



Committee and Date

North Planning Committee

28th May 2019

NORTH PLANNING COMMITTEE

Minutes of the meeting held on 30 April 2019

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

2.00 - 3.51 pm

Responsible Officer: Emily Marshall

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Present

Councillor Paul Wynn (Chairman)

Councillors Roy Aldcroft, Nicholas Bardsley, Gerald Dakin, Pauline Dee, Rob Gittins, Roger Hughes, Vince Hunt (Vice Chairman), Mark Jones and Paul Milner

78 Apologies for Absence

An apology for absence was received from Councillor Peggy Mullock.

79 Minutes

RESOLVED:

That the Minutes of the meeting of the North Planning Committee held on 2nd April 2019 be approved as a correct record and signed by the Chairman.

80 Public Question Time

There were no public questions or petitions received.

81 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 Agenda Item 7, planning application 18/02657/FUL, Black Country Metal Works Ltd, Whitehall Farm, Queens Head, Oswestry, Councillor Vince Hunt stated that he would leave the meeting, taking no part in the debate or vote on the application due to perception of bias in favour of the application.

With reference to Agenda Item 7, planning application 18/02657/FUL, Black Country Metal Works Ltd, Whitehall Farm, Queens Head, Oswestry, Councillor Paul Milner stated that he would leave the meeting, taking no part in the debate or vote on the application due to perception of bias in favour of the application.

82 The Lodge, Llanymynech, Shropshire - 18/02584/FUL

The Area Planning and Enforcement Officer introduced the application for the erection of replacement dwelling following demolition of existing 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.

Having considered the submitted plans and listened to the comments made by all of the speakers, Members unanimously expressed their support for the officer's recommendation commenting that the proposed dwelling had no adverse impact on the amenity of surrounding residents and the need for the dwelling was justified.

RESOLVED:

That planning permission be granted, in accordance with the officer's recommendation, subject to the conditions set out in Appendix 1 of the officer's report.

83 Proposed Dwelling East of Lea Hall Farm, Lee, Ellesmere - 19/01010/FUL

The Area Planning and Enforcement Officer introduced the application for the erection of a detached dwelling and confirmed that the Committee had undertaken a site visit when the application had previously been to Committee on 5th February 2019. Members' attention was drawn to the information contained within the schedule of additional letters which referred to additional representations received from Ellesmere Rural Parish Council and a technical note that had been submitted by the planning agent. The Area Planning and Enforcement Officer reported that the technical note had been forwarded to Shropshire Council's Conservation Officer and their comments were reported.

Councillor Graham Dyke, on behalf of Ellesmere Rural Parish Council 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 Brian Williams, 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 their statement, the following points were raised:

- Referring to the recommended reasons for refusal, these were the opinions of officers and not the Local Planning Authority (LPA);
- The local parish council and residents of Lee did not feel that proposed development would have any adverse effect on the surrounding area; and
- The existing agricultural building was scruffy, the proposed dwelling would improve the site and be visually beneficial.

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.

During the ensuing debate some members commented that the site was not particularly tidy, the layout and orientation of the proposed development was in keeping and not incongruous and the overall design would be appropriate in scale and character in relationship to the surrounding landscape and built environment. Furthermore, the Committee considered that the proposed development would not cause any additional harm to the significance of the designated and non designated heritage assets. It was considered it would lessen the harm currently caused to the heritage assets by the existing building on the site, and therefore met the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Committee considered the development was not considered to be in open countryside, was in the settlement and could be said to be infill therefore in compliance with the Council's adopted policies. It was also noted that there was strong local support for the proposed development.

Having considered the submitted plans and listened to the comments made by all of the speakers, the majority of members expressed their support for the proposals, contrary to the officer's recommendation.

RESOLVED:

That planning permission be granted, contrary to the officer's recommendation for the following reasons:

The Committee considered that the proposed development would not cause any additional harm to the significance of the designated and non designated heritage assets. It was considered it would lessen the harm currently caused to the heritage assets by the existing building on the site, and therefore met the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The layout and orientation of the proposed development was in keeping and not incongruous and the overall design would be appropriate in scale and character in relationship to the surrounding landscape and built environment.

The development was not considered to be in open countryside, is in the settlement could be said to be infill therefore being in compliance with the Council's adopted policies.

That authority be delegated to the Planning Services Manager to agree the wording of appropriate conditions as detailed below;

- Time limit
- Plans
- Materials – to be submitted.
- Landscaping plan prior to works
- Visibility splays to be set out as shown on plans prior to occupation
- Access and parking area to be satisfactorily laid prior to occupation

- Access apron constructed to current Shropshire specification prior to occupation
- No gates within 5m of the highway
- Ecological clerk of works for newts
- 1 bat box & 1 bird box.
- No external lighting without approval
- Joinery details (windows and doors)
- Metal rainwater goods
- Exterior services
- Roof construction

84 Black Country Metal Works Ltd, Whitehall Farm, Queens Head, Oswestry - 18/02657/FUL

In accordance with their declaration made at minute 81, Councillors Vince Hunt and Paul Milner left the meeting at this point, taking no part in the discussion or vote.

The Principal Planning Officer introduced the application under Section 73A of the Town Country Planning Act 1990 (as amended) for regularisation of extensions to existing buildings together with lawful uses relating to a mixed use rural enterprise (A1, A3, B1, B2 and B8); improvements to existing vehicular access including creation of visibility splay; change of use of land to sculpture park and car parking areas 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 which contained additional representations from Oswestry Rural Parish Council and an objector.

The Principal Planning Officer reported that the case officer had received notification from the Ministry of Housing that the Secretary of State had received a request to call in the application, under Section 77(1) of the Town and Country Planning Act 1990.

The Principal Planning Officer reported that additional correspondence had been received from a member of the public and it was noted that both Members referred to in the letter had withdrawn from the meeting.

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

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

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

The Committee noted the significant benefits that the Centre brought to Oswestry and the surrounding area in terms of tourism and employment and was well

supported by the local community, however some concerns relating to the access and highway safety were expressed but it was felt that these were addressed by the highways conditions.

Having considered the submitted plans and listened to the comments made by all of the speakers, Members unanimously expressed their support for the officer’s recommendation.

RESOLVED:

That authority be delegated to the Planning Services Manager to grant planning permission 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 the officer’s report and any modifications to these conditions as considered necessary by the Planning Services Manager.

85 Appeals and Appeal Decisions

RESOLVED:

That the appeals and appeal decisions for the northern area be noted.

86 Date of the Next Meeting

It was noted that the next meeting of the North Planning Committee would be held at 2.00 p.m. on Tuesday 28th May 2019 in the Shrewsbury/Oswestry Room, Shirehall, Shrewsbury.

Signed (Chairman)

Date: