

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 24 October 2012 at 6.00pm in the Reception Suite, Civic Offices, Telford, Shropshire**

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

**ALSO PRESENT:** Councillor D G Davies (for planning application TWC/2012/0554)

#### **PB-044 MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on 3 October 2012 be confirmed and signed by the Chairman.

#### **PB-045 APOLOGIES FOR ABSENCE**

Councillors N A Dugmore, J Loveridge, S A W Reynolds and C R Turley

#### **PB-046 DECLARATIONS OF INTEREST**

Cllr G C W Reynolds declared a non-pecuniary interest in planning application TWC/2012/0655 as she had been involved in previous discussions with the objectors and indicated that she would withdraw from the meeting during determination thereof, after she had addressed the Board in accordance with the scheme for Public Speaking.

Cllr R J Sloan declared a non-pecuniary interest in planning application TWC/2012/0655 as he was acquainted with one of the objectors and indicated that he would withdraw from the meeting during determination thereof.

#### **PB-047 DEFERRED/WITHDRAWN APPLICATIONS**

None

#### **PB-048 SITE VISITS**

Members were asked to rearrange the site visit for application reference TWC/2011/0827 land to the north of Audley Avenue Newport Shropshire in order to avoid any further unnecessary delay in determining the application.

**RESOLVED** – that :-

- (a) a site visit takes place at 3.00pm on Wednesday, 14 November 2012 in respect of planning application TWC/2011/0827 – Land to the north of Audley Avenue, Newport, Shropshire; and

- (b) a site visit takes place at 3.00pm on Wednesday, 29 November 2012 in respect of planning application TWC/2011/0292 – Land adjacent to Woodhouse Farm, Granville Road, Donnington Wood, Telford, Shropshire.

**PB-049      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 application reference TWC/2012/0655.

- (a)            TWC/2010/0487 Charlton Arms Hotel, Church Street, Wellington, Telford, Shropshire, TF1 1DG

Initially presented to members on the 9 March 2011, this application had been approved subject to the signing of a S106 agreement (details as set out in the report). Unfortunately the agreement had not been signed due to the viability of the site. Full disclosure of the viability of the scheme had been presented to the Council which demonstrated the inability of the scheme to provide any financial contributions or affordable housing.

Councillor R Aveley spoke on behalf of Wellington Town Council to oppose the proposals. He reminded the Plans Board of the historic background to the site and recent planning history. He expressed his dismay for the current condition of the building but was equally concerned that development may be allowed without a S106 Agreement to provide for financial contributions to benefit the area further.

The Planning Officer reminded Members that the revision before them was to grant planning permission without a S106 Agreement as the scheme of development had been considered at a previous meeting. She noted viability concerns and explained that the applicant was in the process of seeking grant funding from the Homes and Community Agency. If the application was successful, funding would be conditioned and she understood that development would likely need to occur in 2013. She noted the listed status of the building and whilst she was aware that the building had been broken into with elements of the interior removed, she stated that the fabric remained in relatively good condition.

The Assistant Director: Planning Specialist advised Members that there was a priority to protect the frontage of the listed building which was located in the centre of Wellington town, itself a conservation area. Viability was an important issue in bringing forward development at the site and he referred Members to recent Government advice to Local Authorities to ensure that planning obligations were not discouraging to developers. He noted concerns that the site could more easily be sold on with Planning Permission attached but considered that in the circumstances this was a reasonable risk to take in order to ensure the development of the site.

Members were sympathetic to the Parish Council's concerns as presented by Councillor Aveley. Local concern for the condition of the site was noted. Members believed that the surrounding area would benefit visually and economically from the

site being redeveloped and expressed regret that the current economic climate placed the viability of the site in jeopardy.

Upon being put to the vote, it was unanimously:

**RESOLVED – that with respect to planning application TWC/2010/0487 planning permission be granted subject to the conditions as set out in the report.**

(b) TWC/2012/0189 Cobb Wood, Rodway Moor Plantation, Rodway, Shropshire

This application was for the erection of a structure to include storage for tools, an area for forestry tasks, a wood store, a small area for shelter, changing & washing facilities and temporary overnight accommodation in Cobb Wood which was part of the Rodway Moor Plantation. Kynnersley Parish Council had requested that the application be determined by the Plans Board. The Planning Officer suggested that conditions should be amended to limit overnight accommodation at the site to 28 days and to ensure that existing structures were removed before the new shed was erected.

Mr J Currie, the Applicant, spoke in support of his application. He noted the Planning Officer's concerns and agreed to a condition limiting overnight accommodation but requested that consideration was given to the difficulties he would experience in removing the caravan from the site in poor winter weather conditions. He noted that the Parish Council had expressed concern regarding the washing facilities but assured that he required only basic facilities.

Members considered the nature of work being carried out on site and the private use of the land before reaching a unanimous conclusion.

**RESOLVED – that with respect to planning application TWC/2012/0189 the Development Management Manager be authorised to grant planning permission subject to further negotiation for the wording of a condition regarding the removal of the existing sheds and caravan from the site and further subject to the conditions set out in the report and an additional condition limiting overnight accommodation on the site to 28 days.**

(c) TWC/2012/0554 12 Dale View, Coalbrookdale, Telford, Shropshire, TF8 7DL

Councillor P Watling, acting on behalf of Councillor D Davies, had requested that this application seeking consent for the replacement of existing unauthorised windows and door, be determined by the Plans Board.

Councillor D G Davies, Borough Ward Councillor, spoke in support of the application. He acknowledged the importance of the Article 4 Direction but considered that such efforts towards conservation in the World Heritage Site should be made in the context of the type of building. Furthermore, in this particular case,

Councillor Davies considered that the clarity of the planning consent issued and subsequent advice thereon had been inadequate.

Mr N Tromans, the Applicant, also spoke to support his application. He provided some background to the case and, whilst he noted the importance of the Article 4 Direction to the Local Planning Authority's ambitions for the World Heritage Site, he did not consider that it had been sufficiently promoted before he undertook the works. Furthermore, he believed that the consent issued had been unclear and he questioned the quality of the subsequent advice he had received. He questioned the relevance of the recent appeal decision at Plowmans, Dale Road because he considered that the circumstances were different from this case. He submitted photographs of the street scene and proposed new windows.

The Planning Officer acknowledged that many homes on Dale View benefited from the installation of uPVC windows but this had either been done prior to the Article 4 Direction or without Planning Consent. She drew attention to the Plowmans appeal decision detailed in the report, particularly the Inspector's advice that the mere existence of uPVC windows at other nearby homes had not lent weight to the appellant's case. Subsequent to that appeal, the Local Planning Authority had taken a more proactive approach towards the installation of uPVC windows by beginning enforcement action and two applications for Certificates of Lawfulness had been received. Noting the photographs submitted by the applicant, she advised that the proposals would need to be subject to a new planning application and that the Local Planning Authority remained open to further discussion.

Councillor R T Kiernan asked for clarification of the legal position. The Legal Advisor referred Members to the recent appeal decision which she stated should receive significant weight in their decision making and which needed to be carefully considered as the property subject to that decision was located very nearby to the premises under consideration.

The Assistant Director: Planning Specialist acknowledged that over time, a variety of window styles had been introduced into the street scene. However, he asked Members to consider whether to allow such a gradual degradation of the quality of the World Heritage Site or attempt to reverse such changes over time. He stated that even uPVC windows needed replacement eventually and the Authority's stance was to move to a better standard upon replacement or to take enforcement action where such avenues were open. He acknowledged that there would be a transition period but considered that this was a principle which would be applied across the World Heritage Site. He pointed out that as part of the appeal decision for Plowmans, which was a very similar property, the Planning Inspector had supported the protection of properties in this way. The Assistant Director: Planning Specialist reminded Members that whilst this application related to this particular property and the merits thereof, it was important to look to the future and establish a design which was in keeping with, and protected the overall value of, the World Heritage Site

Councillor A A Mackenzie sought clarification of condition 2 of permission TWC/2010/0388. The Planning Officer responded that the interpretation of the condition was that the windows would be dark stained timber. This was logical as the existing frontage windows had been of that type and it was only possible to

control windows on frontages facing the highway, not windows to the side or rear, so those would not have been considered. She confirmed that the case notes were silent upon what type of windows had existed to the rear.

Councillors R J Sloan and A A Meredith expressed concern that dark stained timber windows would now look odd in a street scene in which white uPVC prevailed. Councillor Meredith also recognised that the property was not particularly old, having been built in the early 20<sup>th</sup> Century. The Planning Officer acknowledged that white uPVC was the predominant window style in the street but reiterated that not all benefitted from planning consent. She stated that it was the chunky sections and shiny surface of these uPVC windows which caused concern but newer alternatives, with thinner sections and a grain appearance, were more acceptable, but were unfortunately more costly.

Councillor I T W Fletcher considered that each application which came before the Board was considered upon its merits and, despite the weight which should be afforded to the Plowmans Appeal decision and the Article 4 Direction, having listened carefully to the submissions from the Applicant and Councillor D G Davies, it appeared that the original Planning Permission was inadequate and did not specify in detail the type of windows to be installed. He, therefore, felt that the Applicant should not be disadvantaged by what appeared to be a genuine mistake and, in this particular case, the installation of the windows could be supported.

Members recognised the importance of the Article 4 Direction but, on balance, considered that due to the range of window styles that had existed in this particular building and the related confusion in interpreting planning permission TWC/2010/0388, it was appropriate for planning permission to be granted in the circumstances of this case.

On being put to the vote the recommendation to refuse planning permission was defeated. Subsequently a proposal of approval was made and seconded from the floor. Following a vote it was by a majority:

**RESOLVED – that with respect to planning application TWC/2012/0554 planning permission be granted.**

(d) TWC/2012/0654 Muxton County Primary School, Marshbrook Way, Muxton, Telford, Shropshire, TF2 8SA

This proposal sought permission for the erection of a three class room extension and associated works at Muxton Primary School to provide additional teaching spaces to cater for the increased residential properties being constructed within the school's catchment area. Comments from Sport England remained outstanding.

**RESOLVED – that with respect to planning application TWC/2012/0654 the Development Management Manager be authorised to grant planning permission subject to no objection to the application being received from Sport England and further subject to the conditions as set out in the report.**

(e) TWC/2012/0655 - Land off Bluebell Coppice, Ketley, Telford, Shropshire, TF1 5NE

*(In accordance with their respective declarations of interest Councillors G C W Reynolds and R J Sloan left the room during determination of this application.)*

This was a proposal for outline planning consent for a residential development of four detached dwellings with all matters reserved. The application had been referred to the Plans Board for determination. An update report regarding ecology issues was submitted.

Councillor G C W Reynolds, Borough Ward Councillor, spoke to oppose the proposals. She then left the room in accordance with her previous declaration of interest. Councillor Reynolds referred to the planning history at this site, which was located within the Green Network. She emphasised issues of Highway Safety and Access, which had previously been reasons for development of the land to be refused and which still applied.

Mrs F Webb and Mrs S Ferriday, local residents, also spoke in opposition to the proposals. Mrs Ferriday raised issues regarding access, highway safety and drainage and Mrs Webb asserted that the plans did not reflect the layout of the land and disputed encroachment issues. She pointed out that there would be no pedestrian access and raised parking issues.

Mr R Mills, of Les Stephan Planning, the Applicant's agent, spoke in support of the proposals. He addressed the issue of layout explaining that the plans were based on Land Registry plans and indicated that the applicant had not sought to recover land and was prepared to negotiate in this respect. He stated that the scale of the development had been reduced and it was anticipated that the woodland would be protected for community use by a Management Company and Woodland Management Plan. Mr Mills also addressed highways and access issues.

The Planning Officer reminded Members that this was an outline application and that issues regarding overlooking and privacy could be addressed at reserved matters stage. There was no objection to the application on Highways grounds and the proposed play area, which had been one of the main reasons for previous refusals, had since been located in Mannerly Wood.

Members considered whether a site visit would be beneficial in this case, but concluded that the information before them, coupled with local knowledge shared at the meeting, was sufficient. Members considered that issues regarding drainage and protection for bats could be overcome through the recommended conditions.

On being put to the vote it was, by a majority:

**RESOLVED – that with respect to planning application TWC/2012/0655 planning permission be granted subject to the conditions and informatives as set out in the update report.**

**PB-049      URGENCY RESOLUTION – SECTION 100B(4), LOCAL GOVERNMENT ACT 1972**

The Chairman of the meeting made the following statement:

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

**PB-050      PLANNING APPLICATION TWC/2011/0292 - LAND ADJACENT TO WOODHOUSE FARM, GRANVILLE ROAD, DONNINGTON WOOD, TELFORD, SHROPSHIRE**

This was a proposal to construct a fully enclosed In-Vessel Composting (IVC) facility with access road improvements at Woodhouse Farm, Redhill, near Telford. A number of concerns had been raised during the consultation process and officers considered that Members would benefit from a site visit before determining the final officer’s report at Plans Board on 29 November 2012.

**RESOLVED** – that a site visit take place at 3.00pm on Wednesday, 29 November 2012 in respect of planning application TWC/2011/0292 – Land adjacent to Woodhouse Farm, Granville Road, Donnington Wood, Telford, Shropshire.

The meeting ended at 7.53pm

**Chairman:** .....

**Date:** .....