

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 6th October, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors N.A. Dugmore (Chairman), J.A. Francis, D.R. Chaplin, G.M. Green, F.R. Picken, C.F. Smith (substitute for Councillor H. Rhodes) and M.J. Smith

ALSO PRESENT: Councillor A.J. Eade (for planning applications TWC/2010/0055 and W/2006/0291, Councillor J.M. Seymour (for planning application TWC/2010/0295), Councillor E.J. Greenaway (for planning application TWC/2010/0208) and Councillor E.A. Clare (for planning application TWC/2010/0335)

PB-40 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 15th September, 2010 be confirmed and signed by the Chairman.

PB-41 APOLOGY FOR ABSENCE

Councillor H. Rhodes

PB-42 DECLARATIONS OF INTEREST

Councillor R.T. Kiernan declared a personal interest in planning application TWC/2010/0295 and stated that he would leave the room during determination thereof.

Councillor J.A. Francis declared a personal and prejudicial interest in planning application TWC/2010/0416 and stated that she would leave the room during determination thereof.

PB-43 DEFERRED/WITHDRAWN APPLICATIONS

RESOLVED – that planning applications TWC/2010/0208 and TWC/2010/0335 be deferred to allow for Site Visits to be made.

PB-44 SITE VISITS

RESOLVED – that the following Site Visits take place on Wednesday, 27th October, 2010:

3.30 p.m. - TWC/2010/0208 – Land at Cedar Close, Telford, Shropshire

4.15 p.m. – TWC/2010/0335 - Former Reservoir Opposite 4 Hillside East, Lilleshall, Shropshire

PB-45 PLANNING APPLICATIONS FOR DETERMINATION

(a) TWC/2010/0055 - 38 Limekiln Lane, Lilleshall, Newport, Shropshire

At the meeting of the Plans Board on 15th September, 2010 Members had resolved that this application be deferred to allow a Site Visit to be made. The agent had provided an additional plan showing the existing wall/fence heights and the position of the proposed new roof over the existing garage and the applicant had provided photographs of the existing elevations and 45 degree code plan showing the effect of the proposal upon her property.

This was an application for a new pitched roof above the existing garage and previously approved rear extension, and a new pitched roof to the existing flat roof bathroom dormer window. The submitted plans also showed proposed single storey side and rear extensions under permitted development. Lilleshall, Donnington & Muxton Parish Council had requested that the application be determined by the Plans Board.

One letter of objection had been received from the nearest neighbour at No.36 Limekiln Lane, as summarised in the report. As a result of these concerns, the design of the new garage roof was altered from a gable roof to a hipped roof to lessen the impact and achieve compliance with the 45 degree code. Following consultation on the amended scheme, the occupant of 36 Limekiln Lane had submitted further objections, as set out in the report. Lilleshall, Donnington & Muxton Parish Council had objected to the application on the grounds of the loss of natural light into two rooms in 36 Limekiln Lane.

The new pitched roof above the existing flat roofed dormer window to the bathroom was considered appropriate and an enhancement which would have a positive impact on the visual quality of the dwelling. There would be no impact on the residential amenity of the neighbouring property. The applicant also intended to re-roof the original house with new tiles but the chosen roofing material colour was deemed inappropriate for the location and incongruous within the streetscene. The update report tabled at the meeting informed the Board that an alternative roof tile had been submitted, 'Marley Mendip', which was considered the most appropriate match when viewed in context and was, therefore, recommended for approval. Therefore, an Informative stating that Redland roof tiles were not approved was no longer necessary and a condition stating 'roofing materials as approved' was recommended. Two extensions, one to the north-east and one to the south-east of the property were also proposed, as set out in the report, but these did not require planning permission as they fell under Permitted Development.

With regards to the concerns raised by the neighbour at No. 36 Limekiln Lane, officers did not consider that there was any significant infringement of the 45 degree code as detailed in the report. Rights to Light was a civil matter between neighbours and independent of the planning system. Inevitably, the majority of planning applications involved balancing the rights of the applicant and the rights of any objectors and, in this case, it was considered that the "interference" was minimal and negotiations had taken place with the applicant to reduce the effect by the change to a hipped roof from a gable roof. Members were advised that, if the application was refused, the applicant could demolish the existing garage and previous extension and replace them with a longer and higher building under Permitted Development. The impact of this application was less than that under Permitted Development for

which planning permission was not required and over which the Local Planning Authority had no control.

In conclusion, it was the officer's professional opinion that the replacement pitched roofs, as amended with hipped elements, would not significantly, adversely impact upon the residential amenity of the neighbouring dwelling. The proposed development would have a beneficial impact upon the character and appearance of the dwelling and thus a positive affect upon the street scene. Accordingly, the proposal complied with both local and national policy.

Councillor A.J. Eade, Ward Member, spoke in support of the owner of 36 Limekiln Lane. He said that the application, if approved, would interfere with her light and considered that it was not justifiable in this instance.

Mrs. Turner, the owner of 36 Limekiln Lane expressed a number of concerns regarding the effect of the proposal upon her property. She considered the proposed pitched roofs would have an adverse effect on her residential amenity, would overshadow her property, reduce her outlook and could result in a detrimental impact upon the market value of her property and that more importance seemed to be given to streetscene issues..

Mr. Healey, the applicant's agent, spoke in support of the application. He said that the proposed pitched roof would be practical, aesthetic and form part of a continuous new roof over the three elements of the proposal. It would also allow the roof of the existing house to be retiled with matching tiles. In conclusion, the appearance of the property would be greatly improved and present no loss of amenity to neighbouring properties.

RESOLVED – that with regard to planning application TWC/2010/0055 planning permission be granted subject to the conditions as set out in the report with the removal of I Custom Informative stating that Redland roof tiles not approved and the imposition of a condition stating 'roofing materials as approved'.

(b) TWC/2010/0200 - Capewell Works, Sommerfield Road, Trench Lock, Telford, Shropshire

As Members were aware outline planning permission was granted by the Plans Board in October 2009 for residential development subject to a Section 106 agreement, which remained unchanged. This was a Reserved Matters application for approval of the layout, scale and appearance of residential development comprising 234 houses. The 9.4ha. site would comprise a mix of detached and terraced dwelling houses with a 0.75ha open space LEAP provision and a 1.45ha retained existing woodland. A single access point would serve the development off Sommerfield Road and then split into a series of interconnecting highways and cul-de-sac within the estate proper. A particularly important requirement was to protect future residents from the effects of noise emanating from the A442 Queensway and development along the northern part of the site would be pulled back and an acoustic barrier provided to secure acceptable noise limits attached as conditions to the outline permission.

Since the application was submitted it had been revised to incorporate design improvements and to secure improved noise protection along the northern boundary, resulting in a slight reduction in the total number of houses to be built. A condition placed on the outline permission had permitted a lower density, a minimum of 30 units per hectare, than would normally be required and this had generally been achieved with a mix of 3 and 4 bedroom detached and 2 bed terraced units. Members were aware that the Secretary of State had recently announced the abolition of minimum density standards

The development had been designed utilising Redrow's standard house types comprising two-storey arts and crafts designs of a mix of brick and render elevations with tiled roofs. The development included provision of a Local Equipped Area of Play at its centre and, under the outline permission and Section 106 Obligation, it was intended that this be provided in accordance with Council specifications and adopted by the Council under a management arrangement and payment of a commuted sum. Whilst no affordable housing was currently proposed, in line with the agreement secured under the outline permission, should the development not proceed at a reasonable pace, the Section 106 provided for this to be revisited.

The site was heavily contaminated from previous uses which would require considerable remediation. There were drainage issues due to the maze of pipes and chambers beneath the site for the abstraction of mine water and to feed Middle Pool, including a serpentine chamber that removed iron ochre from the water. The design achieved sustainable attenuation of surface water run-off and provided proposals for the treatment of former mine-water via the restoration of the Serpentine. The developer had held discussions with the Authority with regard to possible future maintenance which would be dealt with outside the planning process but would involve commuted payments.

Oakengates Town Council had expressed major concerns regarding the lack of community facilities for a development of this scale and British Waterways had raised concerns relating primarily to the drainage of the site. Following discussions between the Council, British Waterways and Entec (the applicant's planning consultants) agreement had been reached as to how the water flows would be diverted to fit the development scheme and that an appropriate commuted sum be agreed before commencement on site. If an independent management company was to be utilised, relevant details would be required. Members noted that the outline permission had been the subject of 32 individual and mostly highly technical planning conditions that constrained the technical solutions available for dealing with surface water, including mine waters, highway and land contamination. These conditions remained to be satisfied through pre-commencement and restrictive conditions. Similarly, the Section 106 Agreement set out the nature and level of planning and community benefits that would be accrued.

The development in terms of design and treatment of open spaces was acceptable and the layout provided a medium to low density with above average off-street parking. By achieving a reasonable mix of house types it was hoped that this would help to meet the needs of the local community. The layout incorporated "Home Zone" elements but, due to the suburban nature of the development, it had not been possible to fully satisfy the Manual for Streets. This encouraged a flexible approach to estate developments with roads and dwellings, etc being thought of as cohesive

elements in order to achieve a more permeable layout, where loops were preferred to culs-de- sac, and road design would limit traffic to 20 mph speeds by the use of shared surfaces, traffic calming devices and “gateway” features.

Councillor C.F. Smith welcomed the proposal but stressed the ecological importance of the English crayfish found on the site. Councillor F.R. Picken commented on the lack of affordable housing within the proposal but the Head of Planning responded that this would be a difficult site to reclaim and the planning process had had to take account of the financial stability of the developer when approving the outline planning application.

RESOLVED – that with regard to planning application TWC/2010/0200 reserved matters approval be granted subject to the conditions/informatives as set out in the report.

(c) TWC/2010/0208 - Land at, Cedar Close, Telford, Shropshire

RESOLVED – that determination of planning application TWC/2010/0208 be deferred to allow a Site Visit to be made.

(Councillor R.T. Kiernan left the room during determination of the following application in line with his declaration of interest.)

(d) TWC/2010/0295 - The Piggeries, Rodington, Shropshire

At the meeting of the Plans Board on 15th September, 2010 the Members had resolved that determination of this application be deferred to allow a Site Visit to be made. The officer’s report included within the agenda for that meeting had made reference to a protect species survey which had been included in a previous submission but which had not been formally registered as it was incomplete. A copy of this had been subsequently been provided on behalf of the applicant to address Refusal Reason 4 of the report. This was reviewed by the Council’s Environmental Planner but, given the survey had been carried out more than two years previously and the recommendation within the survey required a further survey should works not be carried out within a twelve month period, officers considered that this information was insufficient to overcome the refusal reason and, therefore, the development would still be contrary to national guidance in PPS9.

Officers wished to clarify the Council’s position in respect of Rodington Parish Council’s comments on the previous planning refusal. As outlined in the report to this meeting, the development would be contrary to planning policies in the Core Strategy and the Wrekin Local Plan. There needed to be exceptional reasons for new residential development to be permitted outside the key suitable settlements, but, as officers considered that there were no material considerations or exceptional reasons to outweigh planning policies, the proposal was recommended for refusal.

In Rodington Parish Council’s correspondence to the Planning Inspector reference was made to other developments that had been permitted in the rural area and which had been allowed at appeal, namely Tern Farm. However, officers and the Inspector considered that these developments were totally different in quality and

character to The Piggeries buildings and officers considered that the appeal decision at Tern Farm could not be held as setting any precedent for approval of the ordinary buildings the subject of this application.

The application sought full planning permission for the conversion of the original barn into a single storey one-bedroom dwelling. The existing modern extension to the building would be demolished and replaced by a front garden area and the property would be accessed by the existing shared driveway, with car parking to the west and a large rear garden to the east. Councillor J.M. Seymour, Ward Member, had requested that the application be determined by the Plans Board.

The proposal was a reduced scheme from the development (W2008/0167) that was dismissed at appeal, with the more intact linear element to the east, the subject of this application, with the workshop and modern extensions being removed. The Planning Inspector had considered the proposal was contrary to Policy H18 of the Wrekin Local Plan.

The application site comprised an existing dilapidated barn, with modern extensions, the remaining elements of the original building not being considered to be of architectural or historic significance. The site was located on the edge of Rodington, with residential properties and the Grade II listed St George's Church to the south, and open countryside to the north and east. Rodington was characterised by 'ribbon development' formed along four lanes, which met in the centre of the settlement, and was predominantly residential with limited local facilities including the adjacent church and The Bulls Head public house.

The Council's Conservation Officer had noted the Planning Inspector's comments on the apparent condition of the eastern wing of the building in the appeal decision but did not accept that the building was of such architectural or historic merit to warrant saving the building through conversion if existing policies could not support the development. However, she also stated that, if other planning policies accepted the reasonable conversion of the more intact range, she would have no objection to the revised proposals as submitted subject to conditions on materials, mortar and pointing, fenestration, etc.

The Council's Environmental Planner had objected to the proposal and stated that a protected species survey was required to determine whether they were present in the building and what would be the impact upon them of the development. The results of such a survey would inform the planning decision and was required prior to determination of the application.

With regard to national guidance contained in PPS1, PPS3, PPS4 and PPS7, new development should be located in or on the edge of existing settlements and service areas where housing, employment, services and other facilities were provided close together in order to create sustainable communities. Core Strategy Policy CS1 required the spatial distribution of new homes to be consistent with the Spatial Development Strategy, whereby housing needs in the rural area would be met by approximately 170 new dwellings over the period from 2006 – 2016, a threshold that had been met dwellings already built or having received planning permission.

Policy CS7 stated that development within the rural area should be limited to meet the needs of the area and be focussed on the three key settlements of High Ercall, Tibberton and Waters Upton with development outside these settlements being limited and within the open countryside being strictly controlled. Rodington was not one of the key settlements and, whilst it was listed as one of the thirteen suitable settlements in Policy H9 of the Wrekin Local Plan, this had been superseded by Policy CS7 in the Core Strategy. Therefore, any new residential development in Rodington would be limited to agricultural, forestry or other occupational dwellings or affordable housing, having regard to national policy guidance and the proposal had not been identified as any of these exceptions.

Policy H18 of the Wrekin Local Plan asserted that the conversion of non-residential buildings to residential use in the rural area would be strictly controlled. Where the proposal was outside the three suitable settlements in the rural area, the conversion of non-residential buildings would only be permitted if the criteria set out in the report were met. The current application failed to demonstrate marketing of the buildings to ascertain whether there could be any alternative uses for the building. Rodington was no longer designated as a suitable settlement and the buildings were not deemed to be of sufficient architectural or historic merit to justify conversion to ensure the long term retention of the building. In addition, the applicants had not claimed that the dwelling was for any essential agricultural or forestry need. It was, therefore, considered that the proposal failed to demonstrate any exceptional planning circumstances for the conversion of the building to a dwelling, and was, accordingly, contrary to policy H18.

Officers noted that the current proposal represented a more sympathetic conversion of the building than the previous application and that, in the Design & Access Statement, the applicant had taken account of the Planning Inspector's comments regarding the previous scheme.

Rodington Parish Council's comments in support of the proposal had been noted with regard to the eyesore created by the partly constructed extension to the current building and to the provision of affordable housing. However, the existing building was located on the edge of Rodington and did not appear prominent in the area, the proposed conversion would not have a significant impact in terms of enhancing the character of the settlement. Moreover, officers were of the opinion that, whilst the proposed development would create a modest one-bedroomed dwelling, the application and supporting information did not specify that the development would be an affordable property.

Councillor J.M. Seymour, Ward Member, spoke in support of the application. She said that the proposal to replace this derelict building would please local residents, enhance the area around the Listed Church and be in accordance with the wishes of Rodington Parish Council. She considered that, as the Regional Spatial Strategies had been abolished, building in the rural area should be determined at a local level, superseding policies maintained in the Core Strategy.

Councillor D. Johnson of Rodington Parish Council, spoke in support of the application and stressed the need for housing to be provided in Rodington for local residents.

Councillor C.F. Smith said that the conversion of building in such a poor condition would be beneficial to the surrounding area. He accepted that Planning Officers had to work within the policy framework but there were circumstances when the Members were justified in taking a different view. Whilst he supported the application, he asked that permitted development rights be removed from the building to prevent any further development taking place on the site.

The Head of Planning added that the Core Strategy had been approved some years previously under the then prevailing planning regulations with the aim of protecting the rural area. With regard to the number of houses within the rural area, this was set by the Planning Inspector and the Council was required to follow it. He advised the Board that they could decide to depart from policy if they believed that the circumstances were appropriate and the merits of the application justified. Approval of this application would not set a precedent for other applications. Given the site's location close to a Listed building, the removal of an unsightly building, and the significant benefit to the local community it would be reasonable to depart from policy in this instance.

RESOLVED – that with regard to planning application TWC/2010/0295 the Head of Planning be authorised to grant planning permission subject to the imposition of appropriate conditions including submission of an updated ecological survey and the removal of Permitted Development Rights on the site.

Reasons for Approval:

The existing barn was in a state of dereliction and there was strong local support for it to be converted into a residential dwelling to the benefit of the surrounding area including the adjacent Listed Church. In addition, adjacent properties overlooked the existing barn, therefore its conversion into a residential dwelling would have positive impact on the adjacent residential amenities.

(Councillor R.T. Kiernan returned to the meeting for determination of the remaining applications)

- (e) TWC/2010/0335 - Former Reservoir Opposite 4 Hillside East, Lilleshall, Shropshire

RESOLVED – that determination of planning application TWC/2010/0335 be deferred to allow a Site visit to be made.

- (f) TWC/2010/0338 - Land off, Osbaston Road, Rowton, Telford, Shropshire,

This application sought planning permission for the erection of an agricultural building measuring 36.6 metres in length and 12.2 metres in width with an eaves height of 4.6m and 6.4m to ridge. The plans indicated that half the building would provide cattle housing and half storage, with open sides to the cattle housing and the straw barn and store being enclosed. It would be constructed in precast concrete panels, box profile metal sheeting with a roof constructed in anthracite grey cement fibre sheeting and located on the western tree-lined boundary of the site utilising the existing access point into the field. The site was existing agricultural land currently

used for grazing cattle and the storage of agricultural machinery and was bounded by hedgerows and well-screened from the highway. Councillor Stephen Bentley, Ward Member, and Ercall Magna Parish Council had both requested that the application be determined by the Plans Board.

Ercall Magna Parish Council had objected to the proposal on the grounds that the site was very small with the proposed large building being located close to the highway and in a flood plain area. Councillor Bentley considered that the scale of the building was inappropriate.

The Council's Highways Engineer had no objection in principle to the proposal but had requested a condition relating to the resurfacing of the existing access and had advised the inclusion of the standard highways informative regarding work on an adopted highway.

Additional information had been submitted to clarify the site area on the plans and to justify the proposal in light of initial local objections. The building was required to provide shelter during the winter months for suckler cows and their offspring and to provide additional storage for animal feed and existing farm machinery which was currently sited in the field and kept outdoors all year round. The applicant particularly wished to provide shelter for the cattle during inclement weather and the scale of the building had been dictated by the size of the herd and requirements for minimum space allowances together with providing a storage facility. The applicants considered that the building would improve the welfare of the animals, the efficiency of the farm and the visual appearance through its design and materials. It was not envisaged that the proposal would increase traffic movements.

With regard to the national and local planning policies, officers considered that, whilst the building was a relatively large structure and there was limited development in the vicinity, it was acceptable in terms of the scale, design and materials in the context of the existing site and character and appearance of the rural area and surrounding agricultural land. The development would be sufficiently screened from the highway by the existing trees and hedgerows, and its position close to the tree line and the proposed form and materials would help to soften its visual impact in the open countryside.

The update sheet tabled at the meeting informed the Board that, following reconsultation on the amended plans and additional information, Ercall Magna Parish Council had now confirmed its support the application, subject to there being no local objections. One neighbour letter of objection had been received, as summarised in the report. Officers had noted the comments and, whilst it was acknowledged that the building was substantial, it was considered that the development would not be overly prominent beyond the site boundaries by reason of the existing screening and design and materials of the building. With regard to the comment that the development would set a precedent for agricultural residential occupancy on site, Members were informed that any future application for such a dwelling would require a clear assessment of the need for such a property and be considered on its merits. The development was an agricultural building located on existing agricultural land and officers considered the proposal to be in keeping with the character of the rural area. It was located approximately 100m. from the nearest residential properties and, therefore, would not have a detrimental impact on their

residential amenity. Following submission of details regarding the soakaway, the Council's Drainage Engineer had confirmed this information was sufficient and that one of the pre-commencement conditions had been resolved. Therefore the conditions had been revised and the planning permission was no longer subject to a condition regarding details of the soakaway.

Mr. Richards, the applicant's agent, spoke in support of the application outlining the need for the development.

Councillor C.F. Smith supported the application, which would provide an agricultural building in an agricultural setting and encourage development in the rural area. Not only was the barn needed for the herd but would provide much needed security for valuable farm machinery.

RESOLVED – that with regard to planning application TWC/2010/0338 planning permission be granted subject to the conditions as set out in the report with the removal of the condition requiring the provision of details of the soakaway.

(g) TWC/2010/0397 - 4 New Street, Dawley, Telford, Shropshire

This application, submitted by Telford & Wrekin Council on behalf of the Dawley Regeneration Partnership, sought planning permission for the change of use of the existing vacant office unit (Use class A2) to internet cafe, meeting and training space, office, sales area, information point and display area (mixed use) proposed as 'The Dawley Hub'. This use was proposed for a period of approximately two years until an alternative location became available. This project was in receipt of funding from the Borough Towns Initiative.

The application site was an existing two-storey brick and tile detached building with a single storey rear element. It abutted the highway and was painted white with a narrow single door entrance located on the projecting gable and large windows to the frontage at ground floor. A gated side access led to the rear amenity space which was bounded by timber fencing approximately 1.2m to 2m in height. Work had commenced to renovate and redecorate the premises with the doors being widened to improve disabled access and toilets and kitchen facilities had been provided.

The site, which was owned by Telford & Wrekin Council, would bring a vacant unit in Dawley Centre back into use and provide a centre for communication bringing community engagement and potential economic benefits to the town through the involvement of TCAT and Shropshire Chamber of Commerce. In addition, it would improve business links to Dawley and meet sustainability principles in social, economic and environmental terms.

The proposed works to the property were considered acceptable in terms of the design and materials, were in keeping with the character and appearance of the existing building and context of the area. The building was located in a highly accessible position within Dawley District Centre, close to the bus terminus and public car park and the proposal would support the regeneration of Dawley and help to strengthen its role and the services it provided.

RESOLVED – that with regard to planning application TWC/2010/0397 planning permission be granted subject to the conditions as set out in the report.

(h) TWC/2010/0409 - PSG, 30 Alexandra Road, Wellington, Telford, Shropshire

This application sought planning permission for the change of use of half of the existing vacant retail unit (use class A1) to a Martial Arts Centre (use class D2). The building, which was set back from the highway and at a slightly lower level to Haygate Road, was bounded by 1 metre high metal railings and there were a number of established trees on the boundary of the site.

Wellington Town Council had objected to the proposal on the grounds of inappropriate use in a largely residential area, possible long opening hours causing disturbance to residents, and lack of parking facilities. In addition, letters had been received from 5 neighbours raising a number of concerns, as summarised in the report. Following the submission of further information regarding the proposed activities, users of the Centre, employees, and opening hours, the Local Planning Authority had reconsulted the statutory consultees and local residents.

In addition to becoming a Martial Arts Centre, the unit would operate as a health centre providing circuit training, skipping, holistic healing and Indian head massage, with the opportunity to educate people about Chinese Culture. The applicant worked closely with Telford & Wrekin Council and the Telford Chinese School to provide facilities for a variety of age groups, ethnicities, able-bodied and disabled people and disadvantaged families. Funding for the facility had been partly provided by Hollinswood & Randlay Parish Council and BME Medical at Sutton Hill Community Centre.

The applicant was the only full time employee but there would be a number of volunteers to help with the classes together with 3 staff paid by Shropshire Council's 'Future Jobs Fund' working for 6 months to gain a qualification. The additional information submitted suggested that there would be approximately 10 volunteers in total although they would not all be working at the Centre at the same time.

The proposed hours of operation were 8 a.m. to 10 p.m. Monday to Saturday with the possibility of the Telford Chinese School or other clubs using the facility on Sundays. While, the applicant stated that the facility might only be in use in the evenings and was dependent on demand, if successful, classes for adults with disabilities and the elderly would be held during the day, together with After School Clubs and some evening classes until approximately 9 p.m.

The comments made by Wellington Town Council and neighbours had been noted but the Council's Highways Engineer had raised no objections to the proposal as it would not alter the existing access or reduce the car parking facilities. In addition, the site was a highly accessible location close to the District Centre and associated public transport, public car parks, and within walking distance of a bus route with a regular service. Haygate Road had a mix of residential and commercial uses and, whilst it was noted that this was a sensitive location close to established housing, it was considered that the proposed use would have no further adverse impact on adjoining residential amenity than the existing retail use which had no controlled hours of operation, in terms of vehicle movements, noise and disturbance. However,

given the site's location closer to residential properties than the adjacent public house, officers considered that the proposed hours of use should be restricted to 8 a.m. to 9 p.m. Monday to Friday, 9 a.m. to 6 p.m. on Saturdays and 10 a.m. to 4 p.m. on Sundays and Bank Holidays.

Mr. John Toll spoke on behalf of local residents and detailed their objections to the application in terms of increased traffic, parking and noise. He accepted the premise of the application but considered that this was not an appropriate location for such a facility. Councillor Rosemary Chaplin, Ward Member, reiterated these views in a written statement read to the Board. She urged the Board to recognise the serious implications of the application and to reject it on the grounds of inadequate parking facilities for the nature of the business and its adverse effect on the residential area.

Several Members voiced the opinion that this facility was not appropriate for the location but Councillor David Chaplin reminded them this was a mixed residential/commercial area and the property had been used commercially for many years. Councillor N.A. Dugmore supported the application but said that, with regard to the opening hours, 9.00 a.m. would be preferable to 8.00 a.m. thus avoiding peak hours of traffic movements.

The Head of Planning advised that the Highways Engineer had no objections to the proposal and that refusal on such grounds could not be justified.

RESOLVED – that with regard to planning application TWC/2010/0409 planning permission be granted subject to the conditions as set out in the report and to the hours of Monday to Friday being amended to 9 a.m to 9 p.m. Monday to Friday.

(Councillor J.A. Francis left the room during determination of the following application in line with her declaration of interest).

(i) TWC/2010/0416 - School House, School Lane, Ketley, Telford, Shropshire

This planning application related to the change of use of a 76 sq.m. triangular piece of open space to private garden land and the erection of a new boundary fence at the rear of the property. The application site, which lay within the curtilage of the now demolished Good Companions Hall was owned by Telford & Wrekin Council but had been leased to Ketley Parish Council in recent years.

The site was shown as 'white land' on the Wrekin Local Plan and was not within an area designated as a Wildlife Site, Local Nature Reserve, or Site of Special Scientific Interest. Although, until 5 years ago the land had been used as a nature area, it was now neglected and very overgrown. The applicant's present rear garden was very small and incorporating the proposed triangle of land would give the property a large and more usable garden. The applicant wished to make the site into a wild garden to attract birds and insects and hoped that the proposed fence would improve the security of the property.

The Council's Property & Design Section had confirmed that there were currently no plans for any residential development on the larger site. However, approval of this application would not prevent the future development of the remainder of the site.

It was, therefore, considered that this change of use was acceptable and would not have a detrimental impact on the character and appearance of the surrounding area and would not adversely affect the residential amenities of the adjacent dwelling.

RESOLVED – that with regard to planning application TWC/2010/0416 be approved subject to the conditions as set out in the report.

(Councillor J.A. Francis returned to the room for the determination of the remaining applications.)

- (j) TWC/2010/0427 - Newport Swimming Pool, Victoria Park, Newport, Shropshire

This planning application by Telford & Wrekin Council sought approval for the replacement of the existing pitched roof and extension of the roof line to enclose new plant equipment.

As part of the necessary maintenance of the building it was proposed to remove the existing roof coverings and replace the existing profiled metal sheets with new ones that contained a greater thickness of insulation. The new profiled metal sheets would match as closely as possible the existing profiles. In addition, it was proposed to extend the roof line to cover over the flat roof that contained the existing plant.

The new roof would improve the appearance and insulation of this functional building and the extended roofline would enclose the existing unsightly plant on the side of the building. In conclusion, it was considered that the proposed works would greatly enhance the appearance of the swimming pool and make it more aesthetically pleasing for the residents of the dwellings in the immediate vicinity of the site.

RESOLVED – that with regard to planning application TWC/2010/0427 planning permission be granted subject to the conditions as set out in the report.

- (k) W2006/0291 - Land off, Peregrine Way, Leegomery, Telford, Shropshire

At its meeting in September, 2008 the Plans Board granted outline planning permission for residential development subject to a Section 106 agreement. Subsequent to that approval negotiations had taken place with the Ward Member, local residents including the Local Residents Group APA, and the Homes & Communities Agency (HCA) as land owner with regard to the level of residential development on the site.

This consent included supporting documentation for 180-200 dwellings on the site but the Plans Board had recognised that up to 150 dwellings could be accommodated and it was upon that basis that the Section 106 Agreement contributions had been negotiated and agreed. The negotiations had led to an agreement for a maximum of 100 dwellings, which was a significant reduction from that set out in the approved documentation.

The original consent had not prescribed the number of dwellings that had been approved, therefore, no alterations to the planning permission were required.

However, since the alteration to limit the number of dwellings to a maximum of 100 had been at the request of the Council, the HCA had formally requested a variation to some of the terms within the Section 106 Agreement to reflect this change.

The variation was to reduce the affordable housing provision from no less than 3% to no less than 20%, all other terms regarding the mix and type remaining unaltered. The Council's Strategic Housing Officer had raised no objections to this variation.

The Highways contributions for the upgrade/widening of the Leegomery roundabout were to be reduced from £50,000 to £35,000 and the sum for upgrading the local bus service reduced from £120,000 to £100,000. The Council's Highways Engineer had been involved in the negotiations and raised no objection to the variations. All other contributions remained unaltered, as detailed in the report.

The reduction in the total number of dwellings was acceptable in planning policy terms, following amendments to PPS3 which had omitted the density level requirements, and subsequent reserved matters applications could ensure an adequate design and layout was achieved. In addition, due the significant reduction in the numbers of dwellings on the site, officers considered that the reduced Section 106 contributions were adequate to address and mitigate the level of impact of the development.

At the discretion of the Chairman, Councillor A.J. Eade was permitted to speak in support of the application. He welcomed the reduction in the number of units which had been achieved following negotiations between the developer, the Homes & Communities Agency and local residents. This was an edge of town location and the reduced density would more realistic in that context. Whilst the Section 106 contributions had been reduced, they were still sufficient to provide the required infrastructure.

Members accepted the reduction in the number of units but asked that the element of affordable housing be no less than 20%. The Council's Solicitor advised them the Agreement was currently being drafted and she assured them that it included a provision for 20% affordable housing.

RESOLVED – that with regard to planning application W2006/0291 the alteration to the provisions of the Section 106 Agreement through a deed of variation to change the contributions to £35,000 for the widening of Leegomery roundabout, £100,000 for improvements to the local bus service and no less than 20% affordable housing provision be approved.

The meeting ended at 7.40 p.m.

Chairman:

Date: