

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 3 July 2013 at 6.00pm in the Telford Suite, The Telford Whitehouse Hotel, Watling Street, Wellington, Telford TF1 2NJ**

**PRESENT:** Councillors J C Minor (Chairman), N A Dugmore, A S Jhavar, R T Kiernan, J Loveridge (as substitute for Councillor K R Guy), A A Meredith (as substitute for Councillor I T W Fletcher), G C W Reynolds, S A W Reynolds and C R Turley.

**ALSO PRESENT:** Councillors S Bentley (for planning application TWC/2013/0332), A J Eade (for planning application TWC/2013/0312); V A Fletcher (for planning application TWC/2013/0401); A D McClements (for planning application TWC/2013/0207) and C P R Mollett (for planning application TWC/2012/0650).

#### **PC-007      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 12 June 2013 be confirmed and signed by the Chairman

#### **PC-008      APOLOGIES FOR ABSENCE**

Councillor I T W Fletcher and K R Guy

#### **PC-009      DECLARATIONS OF INTEREST**

With respect to planning application TWC/2013/0332, Councillor R T Kiernan commented that he knew the applicant personally and would withdraw from the meeting for that item.

#### **PC-010      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PC-011      SITE VISITS**

**RESOLVED** – that a site visit takes place at 4.15pm on 24 July 2013 at Lee Dingle, 48 Lees Farm Drive, Madeley, Telford, Shropshire, TF7 5SU in respect of planning application TWC/2013/0325.

#### **PC-012      PLANNING APPLICATIONS FOR DETERMINATION**

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2012/0650, TWC/2013/0297, TWC/2013/0312, TWC/2013/0332 and TWC/2013/0355.

(a) TWC/2012/0650 - Doseley Works, Doseley, Telford, Shropshire, TF4 3BX

This was an outline planning application, to include access, for the erection of 460 dwellings with associated estate roads, infrastructure and open space following the demolition of the existing industrial/factory buildings and facilities on site. An update report was tabled which detailed additional comments from the Council's Ecology Officer, an additional objection received, commuted sums for SUDs drainage and a revised sum for increased Section 106 education contributions following recalculation.

Councillor C P R Mollett, Ward Member, had requested that the application be determined by the Planning Committee. Councillor Mollett spoke on behalf of local residents to oppose the proposals, focussing his comments on the site access but also raising concerns regarding ecology, loss of wildlife and loss of employment land. He asked the Committee to consider undertaking a site visit.

Mr D Gibson, a Local Resident also spoke in opposition to the application on the grounds of site access, traffic issues including flow and volume, loss of employment land, contaminated land in relation to the positioning of the play area and sewerage drainage. He considered that the Committee should defer determination of the application until appropriate environmental health studies had taken place and a new transport study had been completed.

Mr Jon Rowson, from the Applicant company, spoke in support of the application commenting that the site was predominantly Brownfield, noting that an option to purchase had not been exercised by FP McCann (current occupiers), efforts to protect ecology through aspects of the design and the company's timetable for development at the site. He also commented that the development would also provide apprenticeship opportunities for local young people.

The Planning Officer highlighted aspects of the report including affordable housing, green space and landscaping, drainage, contributions for a BMX track, employment land use in the borough, Green Network, National Planning Policy and local policy considerations.

During the following debate, Members raised questions and concerns regarding traffic generation, particularly in terms of the single access point and increased traffic flows relating to the potential nursing home, access, land stability and ground conditions, contamination and methane gas monitoring, archaeology, loss of employment land, lack of consultation with the Parish Council, responsibility for open spaces, planning history, viability and affordable housing.

The Planning Officer responded to questions raised, noting that previous planning applications were significantly different and no direct comparison could be drawn; the adoption of open spaces, including the quarry pool, was subject to negotiation and often management companies were set up for this purpose. She advised that affordable housing was not being reduced but that some of the apartments needed to be open market and that, as the site was in an urban area there was not a policy figure specified for the amount of affordable housing. The Applicant was able to

confirm that consultation with Dawley Hamlets Parish Council had taken place in September 2012.

The Assistant Director: Planning Specialist also referred Members to the report which noted that there were no technical objections on highways grounds subject to conditions and that a standard contaminated land condition was recommended with long term monitoring and maintenance being undertaken by the Council's Environmental Health Officer. Furthermore, the proposed Section 106 Agreement would provide for either a commuted sum for open space maintenance or the setting up of a management company. The Assistant Director: Planning Specialist reminded Members to carefully consider the contents of the report alongside the comments made by public speakers, applying appropriate weight to those comments, to assess the application and decide whether there were sustainable reasons for refusal.

Members remained disappointed at the loss of employment land, and noted significant local opposition to the loss, but some Members also noted that there was sufficient employment land across the borough and that the current occupiers of the land were downsizing in any event. Some Members further considered that with the loss of the current occupier, an industrial site would look somewhat incongruous in the developing residential setting. Members welcomed the proposed condition that a second access point would be required once 75% of the proposed 460 dwellings had been built, with the remaining 25% only released for construction providing that a secondary vehicular access was provided and available for use.

At the end of the debate, and in accordance with Committee Procedure Rule 12, a recorded vote on the motion to approve the recommendations contained in the update report tabled at the meeting was taken, the voting being as follows:

For: 6

Councillors A S Jhavar, J Loveridge, J C Minor, G C W Reynolds, S A W Reynolds and C R Turley.

Against: 3

Councillors N A Dugmore, R T Kiernan and A A Meredith.

Abstentions: 0

**RESOLVED** – that with respect to planning application TWC/2012/0650 the Development Management Service Delivery Manager be authorised to grant outline planning permission subject to the applicants/landowners entering into a Section 106 Agreement to provide £919,941 towards primary school education facilities in the vicinity of the development; £78,000 towards maintenance of Sustainable Drainage features; 25% affordable housing; £50,000 towards an off-site national BMX track; bus subsidy based on £490 per dwelling unit; £25,000 for Public Rights of Way improvements; £5,000 for Travel Plan monitoring; contributions for the western roundabout improvements - A5223/Bridge Road and Jiggers Bank Roundabouts based on a pro-rata development traffic basis (yet to be agreed); clauses to allow for

**either open space maintenance commuted sums or a management company and S106 monitoring of £1,000 plus £500 per covenant; and further subject to the conditions set out in the update report tabled at the meeting and addition of an archaeological condition and correction for Level 4 code for sustainable homes (with authority to finalise conditions and add any others officer deem necessary).**

(b) TWC/2013/0207 - Garages to rear of 44 & 46 Dawley Road, Arleston, Telford, Shropshire

This application was for the erection of a two storey detached building containing 4no. two-bedroomed flats (two on each floor) with associated car parking and access. The application site was previously owned by the Council which had charged rent for the siting and use of garages. The land had been sold by the Council approximately 2 years previously as it was not considered viable to maintain and, despite there being no legal right of access, some local residents were still using some of the garages. A site visit had taken place that afternoon.

Councillor A D McClements, Ward Member, had requested that the application be determined by the Planning Committee. Councillor McClements spoke on behalf of local residents to oppose the proposals on the grounds of the safety of the footpath, noise, overlook, loss of privacy, lack of street lighting, safety of the access, turning for bin lorries and access for emergency services. She also noted that some local residents were still using the garages and had no other form of parking available to them.

The Planning Officer drew Members' attention to aspects of the report including the ownership of the site and highlighting sustainability issues, adequacy of separation distances, highways access, parking and noted that the footpath was unadopted. She recommended that Members consider adding a condition regarding construction access for parking and delivery.

Referring to the site visit which had taken place that afternoon, some Members raised concerns regarding pedestrian safety and vehicular access, bin wagon tracking, the presence of asbestos and demolition, adequacy of parking provision and the possibility to make parking provision for the resident at 24 Festival Gardens, and the lack of street lighting. Conversely, other Members welcomed improvement of the dilapidated site including pedestrian and road safety mitigation measures, and noted that the current users of the garages had no legal right to do so.

Addressing Members' comments, the Planning Officer noted that if Members were minded to add a condition for street lighting, consideration should be given as to whether it would be too onerous for the developer to maintain on an unadopted footpath. She further suggested that the occupation of the proposed units would in itself add ambient lighting to the area and enhance safety. She advised that an informative could be added to remind the developer of their legal obligations in respect of demolition and the presence of asbestos, and advised that there was no legal obligation to provide alternative parking for current users.

On being put to the vote it was unanimously:-

**RESOLVED** – that with respect to planning application TWC/2013/0207 planning permission be granted subject to the conditions as set out in the report and further subject to an additional condition for construction access and an informative regarding the applicant’s demolition obligations.

(c) TWC/2013/0297 - Land off Edgmond Road, Newport, Shropshire

This was an outline application with all matters other than the means of access (appearance, landscaping, layout and scale) being “reserved matters” for consideration at a later stage via a separate application(s) for up to 85 houses (of which 35% would be Affordable Homes), highway and associated infrastructure works including pedestrian links, formal and informal Public Open Space including a Locally Equipped Area of Play (LEAP), wildlife corridors and retained hedgerows; and an on site water attenuation feature. A site visit had taken place that afternoon and an update report, detailing the receipt of an updated Flood Risk Assessment, additional objections received from local residents and the figure for Section 106 Agreement contributions for Planning and Financial Monitoring, was tabled.

Councillor S Bentley, representing Edgmond Parish Council (adjoining the site), spoke to oppose the application on the grounds of traffic generation and highway safety in particular relating to the adequacy of the traffic impact study, housing needs, concerns that the recommendation sought delegated authority to the Development Management Service Delivery Manager, and policy conflicts with the Landscape Sensitivity and Capacity Assessment.

Cllr R Pitt, representing Newport Town Council, also spoke in opposition to the application on the grounds of access and egress to the development, traffic speed and traffic generation, highway safety, building on Greenfield land, flooding and housing need.

Mr P Barlow, a local resident, also spoke to oppose the application on the grounds of traffic volume and safety, peaceful enjoyment of the nearby caravan park, protection of green space in accordance with the emerging Shaping Places plan, loss of a gateway into Newport, housing delivery, ecology and loss of wildlife. Mr Barlow also expressed concern that there had been some disruption to the receipt of consultation responses.

Mr E Harper, the Applicant’s Agent, addressed the Committee in support of the application pointing to the lack of objection to the application, subject to conditions, from the Council’s officers and relevant bodies.

The Planning Officer directed Members to the sections of the report which comprehensively detailed issues regarding traffic and highways issues, housing numbers and phasing, landscape, flooding and ecology. The Planning Officer also explained the technical error which had resulted in some consultation responses failing to appear on e-Planning and emphatically confirmed that this had been rectified. The Assistant Director: Planning Specialist was confident that the range of concerns identified were amply covered in the report and that the significant level of local opposition had also been identified, advising Members that they should

consider the information available and decide what weight they should attach to each element.

During the ensuing debate, Members raised a number of questions and comments. Clarification was sought regarding the provision of affordable housing and the Planning Officer confirmed that the figure of 35% should relate to numbers and not value. Members raised concerns upon the speed and volume of traffic, highway danger, build out rates and housing delivery against planned targets, planning policy in relation to Shaping Places and the National Planning Policy framework, building on Greenfield sites and flooding. Conversely, other Members noted proposed traffic mitigation measures, affordable housing need particularly highlighting lengthy waiting times in Newport and sustainability of the site, concluding that the application was compliant with the National Planning Policy Framework.

The Assistant Director: Planning Specialist addressed the concerns raised by assuring Members that the Highways Officer had no objection to the application, subject to condition; directed Members to the detailed consideration of affordable housing need set out in the report; assured Members that Shaping Places was on track for completion in accordance with the planned timetable and advised that the Borough was strongly placed in contrast with other authorities with regard to build out rates. He commented upon the use of Greenfield sites and noted that national bodies had been consulted on drainage issues. He further advised Members of their obligations in determining the application based upon material planning considerations and commented upon the appeals process.

At the end of the debate, and in accordance with Committee Procedure Rule 12, a recorded vote on the motion to approve the recommendations contained in the update report tabled at the meeting was taken, the voting being as follows:

For: 6

Councillors A S Jhawar, J Loveridge, J C Minor, G C W Reynolds, S A W Reynolds and C R Turley.

Against: 3

Councillors N A Dugmore, R T Kiernan and A A Meredith.

Abstentions: 0

**RESOLVED** – that with respect to planning application TWC/2013/0297 the Development Management Service Delivery Manager be authorised to grant planning permission subject to:-

**A the applicants/landowners entering into a Section 106 Agreement (with final terms to be agreed by the Development Management Service Delivery Manager) to provide:-**

**(i) Affordable housing, to include: provisions ensuring that 35% of the dwellings to be built shall be affordable housing**

- (ii) **Highways works, to include: Off site highway infrastructure improvements - up to a maximum of £47,755.24; Public transport service enhancements – £10,000 Travel Plan monitoring - £5,000; Implementation of Traffic Regulation Order – £5,000.**
  - (iii) **Education infrastructure funds up to maximum of £120,172 towards Primary School provision and £82,279 towards Secondary School provision within the vicinity of Newport.**
  - (iv) **A formulated commuted sum for the adoption and maintenance of public open space, LEAP facilities and Sustainable Urban Drainage System at the site by Council (if that option is exercised by the applicant); and**
  - (vi) **Provision of a Planning and Financial Monitoring contribution of £4,500**
- B and further subject to the conditions set out in the update report tabled at the meeting (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager).**

(d) TWC/2013/0312 - 9 Woodcote, Telford, Shropshire, TF10 9BW

This proposal sought planning permission to change the use of vacant land to a permanent travellers site. The proposals included hardstanding for 4 chalets, spaces for 3 caravans, a permanent amenity/day room block, the erection of a small package sewage treatment plant and provision for parking for 4 cars. A site visit had taken place that afternoon and an update report, detailing additional consultation responses received since the publication of the main report, was tabled.

Councillor A J Eade, Ward Member, had requested that the application be determined by the Planning Committee.

Cllr M Roberts, representing Chetwynd Aston & Woodcote Parish Council, spoke to oppose the proposals on the grounds of highway safety relating to traffic speeds and fears that the site would be expanded in future.

Councillor A J Eade, Ward Member, spoke on behalf of local residents to oppose the proposals on the grounds of highway safety, loss of visual amenity, detrimental affect on local amenity, adequacy of road traffic surveys, detrunking of the road and the number of road traffic accidents in the vicinity. Councillor Eade pointed to traveller site policy which sought to limit their appearance in open countryside land and noted that the acquisition of a similar site at Donnington Wood was due to be considered by Cabinet. Councillor Eade provided some photographs which were displayed to the Committee with the agreement of the Chairman.

The Chairman proposed, seconded by Councillor S A W Reynolds, that determination of the application should be deferred for further assessment by Highways Engineers whose attendance would be welcomed at a future meeting to determine the application. On being put to the vote it was unanimously:-

**RESOLVED** – that determination of planning application TWC/2013/0312 be deferred to allow a further traffic assessment to take place and to enable the Council's Highways Officers to attend the meeting of the Planning Committee at which the application will be determined.

After the vote had been taken, Mr K Saxon, a Local Resident, who had registered to speak in opposition to the proposals was afforded the opportunity to make comments. Mr Saxon gave a graphic description of a fatality at a recent road traffic accident in the vicinity of the application site.

(e) TWC/2013/0332 - Land adjacent 34 Waters Upton, Telford, Shropshire

*In accordance with his declaration of interest Councillor R T Kiernan left the room during determination of this application.*

This planning application sought outline consent for the erection of a detached dwelling and garage with access from the highway with all other matters reserved for later approval. Waters Upton Parish Council had requested that the application be determined by the Planning Committee. An update report, detailing consultation responses received since the publication of the main report, was tabled.

Councillor S Bentley read out a statement from Waters Upton Parish Council which opposed the application on the grounds of visibility and highway safety in terms of the new access in relation to six other nearby access points, existing vehicular movements, impact upon the safety of users of the village hall, key settlement status and the subsequent impact of increasing development on the character of the village and housing need.

Councillor S Bentley, speaking as Borough Ward Member, opposed the application on the grounds of visibility splay and removal of historic hedgerow in conflict with the National Planning Policy Framework, housing growth not being consistent with community need and the impact upon the character of the village.

Mrs S Wall, representing local residents, spoke to oppose the application, drawing attention to inconsistencies in the report and accuracy of the application; she referred to lack of consultation prior to the application being made and the impact upon neighbouring properties including noise, overshadowing, loss of sunlight, loss of privacy and the proximity. She also referred to the removal of an historic hedgerow to create sufficient visibility splay and the arboriculturalist's advice in this respect, she commented upon housing need in the village and alleged that some letters of objection had been lost or reluctantly agreed for inclusion.

Ms J Bleach, the Applicant's Agent, and the applicant, Mr D Morgan addressed the Committee in support of the application. Mr Morgan referred to pre-application consultation with the Local Planning Authority and Highways Engineers, nature of his butcher's business which employed local people and the potential for investment therein. Ms Bleach commented upon the application process, principle of development and access, visibility and recent agreement by the arboriculturalist that the hedgerow could be removed if a replacement was made. Ms Bleach also stated

that the application represented a suitable infill plot of ample size and was compliant with the National Planning Policy Framework and Core Strategy.

The Planning Officer drew Members' attention to the report, highlighting that the village was a suitable and sustainable settlement for residential development, and commented upon the imposition of conditions to ensure replacement hedgerow. She indicated that matters of overlook and privacy would be considered at reserved matters stage. The Planning Officer also gave assurances that the letters of objection which had allegedly been omitted from the report, were, in fact, duplicates which had already been received into the system and that the tabled update reflected late objections received. Members were given further assurances, which were accepted by the Chairman, regarding the resolution of technical issues with the e-Planning system and receipt of objections.

In considering this application, Members noted comments from the speakers regarding community identity, loss of hedgerows and employment and considered these in relation to the principle of development on the site. On being put to the vote it was unanimously:-

**RESOLVED** – that with respect to planning application TWC/2013/0332 planning permission be granted subject to the conditions as set out in the update report tabled at the meeting.

(f) TWC/2013/0355 - Telford Ski Centre, Court Street, Madeley, Telford, Shropshire, TF7 5DZ

This was a Council application seeking full planning consent for the erection of a single storey extension at Telford Ski Centre in Madeley to provide new changing room facilities with a link to the existing main building.

**RESOLVED** – that with respect to planning application TWC/2013/0355 planning permission be granted subject to the conditions as set out in the report.

(g) TWC/2013/0401 - 9 Bayswater Close, Priorslee, Telford, Shropshire, TF2 9GY

This application sought consent to remove condition 4 of TWC/2012/0423 which related to an obligation for obscure glazing of part of a first floor window. An update report, detailing additional consultation responses received since the publication of the main report, was tabled.

Councillor V A Fletcher, Ward Member, had requested that the application be determined by the Planning Committee. Councillor Fletcher spoke on behalf of neighbouring residents to oppose the proposals on the grounds of loss of privacy and loss of residential amenity. Councillor Fletcher also referred to the site visit which took place prior to the meeting of the Plans Board which originally determined the application on 22 August 2012.

The Planning Officer referred the Committee to photographs which had been taken showing views from the first floor window in question. Members considered that the views were primarily a street scene and did not believe that there were grounds to refuse the application.

**RESOLVED** – that with respect to planning application TWC/2013/0401 planning permission be granted subject to the conditions as set out in the report.

The meeting ended at 9.01pm

**Chairman:** .....

**Date:** .....