

**NORTHERN PLANNING COMMITTEE  
SCHEDULE OF ADDITIONAL LETTERS**

**Date: 23<sup>rd</sup> November 2021**

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
6	21/03387/FUL - Proposed Dwelling North East Of 109 Lyth Hill Road Bayston Hill	Officer

In section 3 of the Officer report the reason for Committee consideration of this application is: 'on balance with consideration to the material considerations, it is considered that the Local Parish Council have raised material considerations that make the application appropriate for Committee consideration.

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5	20/03044/FUL	Planning Officer

At paragraph 6.1.7 the report states that the youngest child attends regular medical appointments in the 'wider West Midlands area'. The agent has confirmed that the appointments attended include weekly home visits from the local health trust and regular appointments at hospital in Wrexham.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	20/03044/FUL	Natasha Hamilton Member of the Public

I am emailing in regards to the single pitch gypsy/ traveller site in Welshampton, planning reference number 21/03044/FUL.

I would like to re raise my concerns, as I do not feel like my concerns or my community's concerns have been addressed.

I am confused why Shropshire council have never enforced this site, and taken action to enforcement the illegal development activities. I feel that the council is giving mixed messages on planning, when there is residents in this community that have applied for planning and have been refused planning, these residents have abided by planning laws and they have been penalised. Where as this site has quite openly flaunted planning regulations and you are pending consideration of granting a 2 year temporary planning approval, as far as I can see this is one rule for one and another rule for another. Rules and regulations are put into place to be adhered by, and if they are not adhered by then prosecution should be made. And as for the clause of being granted temporary for 2 years and then returned to former condition, this is the most utter tripe I have ever read, I do not know how you can reward the disregards to regulations, as this site has never abided by any planning regulations.

Speaking on behalf of my fellow residents I can assure you that if any form of planning is granted on this agricultural land, the villagers of Welshampton will fight this at every step.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	20/03044/FUL	Caroline Hamilton Member of the Public

I would like to express concerns over the above planning application.

Please can I ask why is this site still occupied, when no planning permission has ever been granted? Do Shropshire council not enforce planning anymore? Or are you to scared to enforce this site? This site has been refused change of use from an agricultural field on many occasions, this site has never been return back to its original condition. Granting any form of planning on this field will be a major problem for Shropshire council as if you grant this application you are opening the flood gates to other residents of Shropshire just doing what they want and not following planning procedures. Rules are made not to be broken. We have to look after our countryside and our communities. You ask for communities thoughts on planning then totally disregard them, as a former parish councillor I feel like granting this site permission will be disregarding all the hard work that parish councillors do in the local area.

Welshampton residents will not roll over and let this planning application sail through, we as a community will fight any form of planning application on this land.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	20/03044/FUL	Member of the Public

My Comments on the Case Officer Report are :-

The Condition to vacate the site after 2 years means the Planning Application designed and submitted by Mr James Doran and Trevor Mennell Planning should actually be REFUSED now; because in 6.7.5 it says 'permanent planning permission cannot be recommended for approval'. The previous Application (20/01361/FUL) refusal points 1 & 2 still stand, refusal point 3 has been swept under the gravel bed with the Great Crested Newts (RIP) & the last refusal point 4 concerning Designated Heritage Assets is being fudged to give temporary permission for 2 years. (see later)

If planning permission is refused beyond 2 years from now why allow permission for the next 2 years if personal circumstances are NOT a material planning consideration?

I'm confused, but for the sake of argument let's consider the reports' comments regarding personal circumstances.

Under 6.2.3 it says 'that whilst Officers do NOT consider VERY SPECIAL CIRCUMSTANCES, which outweigh the harm by reason of inappropriateness, HAVE BEEN ESTABLISHED, weight is given to the circumstances put forward in conducting the planning balance. OK, so this says the content of private and personal emails will carry some weight.

Later, under Planning Balance 6.7.2 it says 'Officers note the Applicants personal circumstances but do NOT consider that they constitute sufficient weight in favour of the application to overcome the harms identified'. This means REFUSE permission now, and yet personal circumstances are apparently given overriding weight in the Conclusion and Recommendations.

My last point related to whatever the personal circumstances may be is that NO application for a Council pitch was made prior to moving to Welshampton. NO application for a council pitch has been made in the 12 months since planning permission was refused in Welshampton on 04/09/20. This family will probably never reside on a Council pitch because they appear to have access to sufficient financial backing to do otherwise. Therefore their personal circumstances re health and education cannot be THAT exceptional and should be set aside.

A further reason the Case Officer gave for recommending temporary permission is that whilst funding to refurbish 2 Park Hall pitches is available, they have been vandalised and won't be fixed until someone applies to occupy one. Whilst this 'chicken and egg' situation prevails the report recommends letting the Doran family stay in Welshampton for 2 more years (nearly 4 altogether). Does anyone believe this family will ever apply for a Council pitch? Also, I understand Mr Doran has another Planning Application 'pending consideration' in Church Lane, Ewloe, Flintshire, but with another agent.

PREVIOUS (20/01361/FUL) REFUSAL POINT 4 - SC Conservation - Heritage Assets.

Under 4.1.3 there is a description of MD13 which is worth reading again. It states 'proposals will only be permitted where it can be CLEARLY demonstrated that the public benefits of the proposal outweigh the adverse impact'. Later under 6.4.5 the Case Officer argues 'that less than substantial harm will arise to the identified heritage assets (Hampton and Hawthorn House) and that the PUBLIC BENEFIT is the provision of a SINGLE gypsy pitch to meet the identified need of the applicant and his family, where the personal circumstances provided constitute a material consideration in favour of supporting the application. Oh really? That's a huge subjective judgement to make on behalf of the residents of Welshampton. The proposal emphatically fails to meet MD13 and try selling this so called public benefit to 72 residents who objected. Also, under the previous refused application SCC didn't see any public benefit in this single additional pitch for the county.

Finally, Appendix 1-Conditions

Appendix 1 deals with a 2 year time window and actually encourages the Applicant to do more Engineering work in a totally impractical attempt to blend into the green area and to re-arrange the layout within the pitch. Then after the 2 years are up return the site to its' former condition within 1 month and leave. This is totally unreasonable and impractical from everyones perspective.

The planning application should be refused without delay.

Item No.	Application No.	Originator:
5	20/03044/FUL	Mrs A M Johnson Member of the Public

I would like to submit some comments ahead of the Planning meeting next week. These comments are related to agenda item Hawthorn Paddock, Welshampton, Ellesmere, Shropshire, SY12 0NP (21/03044/FUL).

*"From reading the Planning Officer report and Conclusion, it appears that the applicants personal circumstances are driving the recommendation. Whilst acknowledging all the merits of the legal arguments and objections from local residents and the Parish Council, these are then subsequently disregarded. Applicants personal circumstances should not settle such an important decision.*

*The applicant has failed to comply with all previous rulings. If the Council grant a two-year temporary permission with specific conditions, then based on the applicants behaviour to date, there is a high probability these will be ignored as well. At the end of the 2-year period, I predict the applicant will re-apply for permanent permission and fail to see how they will vacate the site and return to its original agricultural status within a 1-*

*month timeframe. The Council has failed to uphold and enforce earlier rulings, where is the guarantee they will enforce any specific conditions imposed on the applicant going forward? Effectively avoiding taking action for a further 2-years is not behavior expected from Council representatives of the wider Community.*

*It is accepted in the report that alternative sites are available for the applicant and his family to settle, once certain renovations are undertaken. Any renovations would not take 2-years. So if temporary permission is still a consideration, this should not exceed 3-months whilst the alternative location is made into suitable condition”.*

If you have any comments ahead of the meeting, please feel free to get in touch.

Item No.	Application No.	Originator:
5	20/03044/FUL	Kevin Bacon – member of the public.

I wanted to drop you a email regarding the application above. I have read the planning officers report which was posted online this week. I am appalled having digested the report and the suggestion that this application is effectively kicked down the road for a further two years.

We have very clear planning rules and protocols, you apply to have something done to your property and you are either given permission or you are not, its a simply well-worked process. With regards to this application, the applicant has moved onto this agricultural land and set up home, installed permanent utilities, torn down a heads to allow access and installed a hard standing. ALL WITHOUT PLANNING CONSENT. This is totally unacceptable. It is the point that the applicant has carried on regardless of permissions makes this two year temporary permission all the more ridiculous. The likelihood of the application moving out in two years time and returning the pasture to its original condition without objection makes this officers report and recommendation just laughable.

I expect the planning committee to show professional common sense in deciding on this report. If they don't they will without doubt be setting a gold standard of **do as you want** for further applications in the village.

This application is on land, which is clearly visible from our property, a vista which once had cattle and horses grazing on it now has a property built without permission.

Item No.	Application No.	Originator:
5	20/03044/FUL	Member of the Public

1. We are unfamiliar with Planning law and the jargon contained in this lengthy report, but the recurring theme is the weight the Case Officer is giving to the personal circumstances of the Applicant against the recognised and wide ranging harms of the proposal. Surely her primary responsibility is for Planning matters and not Social Care.

2. We nearly drowned in the detail of 23 pages so we'll limit ourselves to a couple of observations. The report and therefore SCC acknowledge that 'the Applicant is unlawfully occupying the application site'. see point 6.7.4. With many non-compliances

recognised as still outstanding won't SCC become a partner in this unlawful behaviour if the Planning Committee accept the recommendation and give permission for two more years? It would permit the Applicant to carry on breaking the law with SCC blessing. That can't be right.

3. We've read about privately owned Gypsy and Traveller sites, called unauthorised developments, springing up all over England and Wales during the last 15 years or so. They appear to be well organised and fill up slowly over time. Is SCC satisfied that this is not the start of such a site and what we are really looking at here is commercial development in the countryside.

Item No.	Application No.	Originator:
5	20/03044/FUL	Lisa Member of the Public

I have been given your details as a point of contact regarding the planning application in Welshampton ref: 21/03044/ful. It has come to my attention there will be a planning meeting next week where this application will be discussed again. This email is to confirm my pre existing objection to any planning on this piece of agricultural land. This application is already in breach of planning due to extensive works which have already been undertaken. The most recent application was also rejected, but yet Shropshire council have failed to act upon this by issuing an enforcement notice stipulating that the breach is remedied let alone allowing people to reside there unlawfully. Can you please tell me how multiple rejections can lead to further attempts for planning? This breach has already negatively affected the village and its residents as we are currently unable to protect the 'green belt' from in appropriate development. Please express my concerns.

Item No.	Application No.	Originator:
5	20/03044/FUL	Roger Griffith Member of the Public

Thank you for your hard work concerning this application. I think it relevant to keep you connected to what Mr. Doran's idea of blending into the natural surroundings are. He has obviously got no intention of following his planning application. He has placed the static where he wants it, already plumbed into the septic tank and on pavers so is hardly likely to move it where it is supposed to be. He has built a substantial fence all the way round the graveled area, even up to the existing hedge between his property and Hampton House. I can't see him replacing it with more in keeping post and rail fencing, hedging and trees as per the application. This begs the question who is going to control what he does there.

**NOTE:** The above comment included 2no. photos sent via email taken from the public footpath to the east/northeast of the site encompassing the static caravan and the fencing surrounding the site.