



Committee and Date

North Planning Committee

29th July 2014

NORTH PLANNING COMMITTEE

Minutes of the meeting held on 1 July 2014

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

2.00 - 4.25 pm

Responsible Officer: Emily Marshall

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Present

Councillors Paul Wynn (Vice Chairman)

Joyce Barrow, Martin Bennett, Gerald Dakin, Pauline Dee, David Lloyd, David Minnery, Peggy Mullock and John Cadwallader (substitute for Arthur Walpole).

16 Apologies for Absence

Apologies for absence were received from Councillors A. Walpole (substitute: J. Cadwallader), S. Davenport and V. Hunt.

17 Minutes

Councillor G. Dakin, requested that it be noted that in relation to the final paragraph on page 10 of the Minutes of the meeting held on 3rd June 2014, relating to planning application 14/00462/FUL, it had been confirmed that the visibility splay would be contained within the highways boundary.

RESOLVED:

That the Minutes of the meeting of the North Planning Committee held on 3rd June 2014 be approved as a correct record and signed by the Chairman.

18 Public Question Time

There were no public questions, statements or petitions received.

19 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 Joyce Barrow declared that she would leave the room prior to consideration of planning application 13/04845/FUL due to a perception of bias.

(Councillor Joyce Barrow withdrew from the meeting whilst consideration of planning application 13/04845/FUL took place).

20 Land West Of Morda Bank, Morda, Shropshire (13/04845/FUL)

The Principal Planning Officer introduced the application, explaining that the application had been considered at the previous meeting at which Members had resolved that they were minded to refuse the application.

Shropshire Council's Senior Specialist, Planning Policy was in attendance and provided further explanation and clarification in relation to the SamDev Plan and the five year housing land supply. He confirmed that the site was in the Council's final version of the SAMDev Plan and overall the site was deemed to be fair in terms of sustainability. The site was a deliverable site that would boost the Council's housing land supply. For these reasons officers advised that it would be difficult to defend a decision to refuse the application based on the principle of development on this site upon appeal.

The Council's Solicitor responded to concerns raised by Morda Residents Group, in relation to the decision that had been taken at the meeting on 3rd June 2014. She explained that at the last meeting Members had expressed concerns in relation to the application and that because of these concerns they had resolved that they were minded to refuse the application, however officer's advice was that the reasons put forward for refusal might not have been defensible upon appeal and so in accordance with Shropshire Council's Constitution, Officers prepared a further report which addressed the concerns raised by Members and was before Members for consideration at this meeting.

Mr John Abram, 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:

- 140 residents had submitted their written objection to the application;
- Oswestry Rural Parish Council strongly opposed the proposals;
- It was Morda Residents Group's understanding that at the meeting on the 3rd June 2014 the North Planning Committee had resolved to refuse planning permission on this site;
- The Group were alarmed at the recommendation in the Planning Officers report to grant delegated powers to the Planning Services Manager to grant planning permission; and
- He urged Members to use their power as elected members to refuse the application.

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:

- Oswestry Rural Parish Council were firmly opposed to the application;
- The fragile green space buffer zone should be retained;
- No decision should be taken until the results of the ecological survey were made public and there had been a chance to comment; and
- Large scale development was taking place within Morda and the village needed breathing space to review existing approved developments.

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 a preferred option site and they intended to deliver housing; and
- The applicant's ecological consultant was in negotiations with Shropshire Council's ecology officers and was close to providing the information to allow officers to approve the application.

Some members expressed concern at the density of the development, however the majority of members, whilst sympathising with local residents and the Parish Council acknowledged that the principal of development on this site had been established within the SamDev document, which was at a very advanced stage and the site would be considered sustainable due to its close proximity to the market town of Oswestry.

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

RESOLVED:

That the Planning Services Manager be granted delegated powers to grant planning permission, subject to;

- The resolution of the outstanding ecology issue;
- The Conditions listed at Appendix 1;
- The applicants entering into a S106 agreement to secure the provision of affordable housing;
- A financial contribution to provide speed visors on Morda Bank; and
- A management plan for the future maintenance of the areas of public open space and the drainage swales.

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

The Principal Planning Officer introduced the outline application drawing Members' attention to the schedule of additional letters and confirmed that two additional letters of support and two additional letters of objection had been received and circulated to the Planning Committee.

Shropshire Council's Highway Development Control Manager was present and provided further information in relation to highway safety, access and visibility confirming that the proposals added value to the area as well as meeting the

required standards for highways safety and reminded Members that it was a single point of access only being considered.

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:

- It was irresponsible to even suggest that the Highways proposals were acceptable;
- Local businesses would be affected during construction of the development; and
- Every endeavour should be made to use brown field sites.

Mr Michael Birch, 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 removal of the hedge would completely remove the blind spot on Chemistry Junction;
- There would be no direct impact on vehicular movements on to the Chemistry Road junction; and
- The layout of the junction would be similar to others within Whitchurch and the surrounding area;

Mr Sandy MacDonald, 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 a modest size compared to other recent developments within the area;
- The proposed highways improvements would be of benefit to the area; and
- The CIL contribution would bring benefits to the area.

The Council's Solicitor advised Members that weight should not be given to the benefits that would be accrued from an additional offered unilateral undertaking, which was not considered necessary to make the development acceptable.

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 wished to reiterate the points made by Mr Tidy in objection to the proposal;
- The site was a pleasant Greenfield site which lead down to the canal and housing was not needed; and
- She requested that the application should come back to Committee at the Reserved Matters stage.

The Principal Planning Officer explained that Condition 1 would be amended to include scale and layout and a further standard condition in relation to Highways was recommended.

Having considered the submitted plans for the proposal Members unanimously expressed their support for the planning officer's recommendation.

RESOLVED:

That Planning Permission be granted in accordance with the Officer's recommendation, subject to an amendment to Condition 1, to include scale and layout in addition to appearance and landscaping and an additional Standard Highways Condition.

22 Development Land East Of Shrewsbury Road, Cockshutt, Shropshire (13/04868/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 to assess the impact of the proposed development on the surrounding area.

Councillor John Dickin, representing Cockshutt 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 proposed development was on high quality Grade 2 agricultural land;
- There was a connection between the two ponds on the site, raising ecology issues;
- Drainage and Flooding were important considerations within the area;
- Concern was expressed at parking outside the school and the additional burden that the proposed development would create on Cockshutt Primary School which was already growing fast; and
- Additional development in the area was not needed as many sites had not been completed.

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

- His concerns were similar to those of the Parish Council;
- Pedestrian safety would be minimal;
- No drainage details had been submitted and the sewage system was running at capacity; and
- The development would have a detrimental impact on the character of the village.

Mr Clive Roberts, 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:

- He hoped Members would give appropriate weight to the officers report which contained a clear explanation of policy issues;
- None of the statutory consultees had raised objections;
- The Parish Council's preferred sites would mean that below standard road junctions would be used and pedestrians would have to cross Shrewsbury Road.
- The preference for sites on the west side of the village was illogical;

In response to concerns raised by speakers, the Principal Planning Officer explained that the development would not result in the significant loss of agricultural land and so was not contrary to the National Planning Policy Framework (NPPF), there had been an ecological assessment and no objections had been raised by the Council's ecologist.

In relation to drainage, no objection had been received and it would be for the service providers to ascertain whether the sewage system would be able to accommodate a development.

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

RESOLVED:

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

23 Proposed Residential Development, Land West Of Stocks Lane, Welshampton, Shropshire (14/01723/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. The Principal Planning Officer provided an update on ecology issues, explaining that following the submission of an updated information request from Natural England, the Council's ecologist had recommended that further information on the means and location of waste water disposal was required to enable the Local Planning Authority to carry out a Habitat Regulations Appraisal of the project and to assess the impact on the adjoining Clarepool Moss Site of Special Scientific Interest (SSSI) and the Ramsar Site. The Principal Planning Officer therefore explained that the recommendation would be to grant delegated powers to the Planning Service Manager to grant planning permission subject to the resolution of outstanding ecology issues.

Councillor Chris Symes, representing Welshampton and Lyneal 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 development was outside the development boundary;

- The village of Welshampton could potentially see its housing stock increase by approximately 30%;
- Such a large increase could not be considered sustainable; and
- There was no local housing demand.

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

- Flooding, drainage, environmental concerns and an inadequate access were all material planning issues which needed to be taken into account.

Mr Justin Stevenson, on behalf of 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:

- There was the presumption that Welshampton was a sustainable location;
- The developer had been working with Natural England and Shropshire Council's Ecology Officers; and
- They fully supported the recommendations contained within the Planning Officer's report.

Members of the Committee agreed that the implications of a potential failure in drainage systems were so significant that consideration of the application should be deferred until further information was obtained in relation to drainage and the impact on the adjoining Site of Special Scientific Interest (SSSI) and the Ramsar Site.

RESOLVED:

That consideration of this application be **deferred** until further information is obtained on the means and location of waste water disposal to enable the Local Planning Authority to carry out a Habitats Regulation Appraisal (HRA) of this project, under the Conservation of Habitats and Species Regulations 2010 (as amended).

24 Land Adjacent To Oakleigh Farm, Welshampton, Ellesmere, SY12 0PG (14/01721/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. The Principal Planning Officer provided an update on ecology issues, explaining that following the submission of an updated information request from Natural England, the Council's ecologist had recommended that further drainage percolation tests were required to assess the impact on the Clarepool Moss Site of Special Scientific Interest (SSSI) and the Ramsar Site which were adjacent to the site. The Principal Planning Officer therefore explained that the recommendation would be to grant delegated powers to the Planning Service Manager to grant planning permission subject to the resolution of outstanding ecology issues.

Councillor Chris Symes, representing Welshampton and Lyneal Parish Council, spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees during which the following point was raised:

- Every house in the area had septic tanks and the implications of this could lead to sewage flowing into gardens at certain times of the year.

In accordance with Rule 6.1 of the Council Procedure Rules contained in Part 4 of Shropshire Council's Constitution, Councillor Brian Williams addressed the Committee as the Local Member, stating that as the issues in relation to drainage applied to both sites, in his opinion it would be illogical to defer one site and not the adjoining site.

Mr Justin Stevenson, on behalf of 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 SSSI and Ramsar site is 400 meters to the south east of the site and the watercourse flows away from the SSSI site;
- The query from Natural England had arisen because they had introduced a new consultation zone around SSSI sites of which the applicant was unaware at the time of the application.

Members of the Committee felt that the implications of a potential failure in drainage systems were so significant that consideration of the application should be deferred until further information was obtained in relation to drainage and the impact on the adjoining Site of Special Scientific Interest (SSSI) and the Ramsar Site.

RESOLVED:

That consideration of this application be **deferred** until further information is obtained on the means and location of waste water disposal to enable the LPA to carry out a Habitats Regulation Appraisal (HRA) of this project, under the Conservation of Habitats and Species Regulations 2010 (as amended).

25 Avalon, Hollinwood, Whixall, Whitchurch, Shropshire (14/00922/VAR)

The Principal Planning Officer introduced the report.

By virtue of the amendment made to Shropshire Council's Constitution, as agreed at the meeting of Council held on 27 February 2014, Councillor Pauline Dee, 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 did not agree with the officers recommendation to approve the application;

- The best means of safeguarding the amenity of nearby dwellings would be through the approved plan under 13/00778;
- The Parish Council had concerns about the application; and
- Reiterated the points made by Councillor Chris Mellings (local ward Councillor) in his email to Members of the Planning Committee.

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

RESOLVED:

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

26 Appeals and Appeal Decisions

RESOLVED:

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

27 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 29th July 2014, in the Shrewsbury Room, Shirehall.

Signed (Chairman)

Date: