

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 11 April 2012 at 6.00pm in the Reception Suite, Civic Offices, Telford, Shropshire

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, K R Guy, A S Jhawar, R T Kiernan J Loveridge, C P R Mollett (as substitute for Councillor I T W Fletcher), S A W Reynolds and C R Turley

ALSO PRESENT: Councillor J M Seymour (for planning application TWC/2011/0959)

PB-098 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 28 March 2012 be confirmed and signed by the Chairman

PB-099 APOLOGIES FOR ABSENCE

Councillors I T W Fletcher

PB-100 DECLARATIONS OF INTEREST

None

PB-101 DEFERRED/WITHDRAWN APPLICATIONS

None

PB-102 SITE VISITS

None

PB-103 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Board and fully considered each report.

- (a) TWC/2011/0746 Riverview, 27 Stars Lane, Cold Hatton, Telford, Shropshire, TF6 6PZ

This application, which had been deferred at Plans Board on 7 March 2012, sought planning permission for the erection of a 4-bedroomed two-storey detached dwelling and detached garage with games room above following demolition of the existing modern bungalow, Riverview. Waters Upton Parish Council had requested that the application be determined by the Plans Board.

The application had been deferred to enable Planning Officers to discuss with the applicant the Board's concerns regarding the scale of development, particularly the garage and impact on adjoining amenity, and the potential that the garage could

become an independent dwelling. The applicant declined to amend the plans but agreed to enter into a Section 106 agreement to tie the detached garage and ancillary accommodation above to the main dwelling to ensure the development did not create a separate unit of accommodation in the rural area. This would be in accord with the conditions previously proposed and which the Planning Officer still considered to be appropriate.

The Planning Officer reminded Members that prior to the Board meeting on 7 March 2012, the Applicant's Agent had resurveyed the site to accurately measure the position of the rear boundary and the location and block plans had been amended accordingly, with revisions to the red line site area. The scale and design of the development were unchanged. The Planning Officer considered that the site area was still of a sufficient size to adequately accommodate the proposed dwelling, garage and amenity space. In addition, the Planning Officer considered that the proposal was acceptable in its present form and would be in keeping with the character of the area; furthermore there were no windows on the side elevation of the garage protecting the adjoining neighbour from any noise or loss of privacy. The adjoining property had a detached garage with accommodation above and the dwelling and garage could be accommodated without adversely affecting adjoining residential amenities. The officer reminded members of the Parish representation at the previous meeting, confirming their request for a S106 agreement retaining the garage as ancillary accommodation, similar to that of the adjoining property.

The Board considered that it was an important principle that detached garage and ancillary accommodation above should remain linked to the main dwelling, and that no further ancillary accommodation was gained through the control of the garage at ground floor; officers confirmed that the proposed conditions would adequately control this.

RESOLVED – that with regard to planning application TWC/2011/0746 the Assistant Director: Planning Specialist be authorised to grant planning permission subject to the applicants entering into a Section 106 agreement requiring that the garage shall be retained as ancillary accommodation to the main dwelling and not sold as a separate unit or let as a separate unit, and further subject to the conditions set out in the report.

(b) TWC/2011/0959 Isombridge Farm, Isombridge, Shropshire, TF6 6NF

The application sought planning permission to convert two agricultural buildings located at either end of a small field on the edge of Isombridge Farm to a live/work unit. No information had been provided to outline the type of business which would occupy the work element of the live/work unit although the original submission stated that the business would fall within Use Class B1 which included offices, research and development and light engineering.

Councillor J M Seymour, Ward Member, had requested that the application be determined by the Plans Board.

Councillor D Johnson, representing Rodington Parish Council, spoke in favour of the application. He informed the meeting that his parish council had adopted a parish

plan which favoured, among other developments, development which would support home based employment. This plan had been consulted upon by the parish council. The current application met this plan and therefore the aspirations of residents of the parish. He noted that the Core Strategy quota of 170 dwellings permissible in the rural area in the period 2006-16 was not a well-considered quota and claimed that there had been no consultation here. He emphasised that the current application met the demand for live/work units in the locality.

Councillor J M Seymour, Ward Member, also spoke in support of the application. She emphasised that the application would benefit a local farming business that currently supported four families by sustainably using redundant farm buildings to generate a small rental income. She referred to the new National Planning Policy Framework with its presumptions in favour of applications that supported the rural economy and that made use of redundant farm buildings. In her view, the site was located very near to the existing farm complex. She considered that the advice of a specialist consultant that the buildings had architectural merit had been sidelined, and referred to the Longdon-on-Tern appeal. Cllr Seymore also considered there were 44 people who are looking for such facilities and these would be approached after any approval.

Mr B Davies, the applicant's agent, addressed the meeting in support of the application. He argued that the proposal would help to sustain the existing farm business. Furthermore, the buildings had architectural merit, as had been pointed out in the report of a consultant appointed by the applicant, and therefore he considered that the application would meet Policy H18. He also considered that the buildings were an integral part of the farm complex, and therefore the application would meet Policy E6. The agent also referred to additional information sent to the department prior to the meeting.

The Planning Officer responded to the points that had been made, clarifying the policy basis that as the site was located in the open countryside where development is strictly controlled there was a need to justify such development. Policy H18 would only permit the reuse of redundant non residential buildings to a residential use where buildings had architectural merit and in this case reiterated the Conservation and the case officers' views that the buildings were generic, disjointed and lacking in architectural or conservation merit. Taking account of policy E6 no evidence had been submitted of how the development will assist farm diversification. The officer also referred to the marketing report for a B1 use over a two year period and the only interest was purely for residential conversion, and as such raised concerns over the viability of the scheme and the likelihood of residential without the work element especially as the two elements are separated in two buildings; subsequently justification and further evidence had been requested from the agent however such information had not been submitted.

The officer also highlighted Members attention to the additional information submitted by the agent since the publication of the report, and responded to those points.

The Assistant Director also responded to some of the points that had been raised, in particular, how the allocation of rural housing had been arrived at by due planning

process involving a public inquiry and the scrutiny of a Planning Inspector, and the place of the new National Planning Policy Framework, which, while it guided planning policy, did not supersede existing local plans and was to be considered where no local planning policies covered an application. He noted the presence of a survey of live/work requirements which had not been adopted or implemented, and emphasised that planning policies should prevail.

Members debated the most appropriate approach to this application. While Members expressed their support for the encouragement of small business, some Members were not assured that this proposed unit would be taken up by businesses in the area, and they noted that there were business units in the Borough that were unoccupied. The Chairman expressed his concerns that the application should not become a pretext for a solely residential development; other Members considered that the points made by the Parish Council held some validity; subsequently it was proposed by Councillor Dugmore, and seconded, that determination of this application be deferred to allow Members to undertake a site visit. The Assistant Director reminded the Board that the purpose of an inspection was not to hear further arguments with regard to the proposal, and other Members did not consider that an inspection would resolve the issues at stake here. Consequently, on being put to the vote, the visit was not agreed.

Councillor Guy proposed that an open deferral be allowed to enable the applicant to make a clearer business plan, and evidence of viability with potential occupants with regard to the potential take-up of a live/work unit at this location.

RESOLVED – that determination of planning application TWC/2011/0959 be deferred to gain additional information and justification for the proposed live/work unit in the open countryside.

(c) TWC/2012/0046 The Hedges, Rowton, Telford, Shropshire, TF6 6QY

This proposal sought planning permission for a new dwelling, garage and ménage area with lighting at land to the south of Rowton in the open countryside.

Councillor S J Bentley, Ward Member, had requested that the application be determined by the Plans Board.

Mr A McPaul, the applicant, spoke in support of the application. He gave his view that the application site was within what he defined as the village of Rowton, and that it was only 200 metres from the centre of the village and only 50 metres from the neighbouring property. He identified the services that to his view made Rowton a village and not a Hamlet. The proposal would be sited with lane access to the village and would adjoin the pumping station serving the village. His proposed building would be a small, affordable and sustainable dwelling which would be sited on an existing hard standing area with no impact on additional land.

The Planning Officer emphasised that in line with the Council's policies this site was defined as lying in open countryside outside of the defined settlements within the rural area where development would be located, and that furthermore no need or justification had been shown why the applicant required to reside at this site. No

agricultural or forestry need had been demonstrated, and that the equestrian use of the site related to a leisure use rather than any agricultural use. Furthermore, the application was not defined as an affordable dwelling as suggested by the applicant as it did not meet the Council's affordable housing policy exceptions. Additionally the proposed house construction being built to meet code 3 for sustainable homes was a medium level, and a high level of sustainability would be code 5 or 6. Members concurred with these strong presumptions against granting planning permission, noting in addition that the site was further from the settlement of Rowton than they had initially imagined, and was not a defined settlement where development would be focused, and as such set an adverse precedent undermining the councils policies. Members also raised concerns with regard to the height of the ménage lights.

RESOLVED – that planning application TWC/2012/0046 be refused for the following reasons:

1. The Local Planning Authority considers that the erection of a new dwelling on this highly unsustainable site is unacceptable as it is outside the settlements of High Ercall, Tibberton and Waters Upton. Furthermore, the special circumstances advanced fail to justify this proposal as an exception to general housing policy. Accordingly, the proposal is contrary to “saved” policies H10 and H24 of the adopted Wrekin Local Plan 1995-2006 and policies CS1 and CS7 of the Local Development Framework Core Strategy, 2007 and the National Planning Policy Framework.
2. The Local Planning Authority considers that proposal to erect a new dwelling in the open countryside exceeds the maximum housing numbers permitted in the rural area and undermine the Core Strategy approach. Accordingly, the proposal is deemed contrary to policy CS1 of the Local Development Framework Core Strategy, 2007.
3. The Local Authority considers that the proposed lighting poles by reason of its location, scale and height would have a detrimental effect on the amenities of adjoining residential properties by virtue of visual impact and light pollution; furthermore the proposal would detract from the character of the predominantly rural open area. Accordingly, the development is contrary to saved policy UD2 of the Wrekin Local Plan and policy CS15 of the Local Development Framework Plan.

(d) TWC/2012/0102 6 Hillside East, Lilleshall, Newport, Shropshire, TF10 9GZ

This application sought planning permission to extend a dwelling house with a single-storey side extension and to convert part of an existing garage into habitable space (annexe) with the erection of a new dormer window.

RESOLVED – that with regard to planning application TWC/2012/0102 the Assistant Director: Planning Specialist be authorised to grant planning

permission subject to the applicants entering into a Section 106 agreement requiring that the development shall be retained as ancillary accommodation to the main dwelling and not sold as a separate unit or let as a separate unit, and further subject to the conditions set out in the report.

- (e) TWC/2012/0147 Sundip, Somerwood, Rodington, Telford, Shropshire, SY4 4RF

This was an application seeking planning permission for the conversion of an existing double garage to form a habitable annexe. It also sought retrospective consent for a door and two windows within the building's north facing elevation. Members expressed their concerns that this was a retrospective application. The meeting was informed that the conversion would, as part of a planning consent, become subject to building control approval.

RESOLVED – that with regard to planning application TWC/2012/0147 the Assistant Director: Planning Specialist be authorised to grant planning permission subject to the applicants entering into a Section 106 agreement that the development shall be retained as ancillary accommodation to the main dwelling and not sold as a separate unit or let as a separate unit, and further subject to the conditions set out in the report.

- (f) TWC/2012/0157 39 New Street, Wellington, Telford, Shropshire, TF1 1LU

This application sought advertisement consent to display one externally illuminated fascia and one externally illuminated hanging sign on the front of the premises on New Street, Wellington. This application was considered in conjunction with application reference TWC/2012/ 0158 seeking consent for change of use, alteration to shop front and installation of a satellite dish and air conditioning unit.

Members considered that the proposed advertisements respected the nature of the Conservation Area.

RESOLVED – that with respect to planning application TWC/2012/0157 advertisement consent be granted subject to the conditions as set out in the report.

- (g) TWC/2012/0158 39 New Street, Wellington, Telford, Shropshire, TF1 1LU

This application sought permission for change of use from retail (Use Class A1) to betting office (Use Class A2) alteration to the shop front and installation of a satellite dish and air conditioning unit to the rear of the building. This application was considered in conjunction application reference TWC/2012/ 0157 seeking consent for advertisement of signage at the front of the building.

Wellington Town Council had requested that the application be determined by the Plans Board.

Councillors G Riley and P McCarthy, representing Wellington Town Council spoke in opposition to the proposals. They expressed the concerns of the town council at the decline of shopping opportunities and diversity that their town was able to offer and the resultant reputation that the town might acquire. There were already two betting shops in the town and a total of four gambling outlets. The town council considered if this was an application for an additional sex shop members views would be different. The town council was concerned that the proposal was located in a deprived area and would encourage a destructive and addictive habit. They had collected a petition signed by 300 local signatories that supported this view.

The Planning Officer confirmed that the petition had not been submitted to the department and consequently not reported on the report or any update. The officer highlighted that whilst the proposal would conflict with the 1 in 4 non retail units in this precise location, along the street the proposal would not reduce the retail units to less than 25% as set out in the report.

The Board, however, considered that empty shopping units were more destructive to a retail environment, and retail units that were in use enhanced the 'footfall' in our towns and thus helped to sustain other retail units.

RESOLVED – that with respect to planning application TWC/2012/0158 planning permission be granted subject to the conditions as set out in the report.

The meeting ended at 7.30 pm.

Chairman:

Date: