

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 28 March 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, V A Fletcher (as substitute for Councillor R T Kiernan), A S Jhavar, J Loveridge, S A W Reynolds, B J Thompson (as substitute for Councillor K R Guy) and C R Turley

**ALSO PRESENT:** Councillors M B Hosken (for planning application TWC/2012/0069) M G Ion (for planning application TWC/2012/0069) and A D McClements (for planning application TWC/2012/0069)

#### **PB-092      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on 7 March 2012 be confirmed and signed by the Chairman

#### **PB-000      APOLOGIES FOR ABSENCE**

Councillors K R Guy and R T Kiernan

#### **PB-093      DECLARATIONS OF INTEREST**

None.

#### **PB-094      DEFERRED/WITHDRAWN APPLICATIONS**

**RESOLVED** – that planning application TWC/2012/0053 be deferred for consideration at a later date.

#### **PB-095      SITE VISITS**

None.

#### **PB-096      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/2011/0632, TWC/2012/0069, TWC/2012/0053, TWC/2012/0081, and TWC/2012/0085.

- (a)            TWC/2011/0632 Land At Audley Avenue, Newport, Shropshire, TF10 7BX

This was an application subject of an appeal to the Secretary of State against the failure of the Council to reach a decision within the statutory time period. The Council was, therefore, invited to express a view on the proposals, which would then be put to the Inspector at the appeal inquiry.

A new and near identical (twin-tracked) application had been lodged with the Council to allow the developer to obtain a decision from both the Council acting as Local Planning Authority and the Planning Inspectorate. That application would be presented to the Board at a later date.

This application was expressed in outline form but included a request for approval of Reserved Matters relating to access, layout and scale. It was proposed to demolish existing employment related buildings and replace them with a retail food store incorporating a café together with associated access, servicing and parking and highway improvements. There was no named food retailer behind the application.

A lengthy update report was tabled at the meeting, which included a comprehensive review of the impact of the newly announced National Planning Policy Framework (NPPF) and Members took some time to read this in detail as well as receiving a verbal summary from the Planning Officer. In addition to summarising the content of the report and update report, the Planning Officer reminded Members of the site visit undertaken on 22 February 2012 which encompassed possible locations for development including Audley Avenue and Station Road.

Councillor T Nelson spoke, on behalf of Newport Town Council, in opposition to the application in terms of the proposals having a detrimental effect on the High Street. He challenged whether there was a need for the proposed supermarket and indicated local preference for a small discount store. He reminded the Board of Newport's designation as a conservation area due to its unique character and stated his belief that an additional supermarket would reduce footfall in the vibrant High Street, increasing the number of empty shops from one in ten to one in five. He considered that his objections were equally applicable to the Station Road site, which the report indicated was sequentially preferable, and he believed that the alleged merits of that site formed the basis of the officer's recommendation for refusal of this application.

Mr S McGrath, the applicant's agent spoke in support of the application in terms of need, job creation and the regeneration of the site which would shortly be vacated. He claimed that the proposals would not have any significant adverse impact upon Newport town centre and would provide greater consumer choice and competition. Referring to the report's conclusion that a sequentially preferable site was available at Station Road, he opined that the walk to Audley Avenue was better and that the sites were equal in terms of accessibility. He argued that the new NPPF favoured the Audley Avenue site above the Station Road site since planning policy preference was to build upon Brownfield sites, as opposed to Greenfield sites. He concluded that the Audley Avenue site was economically and environmentally preferable.

The Planning Officer advised Members of the implications of the NPPF with the emphasis on achieving sustainable economic growth and that the sequential test remained paramount and that the town centre first policy had been retained. He also advised that retail consultants had been commissioned to guide the Council on the retail assessment lodged by the applicants. He addressed the issue of retail capacity and expenditure leakage from Newport but advised that the application proposal would not provide the step change necessary to encourage local people to shop at Newport. He advised that a competing superstore proposal at Station Road

would be likely to come forward imminently, which was both sequentially preferable and of a scale that would help reduce retail expenditure leakage. He expressed confidence that outstanding issues to that application would be overcome sufficient to enable Members to reach a decision on site preference, particularly for the size of store proposed by the applicant. He considered that the fact that Audley Avenue was located on Brownfield land was an insufficient argument to overcome other disadvantages of the site and outlined the significant Highway and transport improvements that would be required if the proposals were approved. He summarized the advantages and disadvantages of the application site but that the proposals for Audley Avenue could not be reconciled with NPPF, the Regional Spatial Strategy and the Core Strategy as the site was considered to be a relatively inaccessible out of centre location that would not encourage alternative sustainable modes of travel or linked shopping trips.

Members expressed concern regarding a number of issues presented by this application. Councillor A S Jhavar considered that whilst a store was undoubtedly needed to prevent retail leakage, despite being Brownfield land, this site did not offer sustainable transport options. Councillor V A Fletcher agreed with the sentiment that residents would not undertake their bulk shopping from the proposed store on foot or by bicycle and, therefore, car travel would prevail. She considered that a small discount retailer would better complement existing supermarket provision on the High Street and added that the proposals would have a significant adverse affect on the specialist shops located in the High Street. Councillor I T W Fletcher considered that the proposals conflicted with Core Strategy Policies CS6 and CS9 and also referred to the findings of sequential testing. He referred to his understanding of the NPPF's requirement to consider sustainable development and the inter-relation with the Local Development Framework. Referring to the Retail Planning Considerations set out in the report, Councillor I T W Fletcher, considered that the site would have a detrimental effect on the High Street. Councillor N A Dugmore also referred to Policy CS6 the Retail Impact Assessment and the impact of the NPPF but considered that retail leakage would be difficult to address. He also referred to Policy S9 regarding retailing from employment areas, the comments of Natural England and the extensive Highways improvements that would be required if the application was granted as the site was relatively inaccessible. Although Councillor Dugmore considered that some improvements could be made to the reasoning in the Officer's recommendation, on being put to the vote, all Members were in favour of the recommendation in the update report.

**RESOLVED** – that with respect to planning application TWC/2011/0632 the Inspector be informed that the Council will oppose the appeal proposals and invite that outline planning permission be withheld for the following Reasons:

**1. It is considered that there is a sequentially preferable location which could accommodate the proposed development. The development would therefore be contrary to the Spatial Development Strategy for the Borough as set out in the Core Strategy. The proposal conflicts with Policies CS6 and CS9 of the adopted Core Strategy and with the sequential assessment requirements of paragraph 24 of the National Planning Policy Framework.**

**2. In the opinion of the local planning authority the proposal involves development that cannot be reconciled with the National Planning Policy Framework, Regional Spatial Strategy Policy T2 and Core Strategy Policy CS 9 in that the site is located in a relatively inaccessible out-of-centre location and fails to make the best possible use of opportunities to reduce reliance on the private car.**

(b) TWC/2012/0069 Ercall Wood Technology College, Golf Links Lane, Wellington, Telford, Shropshire, TF1 2DT

This Council application was an outline application for the redevelopment of land at and adjacent to Ercall Wood Technology College, Wellington to create a new 900 place secondary school, community sports facility, two sites for residential development for approx 130 dwellings, associated accesses, car parking and works.

The proposals also involved the demolition of the existing school buildings on the site in a phased development, as well as an engineering operation to level out the land adjacent to the existing school for new sports pitches. This outline application related to the principle of development with consideration of access alone, all other matters were reserved.

Councillor M B Hosken spoke, as Borough Ward Councillor for Ercall, to oppose the proposals. He stated his opinion that the school could be altered and modernised without the loss of the playing field, and considered there would be a significant rise in the flow of traffic and parking along the road which would exacerbate dangerous conditions at the junction between Golf Links Lane and Holyhead Road. He further considered that the development would affect the quality of life of local residents and supported their objections.

Councillor A D McClements spoke, as Borough Ward Councillor for Arleston, in support of the proposals. Councillor McClements welcomed the proposals which she believed would create a better educational environment, praised the proposed location closer to Shortwood School and the extra recreational space to be created which would ensure that the school could be more proactive to community needs. To address traffic issues, she encouraged more active promotion of car sharing and walking to school, alongside a workable traffic management strategy. Referring to the additional consultation comments set out in the update report, she considered that the suggestions made by Councillor R Aveley regarding traffic management were unworkable.

Councillor M G Ion, as Borough Ward Councillor for College, also spoke in support of the application which he considered to be a once in a generation opportunity due to the current economic climate. He acknowledged the concerns of local residents but urged the Committee to seek a balance between the competing priorities and views set out in the report.

Mr J Kearns, a local resident spoke against the proposals regarding the loss of Green Network and open space, the resulting increase in the size of the community, traffic impacts and the perception of a detrimental affect on the wellbeing of residents.

Mr R Pagett, also a local resident spoke against the proposals in terms of sustainability and he also considered the development to be an inappropriate development of the Green Network.

In addition, Mr G Smith, another local resident, spoke against the proposals seeking protection for the Green Network, increased traffic and the effect on safety at the junction of Holyhead Road and Golf Links Lane, the loss of the School's character and the quality of life of local residents.

Mr G Kershaw, the Project Director for the Building Schools for the Future (BSF) Project, spoke in support of the application which he considered represented a wonderful opportunity for local children, the community and residents alike. He noted that the school was in poor physical condition and would be replaced by a modern building with improved disabled access. He drew attention to the increased access to sports facilities that this would provide and improvements to traffic access. He explained that whilst the project was funded by central government, additional funding was required from the land sale to complete the development. He advised that refurbishment, as opposed to rebuilding, would be costly, significantly disrupt the operation of the school for up to four years and would not deliver the improvements required or offer any relief to traffic congestion in the area.

The Planning Officer then drew Members' attention to the update report tabled at the meeting which related the application to the principles of the NPPF and highlighted the Planning Considerations set out in the report

During the ensuing debate, Councillor N A Dugmore raised concerns regarding increased traffic and congestion, the likely success of sustainable transport initiatives and the reduced contribution for Affordable Housing. He considered that the application should be deferred to further clarify the traffic implications. Councillor V A Fletcher echoed these concerns and added her concerns regarding the use of Green Network, loss of playing fields and whether a developer for the proposals had been identified. Councillor I T W Fletcher also raised the issue of the loss of playing fields and traffic congestion.

In response to questioning by Councillor S A W Reynolds, the Planning Officer confirmed his understanding that the proposals would result in increased parking provision and a dedicated drop-off and collection point within the site. He further advised that the Highways Engineer had suggested that a Traffic Regulation Order could be sought to restrict waiting in Golf Links Lane at the start and end of the school day to further alleviate congestion. In addition, he confirmed that the anticipated capacity of the school roll would be 900 places whether the school was rebuilt or refurbished.

The Assistant Director: Planning Specialist advised Members that this was a significant educational opportunity and the housing development would not only contribute to local housing needs but also make the proposed scheme possible. The level of Affordable Housing was considered to be viable and appropriate. He confirmed that the capacity of the school upon rebuilding or refurbishment would be 900 pupils but the proposals to rebuild included improved access and layout to assist

in traffic management at the site which would not be available through refurbishment. He advised that the Highways Authority was satisfied with the proposals. He further advised that Officers considered the use of open space was acceptable and conformed to guidance. He concluded that the change had significant benefits and, although there were concerns regarding the proposals, each had been addressed and, where necessary, could be mitigated by condition.

Councillor N A Dugmore proposed, seconded by Councillor V A Fletcher, that the application should be deferred to further consider traffic implications but, on being put to the vote, this was not agreed.

During the continued debate, whilst some Members continued to express their opposition to elements of the application and noted local opposition to it, the majority of Members considered that the proposals represented an excellent educational opportunity, supported by the School Governors, and which would mirror other opportunities and building elsewhere in the Borough. Noting that the rebuilding of the school and the associated development had to be considered together for successful implementation, the majority of Members supported the Planning Officer's recommendation.

**RESOLVED** – that with respect to planning application TWC/2012/0069, subject to the signing of a Section 106 Agreement for 15% affordable housing and further subject to the Council as landowner agreeing to provide a satisfactory Memorandum from the Assistant Director: Development, Business and Housing agreeing that the Council as landowner will provide 15% affordable housing and will pay the commuted sums for maintenance of LEAP, allotments and TRO works, either upon the sale of any of the development land or upon commencement of the development whichever is the sooner to authorise the Assistant Director: Planning Specialist to grant planning permission subject to the conditions set out in the update report.

(c) TWC/2012/0081 Overdale Playing Field, Rock Road, Overdale, Shropshire, TF3 5BX

This was a Council proposal for a replacement children's equipped play facility (designed to Fields In Trust, Local Equipped Area of Play standard) to be used by local children (predominately aged between 3 -15). An update report was tabled at the meeting which highlighted the implications of the NPPF.

Members welcomed the proposals.

**RESOLVED** – that with respect to planning application TWC/2012/0081 planning permission be granted subject to the conditions as set out in the report.

(d) TWC/2012/0085 Telford Ice Rink, St Quentin Gate, Telford, Shropshire, TF3 4JQ

This was a Council application for the refurbishment and extension of the existing Telford Ice Rink building to be a mixed use facility and erection of a new single

storey restaurant/bar building in front of the existing Bowling and Bingo premises. An update report was tabled at the meeting which addressed the implications of the NPPF.

The Planning Officer noted objections from the Tenpin Bowling Alley which stated that the proposal would obscure the building's frontage and further limit the scope for customers to locate their facilities. However, the Planning Officer considered that the proposed restaurants and hotel in the nearby vicinity would greatly enhance footfall in the area and mitigate this. He advised that the proposal was generally in accord with the Masterplan previously adopted for Southwater and also with CTAAP.

Whilst Members understood the concerns of Tenpin, which were supported by Councillor V A Fletcher, the majority were minded to agree that increased footfall in the area would negate these concerns. Councillor B J Thompson was delighted that the Ice Rink remained in the ownership of the Council but considered that improvements to wheelchair access should be made and Councillor S A W Reynolds encouraged the use of adequate signage to facilities in the area. The majority of Members were, therefore, able to support the proposals.

**RESOLVED** – that subject to receiving a satisfactory memo from the Assistant Director: Development, Business and Housing dealing with financial contributions in respect of the provision of a sum of monies comprising a contribution of £45,269.62 for highway works and £5,000 for Travel Plan monitoring either upon the sale of any of the development land or upon commencement of the development in respect of the highway sums or occupation in respect of the other sums whichever is the sooner, to authorise the Assistant Director: Planning Specialist to grant planning permission subject to the conditions set out in the report.

The meeting ended at 9.00pm

**Chairman:** .....

**Date:** .....