

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 1 July, 2009 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors I.T.W. Fletcher (Chairman), R. Aveley (substitute for Councillor J.A. Francis), R.G. Chaplin, E.A. Clare (substitute for Councillor H. Rhodes), N.A. Dugmore, G.M. Green, F.R. Picken, and M.J. Smith

ALSO PRESENT: Councillor C.F. Smith for planning application W2009/0318

PB-9 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 10 June, 2009 be confirmed and signed by the Chairman.

PB-10 APOLOGIES FOR ABSENCE

Councillors J.A. Francis and H. Rhodes

PB-11 DECLARATIONS OF INTEREST

None.

PB-12 PLANNING APPLICATIONS FOR DETERMINATION

(a) W2009/0318 – 214 Teagues Crescent, Trench, Telford, Shropshire

This application for the erection of a two storey side extension and a single storey rear extension, following demolition of the existing garage, had been deferred at the previous meeting of the Board to enable Members to make a Site Visit.

As issues relating to the loss of light for the adjacent property, number 216 Teagues Crescent, had been raised at the previous meeting of the Board, the Planning Officer drew Members' attention to the fact that the applicant could, under permitted development, have erected a single storey extension without having recourse to the planning system or being required to notify neighbouring properties, which would have also resulted in a loss of light. Therefore, it was considered that a two storey extension would not significantly reduce the light for number 216 any more than a single storey extension. In addition, the existence of the garage was considered to have already compromised the available light to the now internal side kitchen window given its size and position.

Councillor C.F. Smith, the Ward Member, was invited to address the Board in support of the objections made by the owner of no. 216 Teagues Crescent. In doing so he wished to correct the information contained in minute number PB-4 which had stated that the owner of that property had installed the windows in the side elevation of his garage. Councillor Smith informed the Board that

these windows had been in existence since the property was first built. It was the potential loss of borrowed light through these side windows into the kitchen that was causing concern to the owner of no. 216. The owner was also concerned that, if the application was approved, the applicant might erect the two extensions at different times thus creating a building site for a number of years. Councillor Smith also made reference to the impact of the proposed development upon the street scene, the need for the drainage to be checked and the potential for the bathroom of no. 216 to be overlooked by the two storey extension.

In determining the application a number of Members considered that the proposal was too large for the site and that a two storey extension side extension would not be in keeping with neighbouring properties. Concern was further expressed at the potential loss of light to the kitchen of no. 214 and the difficulties that might be experienced in carrying out maintenance to the garage of that property.

Conversely, a number of Members supported the application given the information provided by the Planning Officer regarding the type of development that could be undertaken under permitted development rights. They accepted that there would be some loss of light if only a single storey extension was erected to the side of the no. 214. Any issues relating to the maintenance of the two properties would need to be resolved between the respective owners and was not a planning issue.

The Head of Planning & Environment emphasised that it was important that Members also recognised the rights of the applicant. Number 216 Teagues Crescent already had a side development in place and, therefore, the applicant should be permitted a similar opportunity. With regard to the issue of the loss of light, he said the side elevation windows were not the only source of light to the kitchen of no. 214 and that the option of installing roof lights was available. The issue before Members was that of whether a two storey extension was acceptable on the site.

The Council's Solicitor informed Members of the relevant legislation with respect to this application and the means by which a loss of light could be proved and addressed outside of the planning system. The applicant would be under an obligation to comply with the relevant legislation and any issues arising, together with any relating to access for building maintenance, would need to be addressed through mediation as a private matter.

On being put to the vote four Members voted in favour of the officer's recommendation and four voted against and on the casting vote of the Chairman it was:

RESOLVED – that with respect to planning application W2009/0318 planning permission be granted subject to the conditions as set out in the report.

(b) W2009/0337 –The Stores, Shop Lane, High Ercall, Shropshire

The Chairman informed the Board that the local Ward Member for Ercall Magna, Councillor Stephen Bentley, had requested that a Site Visit be made in respect of this application prior to its determination at the meeting on 22 July, 2009.

RESOLVED – that the application be deferred to the meeting of the Plans Board on 22nd July, 2009 to enable Members to make a Site Visit.

- (c) W2009/0391 – Hortonwood Roundabout, Hortonwood, Telford, Shropshire

This application by Telford & Wrekin Council sought planning permission to display three non-illuminated advertisement signs on the central island of the roundabout. The proposed signs would be 1200mm across with a total height of 900mm, as agreed with the Council's Highways Officer as being an acceptable size which would not detract from highway safety. Similarly sized signs promoting local businesses were already a feature on many roundabouts in Telford as part of the Telford & Wrekin Community Sponsorship scheme.

Lilleshall & Donnington Parish Council had objected to the application on the grounds that the proposed advertisement boards would add to the street clutter and distract drivers' attention. However, the Council's Highways Officer had no objections to the proposed signs subject to them being positioned in accordance with the submitted plans and dimensions and to their position in relation to the highway conforming to previously agreed details for similar roundabout advertisements.

The signs would replace the existing advertisement signs on the roundabout and would not result in an unacceptable amount of visual clutter. Therefore they were considered acceptable in this location and would not detract from the amenity and character of the surrounding area.

RESOLVED – that with respect to planning application W2009/0391 advertisement consent be granted subject to the conditions as set out in the report.

- (d) W2009/0401 – Oakengates Leisure Centre, New Road, Wrockwardine Wood, Telford, Shropshire

This application requested planning permission to site one metal storage container on land adjoining the athletics stadium circuit at Oakengates Leisure Centre. The container, which would be 9 metres long and used for the storage of specialist equipment for disabled users, would be sited adjoining the athletics circuit and positioned near to the covered spectator stand.

There were two existing containers used for equipment storage in proximity to the covered spectator stand. On balance it was, therefore, considered that the addition of one further container would be acceptable given the proposed

use and the need to store equipment on site. However, officers were concerned that the existing two metal containers were in a poor external condition and that there was a need to prevent proliferation of similar container units on the site. It was hoped that consideration would be given to a more appropriate storage building which could provide an acceptable permanent storage facility on the Leisure Centre site. Therefore, a temporary planning permission for a period of two years was considered appropriate. The update sheet tabled at the meeting informed Members that these existing containers would be repainted as part of the works to provide the new container.

The Council's Engineer has requested a number of informatives be attached to the approval regarding ground conditions at the site.

RESOLVED – that with respect to planning application W2009/0401 planning permission be granted subject to the conditions as set out in the report.

(e) W2009/0402 – Wilsons Auctions, Trench Lock 2, Trench, Telford, Shropshire

This planning application requested approval for the erection of a two metre high security fence and gates around the front car parking area of this site on the corner of Trench Lock and Sommerfeld Road, a main traffic route in north Telford. The proposed fencing would comprise dark green, nylon-coated single-wire mesh fencing and be located along the main frontages to Trench Lock and Sommerfeld Road, directly behind the parking spaces and circulation aisles and on the inside of the existing planting/landscaping around the site, which consisted of hedging and semi-mature trees and no longer shown along the back edge of the pavement as in the previously refused application.

The fence was required to increase the security at the auction site as the applicants claimed that they had recently experienced an increase in vandalism and anti-social behaviour on the site. The proposed gates would be unlocked when the auction building opened at 9.00 a.m. and locked in the open position throughout the day and would then be closed when the auction site closed in the evening.

Wrockwardine Wood & Trench Parish Council had objected to the application on the grounds that the proposed fencing would not enhance the appearance of this prominent corner site and could be prone to collecting litter and other debris that was blown by the wind. It had, therefore, requested that the application be considered by the Plans Board.

The originally submitted plans had shown the proposed security fence enclosing part of the adopted public highway adjacent to Sommerfeld Road. The Council's Highways Engineer had objected to this enclosure on the grounds that the land needed to be safeguarded for possible future highway

improvements and that it would also hinder access to public utilities beneath the ground.

Members were informed at the meeting that amended plans had been received, which showed the proposed fence in a slightly revised position, but still inside the existing planting/landscaping belt and still away from the back edge of the pavement. The Council's Highways Engineer was now satisfied that the proposed fence would not enclose any section of the adopted public highway. The screening that the planting would give, together with the increased distance between the fence and the pavement, would mitigate the environmental impact of the fence and make it appear less intrusive in the street scene. As such, it would ensure that the prevailing character and appearance of the site and the surrounding area would be safeguarded.

Several Members expressed concerns that the proposed fencing would be unsightly, overbearing for neighbouring properties and could obscure the views of passing drivers. In response to a question from Councillor F.R. Picken regarding whether the existing gaps in the hedge could be filled in to camouflage the fencing, the Head of Planning & Environment said that the landscaped area between the fence and the pavement was owned by the Council and he could raise this point with relevant officers.

When determining this application, the Head of Planning & Environment emphasised the need for Members to recognise the importance of local businesses such as this within the local economy and to seek to ensure their continued viability. Security was an important issue for this site and the proposed fencing would be sited behind the existing landscaping, albeit was not complete. There were no highways issues arising from the proposed fencing and there were similar installations elsewhere in Telford.

On being put to the vote four Members voted in favour of the officer's recommendation and four voted against and on the casting vote of the Chairman it was:

RESOLVED – that with respect to planning application W2009/0391 advertisement consent be granted subject to the conditions as set out in the report.

(f) W2009/0413 – 1, 2 Church Street, Oakengates, Telford, Shropshire

This application by Telford & Wrekin Council related to the conversion of a former children's home into two semi-detached four-bedroom dwellings situated in a predominantly residential area to the south of Oakengates District Centre. The building had been converted into a children's home in 1993 but this use had ceased in 2008 and since then it had been vacant and boarded up.

As the property had originally been built as a pair of semi-detached houses, it would be relatively easy to convert it back into two individual dwellings and no changes or alterations would be required to the external appearance of the

building. There would be two first floor bedrooms on each side of the building with windows that overlooked the adjacent houses on either side. As these rooms had been used as bedrooms when the property was a children's home, it was considered that there would be material change for the occupants of the adjacent properties. In addition, as the property lay at a lower level than the existing houses in Station Fields to the rear of the site and was more than ten metres from the rear boundary, it was considered that the proposal would not cause any adverse overlooking or loss of privacy.

Some of the large front forecourt of the site would be changed from tarmac into garden areas thereby softening its appearance. In addition, the grass embankment at the rear would be divided up to provide individual private rear garden areas. There would be ample car parking provided for both proposed dwellings.

One letter had been received from a local resident concerned about a first floor window that he considered overlooked his property but, as set out above, this window was already in existence and the proposal would not, therefore, mean any material change.

RESOLVED – that in respect of planning application W2009/0413 planning permission be granted subject to the conditions as set out in the report.

(g) W2009/0432 – Madeley Infant School, Upper Road, Madeley, Telford, Shropshire

This application by Telford & Wrekin Council sought planning permission for the erection of two single storey extensions and toilet accommodation together with the creation of six replacement car parking spaces. The proposed extensions would provide the school with a multi-functional area which would be used for meetings, parent groups and nurture groups. As these proposals included relocating the Head Teacher's office into the current girls' toilet, it would be necessary to build a new toilet block including a disabled toilet facility.

Although the largest element of the proposed extension would be located on the front elevation of the building, the proposal would not be visible from the streetscene due to the topography of the site and the existing buildings. The toilet extension would be situated on the western end of the building facing the playing fields and, therefore, not visible from the public domain. Both the extension and the toilet block had been designed to match the existing school building. It was considered that the scale of the building would be appropriate and relatively minor when viewed in context.

The proposal included the provision of six car parking spaces to compensate for the loss of those currently available at the front of the building. This would result in the loss of a small grassed area but, on balance, the loss of this landscaped area was not considered to be significantly harmful to the visual amenity of the locality given the large amount of soft landscaping remaining

on the site. In addition, there would be no impact on the residential amenities of the nearby houses and no loss of playing field.

RESOLVED – that with respect to planning application W2009/0432 planning permission be granted subject to the conditions as set out in the report.

PB-13 **SITE VISITS**

RESOLVED – that a Site Visit in respect of planning application W2009/0337 take place on Wednesday, 22 July 2009 at 4.00 p.m. prior to the meeting of the Plans Board.

PB-14 **PLANNING APPLICATIONS DEALT WITH UNDER DELEGATED POWERS**

The Board received for information details of planning applications that had been determined under delegated powers.

PB-15 **URGENCY RESOLUTION**

The Chairman made the following statement:

“I am of the opinion that the following item of business should be dealt with as a matter of urgency at this meeting in order to avoid any unnecessary delay.”

PB-8 **PLANNING APPLICATION W2009/0312 – PARKLAND HOUSE & CLASSIC FURNITURE, AUDLEY AVENUE, NEWPORT, SHROPSHIRE**

This was an outline application, including access, landscaping, layout and scale, for a mixed retail/employment development involving the erection of buildings for comparison retail on the Classic Furniture part of the site and erection of buildings to provide industrial/employment floorspace on the Parkland House site, following the demolition of all of the employment/manufacturing buildings on the Classic Furniture site and demolition of the warehouse/car auction buildings at Parkland House. A similar application, W2008/0885, for the same site but including convenience retail in the single building, had previously been refused for the reasons set out in the report. .

This brownfield site was located on the eastern edge of Newport within the built up area and within an existing employment/industrial estate. There would be a net loss of some 4000 sq.m. of industrial floorspace some of which was of poor quality. Neither of the sites was allocated for employment nor had any other Development Plan policy designation although it was a policy objective to retain and increase employment land in Newport.

The applicant had stated that the car auction business was to be incorporated into the redevelopment of the Parkland House part of the site. In addition, the Classic Furniture had a lease agreement with the applicant and site owner

until September 2009, after which time the company would be required to re-locate to alternative premises as the lease would not be renewed. However, the applicant had stated that Classic Furniture could be retained and incorporated into the new business building should it have difficulties finding alternative premises.

The proposal for the Classic Furniture site would involve the erection of two buildings to provide a total of 3,252 sq.m. gross of comparison retail, restricted to bulky goods, comprising one stand-alone building and one larger building shown sub-divided into four equally sized retail units. The existing main site access off Audley Avenue would be modified, leading to forecourt parking for 104 customer car spaces with servicing off the existing access road that led to other existing business units.

The proposal for the Parkland House element was effectively a redevelopment of the existing employment buildings on the site with an overall increase of some 2,415 sq.m. to which there was no objection in principle and for which planning permission had already been granted (W2008/0886). The proposed new building would provide a total 3,344 sq.m. floorspace with 7 units providing 2,931 sq.m. of Class B1(c) and B2 light and general industry and the end unit 413 sq.m. for the relocated car auction. The application site appeared underused and neglected with a variety of outdated office buildings and warehouses, some of which were vacant. The proposal offered an opportunity to increase and enhance the quality and amount of the employment facilities on this site and to re-house the existing car auction. The annotated hatched "Lorry Turning Area" area was about 1300 sq.m., which Highways officers considered to be adequate for the development including any 12 car transporter that might bring cars to auction. This area would be conditioned to be kept clear at all times. Vehicular access would remain off Audley Avenue but would be moved further towards the Classic Furniture side of the site. A total of 117 car parking spaces would be provided as well as cycle parking.

The proposed building would be located on the opposite side of the site to the existing buildings. Although its siting here would present a harder edge to the site, the appearance and materials for the building could be controlled by and considered under a subsequent Reserved Matters application and, with the use of appropriate colour on the exterior of the building, it would be possible to perceive the new structure as a relatively neutral structure in the location and a real improvement compared to the existing structures. Moreover the new buildings and removal of the existing outdated buildings by enhancing the visual appearance and character of this part of Audley Avenue might help to boost economic development in Newport.

Of further material significance was that, if the new building was to be erected over the existing building footprint, it would not be possible to achieve the desired access visibility and Highway Officers would prefer the new access and its improved visibility. Accordingly, the siting of the new building was considered acceptable, as the new access position together with proposed

mini-roundabout improvements, represented an overall highway benefit, which was a material consideration.

One objection had been received to the proposed retail on the Classic Furniture site, as detailed in the report, but it was considered that the applicant had addressed the requirements of national planning policy in PPS6 in relation to the out-of-centre retailing element of the proposal. The report also set out the consultation responses received including the concerns expressed by Newport Town Council and the letter of objection submitted by Growing Enterprises Ltd.

Whilst the needs test in PPS6 was still relevant, current policy also needed to be accorded full weight and draft PPS4 suggested that impact was an especially important consideration. There would be a degree of impact on Newport town centre but there would be no appreciable harm to the vitality and viability of Newport and impacts on other centres would be even more limited. To ensure this, the proposal will be limited to comparison bulky goods only by condition. Officers were now of the opinion that greater weight should be attached to the potential for claw back, as it would have a sustainable benefit by helping keep trade in Newport and be likely to reduce the length of vehicle miles travelled, meeting local need and benefiting the town's economy, which were some of the spatial development objectives of the Core Strategy and Policy CS7, as well as the principles underpinning PPS1.

The applicant had stated that the proposal would result in a net gain in jobs. Whilst job creation from retail uses should not be considered an important criterion upon which to judge retail proposals (Policy S9), this potential increase in jobs might be considered to help offset the potential loss of jobs from the Classic Furniture part of the site. Even if Classic Furniture relocated to a unit within the redeveloped site, which the applicant had stated was an option, there could still be an increase in over 40 jobs created.

In conclusion, whilst there was limited 'quantitative' need for comparison retail in Newport, there was a 'qualitative' need for comparison retail and with it scope to claw back trade leaking out of the town and the resulting sustainable benefits that officers considered a significant material consideration. Whilst there were more central sites in the town that could accommodate the smaller units of bulky goods comparison retail, not all of these were available or of sufficient size to accommodate the proposals even in their disaggregated form and some might be better suited for general and convenience retail and hence there were no sequentially preferable sites in appropriate locations. The proposed retail aspect of this application and the qualitative need for comparison retail would have a more limited impact on Newport town centre than the convenience and comparison retail application previously refused as the retail is now for bulky goods comparison retail. To mitigate against further impact, planning conditions would be imposed to limit the retail part of the proposal to "bulky goods only comparison retail" and restrict subdivisions of any of the retail units from that shown on the submitted plans. In addition, the provisions of improved quality employment facilities and net increase of

quantity of new and modern employment floorspace at Parkland House accorded with the aims of enhancing the employment opportunities within Newport and, together with the 3.5ha of allocated employment land, was a material considerations that would serve to off set the loss of employment floorspace from the Classic Furniture part of the site. There were also the other highway improvement benefits referred to above.

Therefore, whilst Section 38 of the 2004 Planning Act required development to be in accordance with the Development Plan, officers considered that there were material considerations in this instance that served to justify the development even with some conflict with Policy S9 of the Wrekin Local Plan. The application had been advertised as a departure, the consultation period for which expired on 15th July.

Councillor R. Aveley expressed concern that approval of this application could lead to the development of a retail park to the detriment of the town centre facilities. The Planning Officer responded that a need for some comparison retail goods on this site had been established by the Telford & Wrekin Retail and Leisure Study 2009. Councillor G.M. Green commented that the Ward Members had not objected to the proposal and welcomed the investment it would bring to the Newport area and Councillor Dugmore welcomed the improvements that would be made to the existing site. The Head of Planning & Environment agreed that the potential for a retail park to development was an important point to make but this application had been considered as a specific case and any future applications would be dealt with as they were submitted.

RESOLVED – that with respect to planning application W2009/0312 following the expiry of the departure advertisement period and no new issues arising, delegated authority be granted to the Head of Planning & Environment to grant planning permission subject to the conditions as set out in the report and to any other conditions that officers subsequently deemed necessary.

The meeting ended at 6.59 p.m.

Chairman:

Date: