



Committee and Date

North Planning Committee

26 January 2016

NORTH PLANNING COMMITTEE

Minutes of the meeting held on 22 December 2015

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

2.00 - 3.22 pm

Responsible Officer: Shelley Davies

Email: emily.marshall@shropshire.gov.uk Tel: 01743 257718

Present

Councillor Arthur Walpole (Chairman)

Councillors Paul Wynn (Vice Chairman), Joyce Barrow, John Cadwallader, Gerald Dakin, Steve Davenport, Vince Hunt, David Lloyd, David Minnery and Peggy Mullock

89 Apologies for Absence

An apology for absence was received from Councillor Pauline Dee.

90 Minutes

RESOLVED:

That the Minutes of the meeting of the North Planning Committee held on 24th November 2015 be approved as a correct record and signed by the Chairman.

91 Public Question Time

There were no public questions, statements or petitions received.

92 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.

The Solicitor advised Members that the Site Allocations and Management of Development Plan (SAMDev) was adopted by full Council on 17th December 2015 and was now part of the Council's adopted local plan along with the Core Strategy. Therefore policies from the old Borough and District Local plans which had been saved were now no longer in force and should not now be given any weight.

It was explained by the Solicitor that Section 38(6) Planning and Compulsory Purchase Act 2004 stated that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The local plan was the starting point for decision taking and this now applied to SAMDev. However it was important to note that interpretation of the development plan was a matter

of law which means reading policies as a whole and interpreting policy objectively in accordance with the language used and in its proper context.

Members were reminded that the National Planning Policy Framework (NPPF) was national policy and remained a material consideration, to which it was clear from appeal decisions significant weight must be attached. For example, the NPPF's presumption in favour of sustainable development and aim of significantly boosting housing supply remain important material considerations.

The Solicitor added that the reports before Members today should therefore be read in this context and references to old saved policies should be disregarded and SAMDev should be treated as part of the local plan, although all of the reports already ascribe very significant weight to SAMDev due to the very advanced stage it had reached prior to writing the reports.

93 Land Adjacent to Woodbury, Hengoed, Oswestry, SY10 7EU (13/02994/OUT)

RESOLVED:

Application withdrawn by the Applicant.

94 Land At Rhosygadfa, Gobowen, Shropshire (15/03975/FUL)

The Principal Planning Officer introduced the application for the construction of a solar farm to include solar panel arrays, substation inverters, a primary substation, and perimeter stock fencing. It was explained that the application was a resubmission of a previous application for a solar farm for which planning permission was refused by Members in July 2015, and which now seeks to address the previous reasons for refusal.

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

Councillor Huw Ellis, on behalf of Selattyn and Gobowen Parish Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Mr Nick Williams, 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.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor David Lloyd, 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 his statement, the following points were raised:

- He considered the previous reasons for refusal were still valid;
- The area was used by the local community for recreational activity; and
- This was not a productive use of agricultural land which was required for food production.

In accordance with Rule 6.1 of the Council Procedure Rules contained in Part 4 of Shropshire Council's Constitution, Councillor Robert Macey addressed the Committee as the local ward Councillor, during which a number of points were raised including the following:

- The amended scheme does not address the issues of massing and scale of the site;
- The requirement of a 5 metre buffer and 3 metre hedge suggests that it was not an appropriate location for this type of development; and
- The strength of feeling from the local community was evident in the report.

Councillor Joyce Barrow read out a statement from Councillor Steve Charmley, the adjoining ward local member. A number of points were raised including the following:

- The size of the development was inappropriate for the location and would have a huge impact on local residents;
- The proposal would have no benefit to the local area; and
- The proposal was industrial development on prime agricultural land.

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 officer's recommendation.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1.

95 Burlton Lane Farm, Myddle, Shropshire, SY4 3RE (15/04781/EIA)

The Principal Planning Officer introduced the application for the erection of extensions to existing free range poultry buildings and erection of egg packing unit. Members' attention was drawn to the information contained within the Schedule of Additional letters.

Having considered the submitted plans, members unanimously expressed their support for the officer's recommendation.

RESOLVED:

That delegated powers be given to the Head of Planning Services to grant approval, subject to:

- A satisfactory response from Natural England; and
- The conditions as set out in Appendix 2 and any modifications to these conditions if considered necessary by the Head of Planning Services.

96 Former Store, Walnut House, Little Ness Road, Ruyton Xi Towns, Shropshire (15/04348/FUL)

The Principal Planning Officer introduced the application for the change of use of existing store/office to dwelling. Members' attention was drawn to the information contained within the Schedule of Additional letters.

Councillor Ros Slowley, on behalf of Ruyton XI Towns Parish Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Mr Stuart Thomas, 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.

In accordance with Rule 6.1 of the Council Procedure Rules contained in Part 4 of Shropshire Council's Constitution, Councillor Nick Bardsley addressed the Committee as the local ward Councillor, during which a number of points were raised including the following:

- Planning consent had been granted for approximately 100 additional dwellings in Ruyton XI Towns but these permissions had not been implemented so no weight should be given to a need for more planning permissions;
- Developers need to implement the planning permissions they have been granted; and
- The proposal was development in open countryside.

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 officer's recommendation, subject to an additional condition to ensure the development was ancillary to the main dwelling.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1 and the following additional condition:

The change of use of the building to residential use shall only be used as accommodation for family members, including extended family, of the owners and occupiers of Walnut House and shall not at any time be sold, let or otherwise disposed of as a separate unit of residential accommodation.

Reason: To ensure proper control of the development and to avoid any future undesirable fragmentation of the curtilage as the building subject to the application is not considered to be of historic or architectural merit.

97 Appeals and Appeal Decisions

RESOLVED:

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

98 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 26th January 2016, in the Shrewsbury/Oswestry Room, Shirehall, Shrewsbury.

Signed (Chairman)

Date: