

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 12 September 2012 at 6.00pm in the Reception Suite, Civic Offices, Telford, Shropshire

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher, R T Kiernan, G C W Reynolds, S A W Reynolds, R J Sloan (as substitute for Councillor J Loveridge), B J Thompson (as substitute for Councillor M J Smith) and C R Turley

ALSO PRESENT: Councillor V A Fletcher (for planning application TWC/2012/0595)

PB-031 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 22 August 2012 be confirmed and signed by the Chairman

PB-032 APOLOGIES FOR ABSENCE

Councillors J Loveridge and M J Smith

PB-033 DECLARATIONS OF INTEREST

None.

PB-034 DEFERRED/WITHDRAWN APPLICATIONS

None.

PB-035 SITE VISITS

RESOLVED – that a site visit takes place at 4.00pm on Wednesday, 3 October 2012 at 5 Ainsdale Drive, Priorslee, Telford, Shropshire, TF2 9QJ in respect of planning application TWC/2012/0595.

PB-036 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/2011/0702, TWC/2012/0068 and TWC/2012/0595.

(a) TWC/2011/0702 - Chetwynd Deer Park, Edgmond Road, Newport, Shropshire, TF10 8AA

This was a full planning application for change of use of agricultural land to mixed leisure and agricultural use for a period of 150 days per year at Chetwynd Deer Park, Edgmond Road, Newport. The Park was identified as Grade II Registered Park and Garden of Special Historic Interest and also included a Grade II Listed Building. The

purpose of the application was to allow a variety and range of events and activities to take place beyond the 28 days allowed under Permitted Development. The application site comprised approximately 59 hectares of the Park's total 86.5 hectare range and full details were set out in the report.

Councillor R Pitt, representing Newport Town Council, spoke to support the extension of use in order to maintain viability in the current economic climate and welcomed the recommendation for a temporary grant and ongoing monitoring of the permission. However, Councillor Pitt expressed concern regarding traffic generation, parking, and impact from increased footfall upon the Grade II Registered Park. In order to address these concerns, he suggested that the increase in use could be gradually introduced.

Mr B Oakes, the Applicant, addressed the Board in support of the application. He advised that 150 days' use was sought to accommodate long periods of set up and breakdown. By way of example he explained that the majority of the 28 days allowed under permitted development were taken up by the Newport Show and that small events may take up 14 days each, so adding just 6 small events to the calendar would take up 110 of the days requested. The remaining 40 days would be for use permitted by Natural England. It was proposed that events may include educational visits by local schools and scouts and photography groups. The Trust wished to preserve the Grade II Listed status and had worked with Environmental Health regarding noise.

The Planning Officer explained the current usage of the Park and pointed out the types of activity suggested by the applicant as set out on page 6 of the report. She also drew attention to the consultation responses summarised on page 4 of the report, particularly that made by Public Protection. The Planning Officer advised Members that noise impact had been difficult to assess but was most likely to be caused by amplified noise, vehicular noise and generator noise. Referring to the tabled update report, additional conditions regarding fireworks and entertainment noise were recommended and also a condition to limit use by motocross vehicles.

Members considered that their concerns regarding the substantial increase in the number of days applied for had been allayed by the explanation that many of the days would be taken up by set up and breakdown, and did not equate to the number of events which would take place. Overall, the Park's initiative was welcomed and support was given for the economic growth and increase in tourism that could be generated. Councillor N A Dugmore questioned whether noise conditions would apply to temporary structures such as marquees and the Planning Officer confirmed that conditions would apply to the whole of the application site.

RESOLVED – that with respect to planning application TWC/2011/0702 three year temporary planning permission be granted subject to the conditions as set out in the update report and further subject to an additional condition to prevent use for motorsports.

(b) TWC/2011/1027 - Kynnersley House Farm, Kynnersley, Telford, Shropshire, TF6 6DX

This application was for the removal of Condition 4 of W2006/0128 to allow additional local horse owners to use the stables at the site. The application had been deferred at Plans Board on 7th March 2012 to enable Members to carry out a site visit when this application could be considered alongside application reference TWC/2012/0068 and once an application under Section 191 for a Certificate of Lawfulness for the ménage (TWC/2012/0161) had been determined by the Council's solicitor.

With regard to application TWC/2012/0161, the Council's solicitor had determined that sufficient evidence had been submitted to demonstrate that the development occurred more than 4 years previously and therefore the ménage and its use by riders other than the applicant was "lawful" and thus the relevant certificate was due to be issued. The report had anticipated that the Certificate would be issued by the time of the meeting but unfortunately this had not happened.

The application was considered in conjunction with planning application TWC/2012/0068 which was the subject of a separate report. Members were advised that since the submission of the original report to the Plans Board on 7 March 2012, national policy had changed somewhat but this did not affect the Planning Officer's recommendation that this application should be approved, subject to a replacement condition permitting only 6 horses to be kept on the yard at any one time, for the reasons detailed in the report.

A representative of Kynnersley Parish Council spoke in support of this application which was considered to be in accordance with the National Planning Policy Framework and formalised arrangements which had already been in place.

Mr P Heritage-Redpath, a near neighbour, spoke to oppose the application, clarifying the resident's position regarding the parked lorry and stated that the area of hardstanding was not necessary. He sought conditions to limit the use of the site to the applicant and her livery customers only between the hours of 8am and 6pm and a further condition or informative that lights were not permitted.

Mr P Plant, the Applicant's Agent, addressed the Board in support of the proposals. He advised that the livery facility supported diversification of a small beef farm and the application had been made to regularise the matter. He advised that livery users were local horse owners who generally walked to the site but there was sufficient parking and there had been no negative reports on noise or traffic to date. He did not consider that the application would adversely affect residential amenity and stated that the hardstanding would not impact upon the horse enterprise. He considered that the application was good for the local economy as supplies were purchased locally.

The Planning Officer suggested that the number of horses would be naturally restricted by good horsemanship and that any increase in traffic was not considered to be significantly detrimental to nearby residents. She reminded Members that the existence of a covenant on parts of the land was not a planning matter and similarly

the Committee was not being asked to comment upon the Certificate of Lawful Use for the ménage.

The legal advisor clarified the position with regard to the Certificate of Lawful Use and advised Members that if they felt there were planning merits in doing so, they could consider attaching additional conditions to the planning applications but that it was not possible to add conditions to the ménage and any issues arising from the ménage use would be a separate matter that would be reviewed by planning enforcement.

Members referred to the site visit which had taken place that afternoon, and considered that provision for six horses was not unreasonable. Members further noted that there had been no complaints with regard to the site over the last four years but considered that additional lighting on the site would be intrusive to neighbours. Overall, it was considered that the application was in accordance with policy and could be supported subject to conditions. Members did not consider an hours restriction to be necessary

RESOLVED – that with respect to planning application TWC/2011/1027 planning permission be granted subject to the conditions as set out in the report and further subject to an Informative reminding the applicant that planning permission would be required for any lighting.

(c) TWC/2012/0068 - Kynnersley House Farm, Kynnersley, Telford, Shropshire, TF6 6DY

This was a proposal for the erection of two timber stables with concrete base and the creation of a stoned hard standing to park one horse lorry. The application was considered in conjunction with planning application TWC/2011/1027 which was the subject of a separate report.

RESOLVED – that with respect to planning application TWC/2012/0068 planning permission be granted subject to the conditions as set out in the report and further subject to an Informative reminding the applicant that planning permission would be required for any lighting.

(d) TWC/2012/0109 - The Swan, A442, Waters Upton, Shropshire, TF6 6NP

This was an outline application for residential development (up to 5 houses) on part of the public house car park and beer garden, with amended access off River Lane. This application had been deferred at the meeting of the Board on 16 May 2012 to enable the developer to submit evidence supporting the scheme's viability.

Ms K Baker representing Waters Upton Parish Council spoke against the proposals. She referred Members to the comments she made on 16 May 2012, and added the Parish Council's concern that the viability study had not been independent and contradicted the study commissioned by the potential purchaser. She noted that the vendor had indicated a reduced purchase price if the site was purchased with the acceptance that building could take place on the car park and beer garden but this

was not considered viable. She also referred to the Local Housing Needs survey which indicated that additional housing in the village was not required, expressed concern regarding access, the impact upon traffic safety, loss of overall parking and the potential for the future demolition of this much needed community facility.

The Planning Officer advised that the application before the Board was in accordance with policy and there had been no objection from Highways. Any new application for the future demolition of the public house would need to be considered on its merits but policies were clear that the loss of community facilities should be resisted.

Councillor C R Turley sought clarification as to whether the public house was currently open. The Chair stated that he understood it had been closed for several months. He noted that a reasonable offer to purchase the public house had been refused. The Chair expressed concerns that, if this application received planning permission, the public house would become unviable due to the loss of car park and beer garden and, whilst he welcomed the proposed affordable housing provision, he felt that to build additional housing where there were potentially limited facilities would be detrimental to the community.

Councillor N A Dugmore stated that whilst he generally welcomed affordable housing provision and was pleased to see sufficient residential parking allocated in this case, he considered that there were policies in place which sought to protect community facilities and he feared that there was a real possibility that the village would lose the public house in the longer term if this planning permission was granted. He considered that the location chosen for development was unsuitable and would result in a loss of car parking for the business which would have a wider impact on traffic safety and amenity. On balance, he felt unable to support the application on the grounds of overdevelopment.

Councillor R J Sloan felt there was a principle to secure the long term survival of the public house for the village and he, therefore, was also unable to support the application.

Councillor S A W Reynolds concurred that there seemed to be a genuine risk that permitting this application would lead to the eventual loss of the public house. She queried whether there were any other similar facilities in the village and was advised that The Lion provided a restaurant-style facility rather than a public house.

There being no proposer to grant planning permission, it was proposed by Councillor S A W Reynolds and seconded by Councillor I T W Fletcher that planning permission be refused.

RESOLVED – that planning application TWC/2012/0109 be refused as it was considered to be overdevelopment of the site which would result in a detrimental loss of community facilities and unacceptable loss of car parking, beer garden and associated amenities.

- (e) TWC/2012/0402 - Granville Arms, Granville Terrace, Church Street, Hadley, Telford, Shropshire, TF1 5RT

This was a full planning application which sought permission for change of use of part of the existing ground floor of the former Granville Arms public house (use class A4) to a Chinese takeaway (use class A5). The application included a proposed single storey rear extension to provide toilet facilities for staff. The remainder of the building was to be used as residential (use class C3) to provide living accommodation for the business' occupants. External alterations were also proposed. An application for replacement signage (TWC/2012/0403) had also been submitted and was considered in conjunction with this application.

Hadley and Leegomery Parish Council had requested that this application be determined by the Plans Board.

The Applicant's Agent, Mr T Wong, addressed the Board in support of the application. He explained the applicant's background and stated that the application was made following lengthy consultation and in accordance with policy. The Applicant understood local concerns and had attempted to mitigate against any potential adverse impacts which had included a revision to opening hours. Mr Wong considered that occupation of the building would enhance the area.

Members noted that permitted development rights would allow the change of use to a takeaway facility and that this application was only brought due to the residential element. Members were unanimously supportive of the application and considered it was important to support local businesses in the area as part of the overall regeneration of Hadley and occupation of the building would also complement regeneration initiatives.

RESOLVED – that with respect to planning application TWC/2012/0402 planning permission be granted subject to the conditions as set out in the report.

- (f) TWC/2012/0403 - Granville Arms, Granville Terrace, Church Street, Hadley, Telford, Shropshire, TF1 5RT

This application, considered in conjunction with application reference TWC/2012/0402, sought consent to display advertisements relating to the erection of 1no. internally illuminated fascia sign, 1no. externally illuminated wall mounted sign and 1no. internally illuminated hanging sign.

Hadley and Leegomery Parish Council had requested that this application be determined by the Plans Board.

The application was considered in conjunction with application TWC/2012/0402.

RESOLVED – that with respect to planning application TWC/2012/0403 advertisement consent be granted subject to the conditions as set out in the report.

(g) TWC/2012/0595 - 5 Ainsdale Drive, Priorslee, Telford, Shropshire, TF2 9QJ

The initial proposals for a two-storey side extension at this site had not been supported by the Planning Officer and amended plans for a single-storey, flat roof side extension had been submitted. Residents had been afforded a one week consultation period on the amendments. Details of the amended plans and reconsultation were set out in the tabled update report.

Borough Councillor V A Fletcher and St Georges and Priorslee Parish Council had requested that this application be determined by the Plans Board.

Councillor R Williams spoke against this proposal on behalf of St Georges and Priorslee Parish Council on the grounds of drainage and potential flooding, poor ground conditions, overbearing and overshadowing due to the sloping nature of the site.

Borough Councillor V A Fletcher also addressed the Board to oppose the proposal on behalf of local residents. She considered that the revised application was unacceptable due to the close proximity to neighbouring homes, that the elevated site would be intrusive and result in overbearing and overshadowing, loss of amenity, light, privacy and peaceful enjoyment and poor drainage could impact upon the foundations of neighbouring residents.

Mrs A Hill and Mrs J Leith, both local residents, spoke to oppose the amended plans. Mrs Hill considered that the development would result in loss of light to her property, and be overbearing and intrusive. She felt that the proposals were out of keeping with other development in the area and would be in too close proximity to her own home. She also had concerns regarding drainage. Mrs Leith echoed the sentiments of Mrs Hill but her main concerns related to drainage and the impact of flooding on her property. Both residents urged the Board to undertake a site visit.

Mr S Watson, the applicant, spoke in support of the proposals which had been hastily amended once he became aware of local concerns with his original proposals. The amended plans attempt to take concerns into account and the proposed extension was now of a more modest height which would not be as visible. He had chosen a flat roof to reduce the height. He considered that the area was a mixed modern development and his proposals were therefore not out of character. He further considered that drainage concerns could be adequately addressed through condition. He drew Members' attention to permitted development rights and pointed out that he could erect a narrower but taller extension without the need for planning consent and that Officers had concluded his proposals would pose less harm to neighbouring amenity than a permitted development extension.

The Planning Officer clarified the position with regard to permitted development. The Development Management Manager stated that the Council's Drainage Engineers had chosen not to comment upon this application and that drainage would be dealt with under building regulations although a condition to impose the provision of drainage details could be sought.

Councillor I T W Fletcher proposed a site visit would be appropriate in this case as he felt that Members would benefit from more fully understanding the difference in elevation and related drainage issues. On being put to the vote, four Members voted to defer the application to enable Members to undertake a site visit and three Members voted against. There were two abstentions.

RESOLVED – that determination of planning application TWC/2012/0595 be deferred to allow the Board Members to make a Site Visit.

The meeting ended at 7.40pm

Chairman:

Date: