Committee and Date
Northern Planning Committee
4th February 2019

NORTHERN PLANNING COMMITTEE

Minutes of the meeting held on 10 December 2019
In the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND
2.00 - 4.00 pm

Responsible Officer: Emily Marshall
Email: emily.marshall@shropshire.gov.uk Tel: 01743 257717

Present
Councillor Paul Wynn (Chairman)
Councillors Gerald Dakin, Pauline Dee, Vince Hunt (Vice Chairman), Mark Jones, Pamela Moseley, Keith Roberts, David Vasmer and Joyce Barrow (Substitute) (substitute for Nicholas Bardsley)

65 Apologies for Absence

Apologies for absence were received from Councillors Nat Green (substitute: Roger Evans), Nick Bardsley (Substitute: Joyce Barrow) and Roy Aldcroft.

66 Minutes

RESOLVED:
That the Minutes of the meeting of the North Planning Committee held on 12th November 2019 be approved as a correct record and signed by the Chairman.

67 Public Question Time

There were no public questions or petitions received.

68 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 5, Application to Register Land known as Greenfields Recreation Ground, Falstaff Street, Shrewsbury as a Town or Village Green, Councillors Pam Moseley, Keith Roberts and David Vasmer stated that they were Members of Shrewsbury Town Council and would leave the room during consideration of the application.

With reference to agenda item 5, Application to Register Land known as Greenfields Recreation Ground, Falstaff Street, Shrewsbury as a Town or Village Green, Councillor Roger Evans stated that as a former County Councillor for Greenfields

and West Shrewsbury, however this did not prevent him from considering the application and would stay in the room during consideration of the application.

With reference to agenda item 6, planning application 19/04715/FUL Change of Use from (A1) shop to (A5) hot food takeaway restaurant; associated alterations and the provision of 2 No. off-street car parking spaces, Councillor Keith Roberts stated that he knew the applicant and would withdraw from the meeting during consideration of the application.

69 **Application to Register Land known as Greenfields Recreation Ground, Falstaff Street, Shrewsbury As a New Town or Village Green**

In accordance with their declaration at Minute 68, Councillors Pam Moseley, Keith Roberts and David Vasmer left the room.

Tim Ward, Commons Registration Officer and Louise Prince, Solicitor presented the report relating to an application VG(a) 86 to register as a village green land known as The Greenfields Recreation Ground, Falstaff Street, Shrewsbury.

Members attention was drawn to the information contained within the Schedule of Additional Letters.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Alex Phillips, 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:

- He stated that he was not against the application and was neutral, but he felt that the Committee were not in receipt of all of the facts and asked that the application be deferred until such time as the Committee had all of the facts in front of them.

Doctor Peter Day, 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, Members considered whether or not the application satisfied the criteria set out in section 15(2) of the Commons Act 2006. Members acknowledged the long established use as recreation ground but that this had been as of right and not by right and further considered that the application failed to meet the criteria and should therefore be rejected.

RESOLVED:
That the Application be rejected on the ground that it does not satisfy the requirement that the land has been used as of right as set out in section 15 (2) of the Commons Act 2006 ('the 2006 Act').

70 **41 Wood Street, Shrewsbury, SY1 2PN (19/04715/FUL)**

In accordance with his declaration at Minute 68, Councillor Keith Roberts left the room during consideration of this application.

The Technical Specialist Planning Officer introduced the application for the Change of use from (A1) shop to (A5) hot food takeaway restaurant; associated alterations and the provision of 2No. off-street car-parking spaces. Members' attention was drawn to the information contained within the Schedule of Additional letters and an additional late letter received from an objector was referred to by the Technical Specialist Planning Officer.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Alex Phillips, 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:

- He did not feel that the application had materially changed from that which had previously been refused by the Central Planning Committee;
- The highways report ignored the reduction in parking; and
- The total parking provision had not changed

The Technical Specialist Planning Officer clarified that this application differed from the application previously refused as it now included two off road parking spaces, designated for customer use. The Technical Specialist Planning Officer also reminded the Committee that Shropshire Council's Highways Team had raised no concerns in relation to highways safety.

During the ensuing debate Members whilst acknowledging that the proposal was materially different to that previously refused, in that it provided two designated off road parking spaces, expressed concerns at the loss of on road parking spaces in an already busy area, where parking was already minimal. Concern was expressed at the impact the loss of parking and the additional traffic the takeaway would generate on local residents and that problems in the area would be exacerbated. Overall, the majority of Members felt that there would be an unacceptable effect on highway safety. Members also felt that weight should be given to the decision of the Planning Inspector who dismissed the application at appeal and also to the views of the local ward Councillor.

RESOLVED:
That Planning Permission be refused, contrary to the Officer's recommendation for the following reasons:

It is acknowledged that the fall-back position is for use as an A1 retail unit (including use as an off-licence). However, having regard to the Inspectors previous decision this fall-back position is given little weight. Although the proposal is materially different to the earlier refusal in that it includes 2 off -road parking spaces that would be available for customers and delivery vehicles (and not staff), the earlier proposal did indicate that there would be parking available for 3 members of staff to the rear of the adjoining house in the ownership of the applicant. It is therefore considered that the proposed development provides in-sufficient off-street parking spaces for both staff, customers and deliveries to and from the site. It is considered that the proposed A5 use would generate an increased demand for parking at times when

there is likely to be minimal parking available in the surrounding streets. Road conditions and parking on Wood Street lead to potentially hazardous reversing on the highway. Car trips to the proposed takeaway would either exacerbate the parking and car movement problems on Wood Street or lead to drivers seeking to avoid them by parking illegally on Ellesmere Road. In either case, there would be an unacceptable effect on highway safety contrary to Shropshire Councils adopted policies CS6 and MD2.

71 **8 Lower Road, Harmer Hill, Shropshire, SY4 3QX (19/02915/FUL)**

The Technical Specialist Planning Officer introduced the application for a first floor extension and associated internal alterations.

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.

RESOLVED:
That Planning Permission be granted, subject to the conditions as set out in Appendix 1 of the Officer's report.

72 **Rose Villa, Old Whittington Road, Gobowen, SY11 3JE (19/03564/FUL)**

The Principal Planning Officer introduced the application for a detached garage.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Mark Jones, as local ward councillor, moved to the back of the room, took no part in the debate and did not vote on this item.

Having considered the submitted plans, Members unanimously agreed that the proposed garage was too tall and considered it to be overdevelopment of the site, for these reasons the Committee deferred consideration of the application to allow for further discussions with the applicant regarding the scale and height of the proposed garage.

RESOLVED:
That consideration of the application be deferred to allow for further discussions regarding the scale and height of the garage.

73 **Appeals and Appeal Decisions**

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

74 **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 [insert date], in the Shrewsbury/Oswestry Room, Shirehall, Shrewsbury.

Signed ..... (Chairman)

Date: .....