



<b><u>Committee and Date</u></b>
Southern Planning Committee
22 October 2019

## **CENTRAL PLANNING COMMITTEE**

### **Minutes of the meeting held on 29 August 2019**

**2.00 - 3.58 pm in the Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND**

**Responsible Officer:** Shelley Davies

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### **Present**

Councillor Ted Clarke (Chairman)

Councillors Nat Green (Vice Chairman), Julian Dean, Nick Hignett, Tony Parsons, Roger Evans (substitute for David Vasmer) and Kevin Pardy (substitute for Pamela Moseley)

### **27 Apologies for absence**

Apologies for absence were received from Councillors Alex Phillips, Pam Moseley (Substitute: Kevin Pardy), Keith Roberts and David Vasmer (Substitute: Roger Evans).

### **28 Minutes**

#### **RESOLVED:**

That the Minutes of the meeting of the Central Planning Committee held on 4<sup>th</sup> July be approved as a correct record and signed by the Chairman.

### **29 Public Question Time**

There were no public questions or petitions received.

### **30 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 planning applications to be considered at this meeting, Councillors Julian Dean, Nat Green and Kevin Pardy stated that they were members of the Shrewsbury Town Council Planning Committee. They indicated that their views on any proposals when considered by the Town Council had been based on the information presented at that time and they would now be considering all proposals afresh with an open mind and the information as it stood at this time.

The Chairman agreed to alter the order of the agenda and noted the following revised order in which the Planning Applications would be considered:

- 19/03076/VAR - Holiday Lets at Black Lion House, Church Pulverbatch, Shrewsbury
- 19/01866/OUT - Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01873/OUT - Former Oakland County Primary School, Glebe Road, Bayston Hill, Shrewsbury
- 19/01859/OUT - Mary Webb Library, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01865/FUL – Proposed Vicarage SW of Christ Church, Glebe Road, Bayston Hill, Shrewsbury
- 19/02898/FUL - Land to the rear of Wenlock Road, Shrewsbury

**31 Holiday Lets at Black Lion House, Church Pulverbatch, Shrewsbury - 19/03076/VAR**

The Area Planning Manager introduced the application to vary Condition No. 2 attached to planning permission 11/05008/FUL dated 18<sup>th</sup> January 2012 to regularise the internal construction and configuration and to reflect changes to the applicants' business plan and confirmed that the Committee had undertaken a site visit to assess the impact of the proposed development on neighbouring properties and the surrounding area that morning.

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

**RESOLVED:**

That planning permission be granted as per the Officer's recommendation subject to the conditions set out in Appendix 1.

*At this point Cllr Nat Green joined the meeting.*

**32 Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury - 19/01866/OUT**

*Councillor Ted Clarke as local ward Councillor vacated the Chair and Councillor Nat Green as Vice-Chairman presided as Chairman for this item.*

*Councillor Tony Parsons as local ward Councillor left the table during consideration of this item, took no part in the debate and did not vote on this item.*

The Planning and Enforcement Officer gave an overall presentation in regard to the following four Planning Applications which he explained were interlinked and had been jointly submitted by Shropshire Council and the Diocese of Lichfield:

- 19/01866/OUT - Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01873/OUT - Former Oakland County Primary School, Glebe Road, Bayston Hill, Shrewsbury
- 19/01859/OUT - Mary Webb Library, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01865/FUL – Proposed Vicarage SW of Christ Church, Glebe Road, Bayston Hill, Shrewsbury

The Planning and Enforcement Officer introduced the outline application (access for consideration) for the erection of Scout and Guide headquarters building; including 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.

Members' attention was drawn to the to the Schedule of Additional Letters which included a representation from the Case Officer to clarify the reason the application required consideration by the Central Planning Committee and to state that Shropshire Council was neither the landowner nor the applicant.

Councillor Teresa Lewis, on behalf of Bayston Hill 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 Ted Clarke addressed the Committee as the local ward Councillor to state that he was in full support of the application and then left the table, took no part in the debate and did not vote on this item.

In response to a query from a Member whether it would be possible to include pedestrian and cycle access from the site to into the town, the Area Planning Manager stated that at the reserved matters stage the applicant could be asked if they were willing to provide this access but unless it was seen to be necessary by Highways, Officers could not insist that the access be provided by the developer.

Having considered the submitted plans and listened to the comments made by the speakers Members unanimously expressed the view that the application be approved as per the Officer's recommendation.

**RESOLVED:**

That planning permission be granted as per the Officer's recommendation subject to the conditions set out in Appendix 1.

**33 Former Oakland County Primary School, Glebe Road, Bayston Hill, Shrewsbury - 19/01873/OUT**

*Councillor Ted Clarke as local ward Councillor vacated the Chair and Councillor Nat Green as Vice-Chairman presided as Chairman for this item.*

*Councillor Tony Parsons as local ward Councillor left the table during consideration of this item, took no part in the debate and did not vote on this item.*

Before consideration of item 19/01866/OUT – Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury, the Planning and Enforcement Officer had given an overall presentation in regard to the following four Planning Applications which he explained were interlinked and had been jointly submitted by Shropshire Council and the Diocese of Lichfield:

- 19/01866/OUT - Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01873/OUT - Former Oakland County Primary School, Glebe Road, Bayston Hill, Shrewsbury
- 19/01859/OUT - Mary Webb Library, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01865/FUL – Proposed Vicarage SW of Christ Church, Glebe Road, Bayston Hill, Shrewsbury

The Planning and Enforcement Officer introduced the hybrid (full and outline) application for residential development (outline) and the erection of community building with car parking (full) 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 to the Schedule of Additional Letters which included a representation from the Case Officer in relation to the submission of a Flood Risk Assessment by WSP and comments in response provided by the Council's SUDS team and the following amendment to the recommendation:

Grant permission subject to the conditions set out in Appendix 1 and the completion of a Memorandum of Understanding to secure S106 on the transfer of the land.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1), Councillor Ted Clarke addressed the Committee as the local ward Councillor, made a statement and then left the table, took no part in the debate and did not vote on this item. During his statement, a number of points were raised including the following:

- A Working Group had been working on the closure of the School for the last 10 years, with the Diocese of Lichfield included in the proposals around 5 – 6 years ago;
- The proposals had been subject to numerous consultations and the village broadly accepted the development of the site; and
- There was a need for single storey accommodation in Bayston Hill.

The Solicitor explained that Shropshire Council as part landowner could not agree a S106 with themselves and therefore a memorandum of understanding was required to ensure that a S106 was secured on the transfer of land. It was added by the Solicitor in response to comments from a Member that an informative could be added to the decision notice and included in the memorandum of understanding to request that the developer liaises with the Parish Council regarding the future plans for the site.

Having considered the submitted plans and listened to the comments made by the local ward Councillor, the majority of Members expressed the view that the application be approved as per the Officer's recommendation subject to an informative being added to the decision notice and included in the memorandum of understanding in relation to the Committee's request that the developer liaises with the Parish Council regarding the future plans for the site and requested that the Reserved Matters Application be considered by the relevant Planning Committee.

**RESOLVED:**

That planning permission be granted as per the Officer's recommendation subject to:

- The conditions set out in Appendix 1;
- The securing of affordable housing and public open space by a s106 agreement with the Diocese of Lichfield and the completion of a memorandum of understanding to secure a s106 on the transfer of the Council owned land;
- An informative being added to the decision notice and included in the memorandum of understanding in relation to the Committee's request that the developer liaises with the Parish Council regarding the future detailed plans for the site including the level of affordable housing; and
- The Reserved Matters Application to be considered by the relevant Planning Committee.

**34 Mary Webb Library, Lythwood Road, Bayston Hill, Shrewsbury - 19/01859/OUT**

*Councillor Ted Clarke as local ward Councillor vacated the Chair and Councillor Nat Green as Vice-Chairman presided as Chairman for this item.*

*Councillor Tony Parsons as local ward Councillor left the table during consideration of this item, took no part in the debate and did not vote on this item.*

Before consideration of item 19/01866/OUT – Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury, the Planning and Enforcement Officer had given an

overall presentation in regard to the following four Planning Applications which he explained were interlinked and had been jointly submitted by Shropshire Council and the Diocese of Lichfield:

- 19/01866/OUT - Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01873/OUT - Former Oakland County Primary School, Glebe Road, Bayston Hill, Shrewsbury
- 19/01859/OUT - Mary Webb Library, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01865/FUL – Proposed Vicarage SW of Christ Church, Glebe Road, Bayston Hill, Shrewsbury

The Planning and Enforcement Officer introduced the outline application (all matters reserved) for residential development including demolition of existing library 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.

Members' attention was drawn to the to the Schedule of Additional Letters which included a representation from the Case Officer noting that the level of housing proposed would not meet the threshold for affordable housing and open space provision and such provision related to planning application 19/01873/OUT - Former Oakland County Primary School, Glebe Road, Bayston Hill, Shrewsbury.

Barry Shepherd, local resident spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Councillor Teresa Lewis, on behalf of Bayston Hill Parish Council spoke in relation to the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

In response to the speakers, the Planning and Enforcement Officer explained that drainage issues would be improved by the proposal and he advised Members that if they were minded to approve the application an additional condition was recommended to ensure that tree protection measures as detailed in an Arboricultural Impact Assessment were submitted at the first Reserved Matters stage.

The Area Planning Manager, in response to concerns from Members explained that the need for single storey dwellings could be considered at the reserved matters stage but stressed that Officers could not insist that the developer provided single storey dwellings on this site.

Having considered the submitted plans and listened to the comments made by the speakers Members unanimously expressed the view that the application be approved as per the Officer's recommendation subject to an additional condition to ensure that tree protection measures as detailed in an Arboricultural Impact Assessment were submitted at the first Reserved Matters stage and that the

Chairman writes to the Leader of Shropshire Council to request that the Shropshire Housing Company develops the land in line with the local aspirations for this site.

**RESOLVED:**

That planning permission be granted as per the Officer's recommendation subject to:

- The conditions set out in Appendix 1;
- An additional condition to ensure that tree protection measures as detailed in an Arboricultural Impact Assessment are submitted at the first Reserved Matters stage; and
- That the Chairman writes to the Leader of Shropshire Council to request that the Shropshire Housing Company develops the land in line with the local aspirations for this site.

**35 Proposed Vicarage SW Of Christ Church, Glebe Road, Bayston Hill, Shrewsbury - 19/01865/FUL**

*Councillor Ted Clarke as local ward Councillor vacated the Chair and Councillor Nat Green as Vice-Chairman presided as Chairman for this item.*

*Councillor Tony Parsons as local ward Councillor left the table during consideration of this item, took no part in the debate and did not vote on this item.*

Before consideration of item 19/01866/OUT – Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury, the Planning and Enforcement Officer had given an overall presentation in regard to the following four Planning Applications which he explained were interlinked and had been jointly submitted by Shropshire Council and the Diocese of Lichfield:

- 19/01866/OUT - Bayston Hill Youth Club, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01873/OUT - Former Oakland County Primary School, Glebe Road, Bayston Hill, Shrewsbury
- 19/01859/OUT - Mary Webb Library, Lythwood Road, Bayston Hill, Shrewsbury
- 19/01865/FUL – Proposed Vicarage SW of Christ Church, Glebe Road, Bayston Hill, Shrewsbury

The Planning and Enforcement Officer introduced the application for the erection of one residential dwelling with integral community facilities; to include removal of trees and other tree works 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 to the Schedule of Additional Letters which included a representation from the Case Officer to clarify that the application had been brought to committee for determination due to Shropshire Council being partial

landowner (not applicant) and due to the complex nature of the four applications being inextricably linked in planning terms.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1), Councillor Ted Clarke addressed the Committee as the local ward Councillor to question the need for a vicarage and the encroachment on the existing parking area and then left the table, took no part in the debate and did not vote on this item.

In response to the local ward Councillor, the Planning and Enforcement Officer explained that the application would result in a loss of parking but additional parking would be provided in one of the linked applications which would offset this loss.

Having considered the submitted plans and listened to the comments made by the speaker Members unanimously expressed their support for the application as per the Officer's recommendation.

**RESOLVED:**

That planning permission be granted as per the Officer's recommendation subject to the conditions set out in Appendix 1.

**36 Land To The Rear Of 239 Wenlock Road, Shrewsbury - 19/02898/FUL**

*Councillor Ted Clarke as local ward Councillor vacated the Chair and Councillor Nat Green as Vice-Chairman presided as Chairman for this item.*

*Councillor Tony Parsons as local ward Councillor left the table during consideration of this item, took no part in the debate and did not vote on this item.*

The Technical Specialist Planning Officer introduced the application for the erection of 1 dwelling and formation of vehicle access 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 to the Schedule of Additional Letters which included a representation in objection to the application from a neighbour. The Technical Specialist Planning Officer advised Members that if they were minded to approve the application an additional condition to remove Permitted Development rights in relation to extensions and roof alterations should be added to any permission granted.

Janet Harper, local resident spoke in objection to 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 Ted Clarke addressed the Committee as the local ward Councillor, made a statement and then left the table, took no part in the debate and did not vote on this item. During his statement, a number of points were raised including the following:



- He agreed with the comments made by the previous speaker in objection to the application;
- He referred to the planning history of the site as detailed in the Officer’s report; and
- Noted he was concerned that approval of the application, following a number of unsuccessful appeals it would give the wrong message to developers.

In response to questions from Members, the Technical Specialist Planning Officer confirmed that the proposal provided adequate parking and overlooking was not possible with the windows proposed. She added that the development had been designed to overcome the issues raised by previous appeal decisions.

Having considered the submitted plans and listened to the comments made by the speakers the majority of Members expressed their support for the application as per the Officer’s recommendation.

**RESOLVED:**

That planning permission be granted as per the Officer’s recommendation subject to:

- The conditions set out in Appendix 1; and
- An additional condition to remove Permitted Development rights in relation to extensions and roof alterations.

**37 Schedule of Appeals and Appeal Decisions**

**RESOLVED:**

That the Schedule of Appeals and Appeal Decisions for the Central area as at 29<sup>th</sup> August 2019 be noted.

Signed ..... (Chairman)

Date: .....