

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 22 August 2012 at 6.00pm in the Reception Suite, Civic Offices, Telford, Shropshire

PRESENT: Councillor S A W Reynolds (Vice-Chair in the Chair), N A Dugmore, I T W Fletcher, J Loveridge, C P R Mollett (as substitute for Councillor R T Kiernan), G C W Reynolds, R J Sloan (as substitute for Councillor J C Minor), and C R Turley

ALSO PRESENT: Councillor T J Hope (for planning application TWC/2012/0419); V A Fletcher (for planning application TWC/2012/0423) and A D McClements (for planning application TWC/2012/0487).

PB-025 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 1 August 2012 be confirmed and signed by the Chairman.

PB-026 APOLOGIES FOR ABSENCE

Councillors J C Minor (Chairman) and R T Kiernan

PB-027 DECLARATIONS OF INTEREST

Councillor J Loveridge declared a personal and prejudicial interest in planning application TWC/2012/0565 and indicated that she would leave the room during determination thereof.

Councillor C P R Mollett declared a personal interest in planning application TWC/2012/0419 as the application site fell within his Ward boundary although he had not yet formed a firm view on the application.

Councillor R J Sloan declared a personal and prejudicial interest in planning application TWC/2012/0487 and indicated that he would leave the room during determination thereof.

Councillor C R Turley declared a personal interest in planning application TWC/2012/0565 as he was a Parish Councillor but did not sit on the Parish's Planning Committee.

PB-028 DEFERRED/WITHDRAWN APPLICATIONS

None.

PB-029 SITE VISITS

RESOLVED – that in accordance with the decision reached at the meeting of Plans Board on 7 March 2012 (minute number PB-091(d)) a site visit takes place at 3.45pm on Wednesday, 12 September 2012 at Kynnersley House Farm,

Kynnersley, Telford, Shropshire, TF6 6DX in respect of application numbers TWC/2011/1027 and TWC/2012/0068.

PB-030 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Board and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2011/0749, TWC/2012/0419, TWC/2012/0423, TWC/2012/0487 and TWC/2012/0565.

(a) TWC/2010/0828 Land at Ironstone, Lawley, Telford, Shropshire

Members received this report, read in conjunction with the report for application TWC/2012/0419, which sought the Plans Board's agreement to a variation of the existing S106 agreement for Lawley Sustainable Urban Extension (SUE) for the development of Phase 6 and Phase 2 of Lawley Square.

Councillor A Hussey, representing Lawley and Overdale Parish Council, addressed the Board to oppose the renegotiation of the Section 106 Agreement which he considered had not received initial Parish involvement or agreement. He expressed disappointed that the Agreement appeared to be regularly debated and altered without any dialogue with the Parish Council.

The Planning Officer advised that the proposed variation sought an alteration to the amount of affordable housing provision for Phase 6, with a reduction from 25% to 15% and to amend the mix from 13% to 10% shared ownership tenure and 12% to 5% social rented tenure. In addition, a request had been made to omit the affordable housing obligation for residential units above shops in the second phase of Lawley Square Local Centre, known as Buildings 1 and 2. The request had been supported by a viability appraisal which demonstrated that any provision would not make this element viable.

Councillor G C W Reynolds was alarmed at the reduction of affordable housing provision and sought reassurance that, should the economy improve there would be opportunity to review provision upwards. The Planning Officer confirmed that this was the case.

Similarly, Councillor C R Turley expressed his unease with the proposals. However, he noted recent government concern that economically unrealistic agreements were subduing development and, taking a pragmatic approach, he considered that a reduction in affordable housing was better than halting development. He noted the difficulties posed by the economic climate and welcomed the Planning Officer's assurance that a review mechanism could be put in place.

Councillor I T W Fletcher had grave concerns regarding the proposals. He sought clarification regarding how many affordable dwellings had been lost throughout the whole development to date and sought reassurance regarding the integrity of the viability assessment. In response, the Planning Officer advised that full open book accounts had been received which had been reviewed in-house by officers skilled in this area.

Councillor C P R Mollett asked what proportion of the overall Lawley SUE this phase represented and what timescale was envisioned for completion. The Planning Officer advised that a number of phases were yet to come forward but the current two phases represented approximately 10% of the overall development. Approximately 400 dwellings had been built on site, and it was anticipated that there would be 3300 at completion which it had been envisioned would take 10-15 years but this had realistically been revised upwards to 20 years.

Councillor N A Dugmore was extremely unhappy at the reduction in affordable housing and expressed his bafflement at the economic logic to increase private housing in a poor economic climate when there was a ready demand for affordable housing across the whole of the Borough.

The Assistant Director: Planning Specialist shared in the Board's disappointment but reminded Members of the Authority's obligations and advised that it would be difficult to resist a proven viability case which had been endorsed by the Housing and Communities Agency. He advised that the affordable housing element of any development had to be provided at a subsidy which, when considered alongside other site issues such as the cost of remedying ground conditions, affected the viability of provision. Each site, therefore, had to be judged on its individual merits with the best possible outcome achieved at each phase.

Councillor Rob Sloan concluded the debate by noting that whilst all Members were disappointed with the proposed reduction in affordable housing, due to government guidelines, the Board was not in a position to refuse the variation. Upon voting, the majority of Members concurred with this view.

RESOLVED – that with respect to planning application TWC/2010/0828 the Development Management Manager be authorised to agree a variation to the Section 106 Agreement by approval in writing and/or formal deed of variation as appropriate so that the affordable housing provision be reduced to 15% in relation to the 388 units at Phase 6 and no affordable housing be required for the 32 flats/apartments subject to appropriate review mechanisms.

(b) TWC/2011/0749 Metal & Waste Ltd, Lightmoor, Telford, Shropshire, TF4 3QN

This was a retrospective application which sought retrospective consent for the installation of a baling machine and associated engine house. Due to issues highlighted on the acoustic report, the erection of an 8m high wall was recommended to enclose the baler. In addition, the proposals sought consent for the continuation of use of the site for car dismantling and scrap storage. The Local Authority requested the change of use application resolve planning concerns related to the history of use at the site and regularise the use of the site for car sales.

Councillor F M Bould, one of the Borough Ward Members for Dawley Magna, was unable to attend the meeting to speak and her written comments were, therefore, tabled.

Mr G Lewis, of the Lawley Waste Action Group, spoke regarding the proposals which he considered would cause increased activity at the site, noise disturbance and increased traffic danger. However, he welcomed the opportunity for the applicant to engage positively with local agencies and sought support for some conditions to be strengthened. These conditions included considering scrap and metal pressing as one entity, provision of a noise management plan prior to permission being issued, clarification on the time at which deliveries could occur, and the creation of a Liaison Group.

Mr J Rice, the applicant, stated that he had worked in collaboration with Planning Officers to bring this application before the Board and it was unfortunate that he had not been aware of some of the impacts that the site had upon neighbours prior to acquisition. The site had been chosen due to its locality to service users and could support industries in Telford which would generate employment and hopefully increase activity in the Borough. He embraced the opportunity to work with local residents and the Environment Agency.

The Planning Officer referred Members to the tabled update report and pointed out that stability issues, particularly following the submission of amended plans to site an acoustic wall on the edge of a spoil mound, were not yet resolved and an investigation report was awaited. In addition, it was possible, if Members were so minded, to enter into further discussions regarding the hours of operation and delivery.

Councillor N A Dugmore sought clarification on the planning history of the site set out in the report and was advised that planning permission for a residential development had been refused in 2002 on the basis that the location was isolated with unstable ground conditions (policy H7) and that little information had been received to justify residential development on green network land (policy OL4); the 2009 application had been withdrawn and the 2010 application, whilst technically still live, was in abeyance due to slope stability issues which the applicant did not wish to invest against. Councillor Dugmore also asked how the throughput of material would be monitored and was advised this would be through returns to the Environment Agency and, on request, to the Local Authority. Councillor Dugmore expressed concern regarding the hours of operation and delivery which he considered coincided with the "school run".

Councillor G C W Reynolds empathised with the objections made by residents but welcomed the co-operative approach taken by the applicant. She expressed disappointment that the applicant had not more fully researched the site prior to purchase. However, she welcomed the employment opportunities that could be generated by the proposals and overall she considered that the proposed conditions would improve the quality of local residents' lives.

Councillor R J Sloan also expressed disappointment that the applicant had not been more diligent regarding the needs of local people prior to his acquisition of the site which he noted had a long history of enforcement. Councillor Sloan expressed some concern at the long hours of site operation but he considered that this was mitigated by the positive approach to working with local people which the applicant had exhibited and which he welcomed.

Councillor C R Turley noted that a noise management plan was required prior to the use of the baler and that environmental permits were in place. He considered that the proposal would generate employment in the area and, subject to the recommended conditions, together with liaison between the applicant and local residents and agencies, he felt that the proposals could be supported.

RESOLVED – that with respect to planning application TWC/2011/0749 the Development Management Manager be authorised to grant Planning Permission subject to a suitably worded condition with regard to stability and further subject to the conditions as set out in the update report.

(c) TWC/2012/0419 Lawley Phase 6, Dawley Road, Lawley, Telford, Shropshire

This application sought reserved matters consent for 388 dwellings including details of access, scale, mass and design of buildings and landscaping. The proposal also included off site highways works to alter the design and layout of Dawley Road and included traffic calming measures. The proposal was for two access points into the site off Dawley Road and Lawley Road, the creation of 388 two to three storey dwellings with a mix of 1, 2, 3, 4 and 5 beds, with associated gardens and parking.

Councillor A Hussey, representing Lawley and Overdale Parish Council addressed the Board to oppose the proposals. He informed the Board that the Parish Council had undertaken extensive archive research with regard to the ownership of the playing fields and confirmed that unfortunately local perception of ownership and any existence of previous covenants was unfounded. Whilst he expressed sympathy for the views of local residents he acknowledged that representations had to be based upon material planning considerations and therefore focussed his objections on ecological issues relating to local wildlife and adequate assessment thereof and road safety pertaining to the removal of the traffic Island adjacent to the Church of Latter Day Saints together with ongoing safety issues on the Dawley Road in general.

Councillor T J Hope, Borough Ward Member, spoke to express local concerns regarding the development on the grounds that there had been a lack of consultation, removal of existing playing field, the impact upon wildlife and loss of boundary buffer, potential damage and lack of public access to the existing memorial tree and overlooking. Councillor Hope concluded by suggesting that Members defer determination of this application so that a site visit could take place.

Ms E Gorse, a local resident, also spoke to oppose the proposals on the grounds that public consultation had not taken place since 2003, the impact on the character of Lawley Village, loss of the woodland corridor, overlooking, loss of light and privacy, the distance from homes to the proposed NEAP, rear access and increasing traffic requiring improved infrastructure and loss of the playing field. She sought consultation with the local community and an alternative layout which moved the position of the 3 storey houses, retained the playing field, protected the boundary and provided adequate traffic monitoring. She urged members to undertake a site visit.

The Applicant's Agent, Mr C Danks, then addressed the Board to support the application which he claimed was in accordance with the Master Plan and government guidelines on open space, exceeded buffer guidelines with regard to the NEAP and met buffer guidelines for the location of the LEAP. He stated that provision of 3-storey properties accorded with design codes and work with the Council's Highways Officers had resulted in traffic calming measures at an appropriate level. Furthermore, the Memorial Tree had been retained and an additional tree was planned at a more accessible location.

Referring to the tabled update, the Planning Officer noted local discord regarding the use of the mowed land to the south of the designated Village Green and advised Members that public use of this land had thus far been at the discretion of the landowner. She further explained that amended plans relocated 3 dwellings to ensure that an appropriate buffer zone between the NEAP and LEAP was in place. The proposed development did not incorporate as many three storey dwellings as indicated in the design codes. As the economic climate had changed since the outline was granted, the developers had requested a relaxation of some of the design and materials criteria and use of standard house types to continue to deliver new homes and maintain a viable scheme. The Planning Officer considered that building at this site was of strategic importance in order to deliver growth in the Borough and supported this request. She pointed out that planting on the site included a new Elm tree, which could be rededicated to Jack Turner and, therefore, provide a publicly accessible alternative memorial tree to compensate for the existing protected tree being retained within the private amenity space of a dwelling. She noted Shropshire Wildlife Trust's comments on the survey work and advised the Board that the Council's Ecologist did not concur with their view. Issues relating to ground conditions and drainage were addressed in the report. Overall the scheme was in accordance with the Outline Planning Permission, offering high quality housing which integrated with and respected adjacent existing development.

Councillor C P R Mollett considered that the Lawley SUE was a complicated scheme and noted that the main issues appeared to be integration between new and existing development. He, therefore, considered that a site visit would assist determination of this application.

Councillor R J Sloan noted the Planning Officer's advice in the report regarding the loss of park or village green land and, whilst he was sympathetic to the local community's concerns, he noted that the extent of land use had been set at the outline stage.

Councillor C R Turley welcomed the retention of the Memorial Tree and traffic calming measures. He noted that application W2004/0981 included permission for a new school and sought clarification as to when this aspect would come forward to Board. The Planning Officer indicated that pre-application discussions for this stage was likely within the next 12 months.

Councillor N A Dugmore expressed concern at the lack of ongoing consultation and he suggested that determination of this application should be deferred for a site visit, which would give time for the mineshaft investigation report to be received and for further consultation to take place regarding the siting of the garage and parking at

plot 377 which was subject to an objection from the Highways Engineer. He also sought clarification of the parking ratio for this development.

The Planning Officer expressed apologies that she had not updated the Board that the Mineshaft Investigation Report had been received and that sufficient information had been received to prove that standoffs were workable. In accordance with the National Planning Policy Framework, once planning permission had been granted, responsibility for this aspect of development lay with the developer. The Planning Officer advised that it was the opinion of Officers that the scenario leading to the Highway Engineer's concerns with regard to Plot 377 would rarely occur and demonstrated this on the displayed plans. She further stated that Officers conceded that the ratio of 1.5 car parking spaces per dwelling used in previous phases had not been workable in practice and that this phase would see a ratio of at least 2 spaces per dwelling. She also offered clarification on terminology used in the report.

The Assistant Director: Planning Specialist advised Members that the principle of development at this site had been established some time ago and outline planning permission had been granted following extensive public engagement. The reserved matters proposals before the Board were consistent with the development framework and outline consent and also with national and local planning policies.

Councillor G C W Reynolds expressed the opinion that as the area for development had already been decided, a site visit was not necessary, and instead, Members should focus attention on the detail before them. She welcomed the increased parking ratio and design of the properties and, further, considered that residents new to the area would have been aware of the proposals at the time of purchase.

Councillor C P R Mollett proposed, seconded by Councillor N A Dugmore that a site visit should take place but, on being put to the vote, this was not agreed.

The recommendation to grant reserved matters approval was therefore proposed and seconded and it was, by a majority:

RESOLVED – that with respect to planning application TWC/2012/0419 reserved matters planning permission be granted subject to the conditions as set out in the report.

(d) TWC/2012/0423 9 Bayswater Close, Priorslee, Telford, Shropshire,
TF2 9GY

This was a full planning application for the erection of a two storey front extension and the conversion of the attic to habitable space by creating a dormer in the west facing roof pitch. Councillor V A Fletcher had asked for this application to be determined by the Plans Board and the application had been deferred at the meeting on 1 August 2012 to enable Members to undertake a site visit.

Councillor V A Fletcher, one of the Borough Ward Members for Priorslee, addressed the Board to speak against the application on the grounds that there were numerous inaccuracies in the application particularly with regard to the boundary and shared access to the driveway. Councillor Fletcher suggested that planning permission

should be refused on the grounds of parking and access, traffic generation, privacy and overlook, and also that the proposals were out of character with the area, would have a detrimental impact on local amenity and represented overdevelopment of the site.

Mr S Hampshire, spoke on behalf of local residents, to express opposition to the proposals. He stated that the proposals were out of character with the street scene, represented over-development of the site, would exacerbate traffic and parking problems and would impact upon the residential amenity and privacy of neighbouring properties. He referred to the deed plans which had been circulated prior to the meeting which identified the boundary and area of shared access with No8 Bayswater Close.

The Planning Officer referred members to the tabled update report which addressed the concerns raised in additional correspondence received from the owners of No.8 Bayswater Close in connection with shared driveway access and the boundary between the properties. Officers did not consider that the proposals would have a significant impact on existing access or parking provisions. Similarly, it was not considered that the proposals would be detrimental to the street scene or amenity and that the extension's oblique position and separation distances would not intrude upon privacy. The Planning Officer went on to explain that a much larger extension could be built under permitted development rights.

Referring to that afternoon's site visit, Councillor C R Turley did not consider the proposals to be problematic, although he acknowledged there were discrepancies between the application plans and copy sealed plans provided. He noted that parking would be a civil issue and was not the remit of the Board.

Councillor G C W Reynolds noted that emergency services had not objected on the grounds of access and she considered that the plot was large enough to accommodate the proposals.

Drawing on his local knowledge, Councillor I T W Fletcher disagreed with the Planning Officer's conclusions and further considered that the plans would protrude from the building line and, despite the presence of a modest tree partially obscuring views, the proposals would result in overlook that would be detrimental to Nos 7 and 8 Bayswater Close..

Councillor J Loveridge recalled from the site visit that whilst there was potential for overlook into No7 Bayswater Close, the property was otherwise somewhat sheltered by trees.

Councillor N A Dugmore sought clarification on the rules regarding privacy and the Planning Officer confirmed that the 20 metre privacy line was a guideline only and that each case should be considered on individual merits including any mitigation to reduce overlook when the guideline 20m was not fully met. Councillor Dugmore considered that a cautious approach should be taken as the trees which currently provided some screening could be removed in future. Councillor Dugmore also noted that planning permission (W2003/1380) had previously been refused and was

advised that the permitted development rights had since increased so no direct comparison could be drawn.

Upon receiving advice, Councillor S A W Reynolds clarified that if planning permission was not granted in this case, permitted development rights would allow a larger extension to be built and the authority would have lost the ability to condition the development. On balance, therefore, Councillor S A W Reynolds considered that it would be preferable in this case to grant planning permission, but with an additional condition to protect the privacy of neighbouring properties. She was also mindful of construction noise and the potential for access to be hindered by construction vehicles and suggested that negotiation of construction hours would be appropriate to limit any infringement on access at peak hours. The majority of Members concurred with this view.

RESOLVED – that with respect to planning application TWC/2012/0423 the Development Management Manager be authorised to grant Planning Permission after discussion with the applicant regarding the imposition of a condition to limit construction and delivery hours and amend the first floor side bedroom window to reduce overlooking and further subject to the conditions as set out in the update report.

(e) TWC/2012/0487 Land adjacent, 55 Manor Rise, Arleston, Telford, Shropshire

(In accordance with his previous declaration of interest Councillor R J Sloan left the room during determination of this application.)

This application sought permission to erect a three bedroom dwelling at land to the side of number 55 Manor Rise. Full details of the proposals were detailed in the report. Councillor A D McClements had requested that this application be determined by the Plans Board.

Councillor A D McClements, the Borough Ward Member for Arleston, addressed the Board to speak on behalf of local residents against the application on the grounds of access, traffic flow, drainage and disruption to the quality of life of residents at 53 Manor Rise.

The Applicant, Mr S Bebbington, spoke in support of his application, advising that the Land Registry Title Plan showed that access was not shared. Operators had visited the site and advised that there was sufficient access for the piling machine. He advised that flooding rarely occurred and, when it did, his experience was that blockage was due to a build up of non-flushable waste.

Referring to the tabled update report, the Planning Officer advised that the neighbour objection had not reached the Planning Office until after the expiry of the consultation period but, nevertheless, issues raised were covered by the report and officers were satisfied that the development would not impact upon the street scene and was in a sustainable location.

Members were satisfied that the main issues had been addressed in the report and unanimously supported the recommendation therein.

RESOLVED – that with respect to planning application TWC/2012/0487 planning permission be granted subject to the conditions as set out in the report.

(f) TWC/2012/0512 Land between Coach Central and Southwater Way, Town Centre, Telford, Shropshire

This application sought permission for the demolition of existing buildings and redevelopment of the site to provide a multi-storey car park, replacement surface car park, public realm improvements and associated works including highway works. Full details were set out in the report.

Councillor G C W Reynolds was delighted by the modern and innovative design of the multi-storey car park which complimented the contemporary image projected by the Southwater development. She also welcomed the lighting strategy. Councillor C R Turley similarly embraced the ongoing regeneration of the area. Councillor N A Dugmore was pleased to see proposals for a large car park which would reduce the likelihood of an application to extend in the future.

RESOLVED – that with respect to planning application TWC/2012/0512 subject to the Council as landowner agreeing that the land will be bound by the obligations in respect of the provision of a sum of monies comprising a contribution of £8,702 for highway works and £3,500 for planning/financial monitoring planning permission be granted subject to the conditions as set out in the report.

(g) TWC/2012/0549 Land at Southwater, Telford, Shropshire

This application was for full planning permission for the development of new access pathways and a “pocket park” development around the southern edge of the proposed new Southwater Lake and embankment together with landscaping works and recladding of existing retaining wall in relation to the wider Southwater public realm improvements.

Councillor C R Turley welcomed the proposed development which would enhance the community hub and encourage visitors and residents alike to explore the town park and Stirchley Chimney. He welcomed the economic investment that regeneration of this area would bring. Councillor G C W Reynolds expressed her excitement for this project, particularly by the creation of a pocket park for adults. Councillor N A Dugmore was assured that lighting formed a central part of the strategy for the area. Members were unanimously supportive of the proposals.

RESOLVED – that with respect to planning application TWC/2012/0549 planning permission be granted subject to the conditions as set out in the report.

(h) TWC/2012/0565 Windmill Primary School, Beaconsfield, Brookside, Telford, Shropshire, TF3 1LG

(In accordance with her previous declaration of interest Councillor J Loveridge left the room during determination of this application.)

This was a proposal for the erection of a 0.3kw wind turbine on a 10.2m high pole.

The Planning Officer referred Members to the tabled update report and also advised that late objections had been received from the Parish Council and a Parish Councillor regarding the presence of trees on the site, the site being a nature reserve, the impact upon views due to the substantial height of the turbine, efficiency, limited educational value, the potential for additional applications to increase the number of turbines on site and the reliance on old local policies. The Planning Officer informed Members that the Council's Tree Officer did not raise objection to the application. She stated that the height of the proposed turbine was approximately that of a lamp-post and it would be located 100 metres from the nearest property. Efficiency issues were for the applicant to resolve but she did not believe that the application represented a precedent. The policies referred to were saved policies which were still of relevance.

Councillor G C W Reynolds welcomed the benefits posed by this application in educating young people about sustainability. Councillor C R Turley fully supported the use of renewable energies and the low carbon future promoted by the NPPF. Whilst he acknowledged the limited power generation from this turbine, he welcomed the long-term educational benefits. Councillor I T W Fletcher was similarly supportive of renewable energies but considered that an alternative form of energy, such as photovoltaic solar cells, would have been preferable and more informative in this location since the proposed wind turbine would provide only negligible efficiencies. However, the Board recognised the importance of the proposals as part of a wider educational objective and were unanimously supportive.

RESOLVED – that with respect to planning application TWC/2012/0565 planning permission be granted subject to the conditions as set out in the report.

The meeting ended at 8.38pm

Chairman:

Date: