

Ms Samantha Nicholls, 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 which the following points were raised:

- The development was supported by officers and local residents;
- The Town Mayor had noted his support to the proposal in the local press;
- The concerns raised had been addressed by the developer;
- The development included improvements to the highway; and
- Further relief would be included for Wrexham Road in the form of off-road parking.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Council held on 27 February 2014, Councillor Peggy Mullock, as the

local Ward Councillor, made a statement, took no part in the debate and did not vote. During her statement the following points were raised:

- There had been a petition including 500 signature against the development;
- The traffic issues were clearly visible on the site visit;
- Whitchurch Town Council were against the application;
- The landscape to the canal would be spoilt by the application; and
- The site was outside the development boundary for Whitchurch.

In response to concerns, the Principal Planning Officer clarified the situation in relation to SAMDev, explaining that it was not this site in Wrexham Road that was removed. It was further explained that the site in Wrexham Road that was removed was not due to highways issues alone but rather because other sites in Whitchurch were more achievable.

During the ensuing debate Members raised concern regarding highway safety issues, stating that the road would not satisfactorily serve the development and the junction at Chemistry and Wrexham Road was inadequate and dangerous. Members also referred to Policy CS6 of the Core Strategy in terms of the local context and character of the area, and concern was raised in relation to the access, density, scale and layout of the proposed development.

In response to concerns raised regarding highway safety, the Principal Planning Officer, stated that although the issues might be considered severe locally, the Highways Officer had advised that the issues did not result in severe cumulative impact to warrant refusal of the application.

Having considered the submitted plans for the proposal Members unanimously expressed their objection to the proposal.

RESOLVED:

That Members were minded to refuse Outline Planning Permission against the Officer's recommendation in view of concerns in relation to highway safety and the access, density, scale and layout of the scheme.

A further report, on reasons for refusal, would be considered at a future meeting of this Committee in accordance with Shropshire Council's Constitution.

12 Land Opposite Sunnyside, off Wrexham Road, Whitchurch, Shropshire (14/00462/FUL)

The Principal Planning Officer introduced the application. She drew Members' attention to the schedule of additional letters and confirmed that Members had attended a site visit that morning and had assessed the impact of the proposed development on the surrounding area.

Mr Mike Nimmo, on behalf of local residents, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees, during which the following points were raised:

- Local residents were strongly opposed to the application;
- The site had been removed from SAMDev due to significant objections;
- The development would increase surface water run-off;
- The road dimensions in the report were inaccurate;
- A traffic impact assessment was required;
- The proposal would restrict on street parking for local residents; and
- The layout was not appropriate and the development was the thin edge of the wedge.

Ms Cathy Elfe, 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 which the following points were raised:

- There had been extensive consultation with officers and local residents;
- The number of units had been reduced in response to concerns raised;
- The development would include electric car charging points;
- The development would not adversely affect highway safety and drainage; and
- The proposal would meet the need for market and 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 Peggy Mullock, as the local Ward Councillor, made a statement, took no part in the debate and did not vote. During her statement the following points were raised:

- She agreed with the all the points made by Mr Nimmo;
- The public consultation carried out by the applicant was completed for the SAMDev and had not been done since; and
- The traffic issues were clear on the site visit and the development cannot be justified due to these issues.

The Principal Planning Officer clarified the reason why the site was not carried forward as a preferred option site and responded to concerns raised in relation to highway safety, confirming that the Council Highway Officer had advised that the potential impact of the development upon traffic/on-street parking issues would not be materially worsened.

The Principal Planning Officer, in response to a query regarding visibility advised that a condition could be included to ensure the roadside hedgerow was maintained as part of the management agreement. The majority of Members expressed the view that whilst they had sympathy with the views of the local community regarding highway safety, they considered that it would be difficult to find reasons to refuse the application that would be sustainable on appeal.

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

RESOLVED:

That subject to:

- The applicants entering into a S106 legal agreement to secure the on-site affordable housing; to provide the open space and financial contributions towards the provision of a bus shelter, a Traffic Regulation Order (TRO) on Wrexham Road (if required), maintenance of the open space and surface water drainage system;
- The conditions set out in appendix 1; and
- An additional condition to ensure that the roadside hedgerow was maintained to provide visibility.

Planning Permission be granted in accordance with the Officer's recommendation.

Councillor Gerald Dakin requested that it be recorded that he voted against the application.

(Councillors Paul Wynn and Karen Calder withdrew from the meeting whilst consideration of the next item took place.)

13 Hadley Farm, Wrexham Road, Whitchurch, Shropshire, SY13 3AB (14/00344/COU)

The Principal Planning Officer introduced the application. He drew Members' attention to the schedule of additional letters and confirmed that Members had attended a site visit that morning and had assessed the impact of the proposed development on the surrounding area.

Having considered the submitted plans for the proposal, Members unanimously expressed their support for the officer's recommendation to approve the application.

RESOLVED:

That Planning Permission be granted in accordance with the Officer's recommendation.

14 Appeals and Appeal Decisions

RESOLVED:

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

15 Date of the Next Meeting

It was noted that the next meeting of the North Planning Committee would be held at 2.00 pm on Tuesday 1st July 2014, in the Shrewsbury Room, Shirehall.

Signed (Chairman)

Date: