

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 6 February 2013 at 6.00pm in the Auditorium, Abraham Darby Academy, Hill Top, Ironbridge Road, Madeley, Telford

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher, R T Kiernan, J Loveridge, G C W Reynolds, S A W Reynolds and C R Turley

ALSO PRESENT: Councillor S Bentley (for planning application TWC/2012/0314), Councillor D G Davies (for planning application TWC/2011/1102), Councillor J M Seymour (for planning application TWC/2012/1018) and Councillor B J Thompson (for planning application TWC/2012/0942).

PB-079 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on Wednesday, 16 January 2013 be confirmed and signed by the Chairman.

PB-080 APOLOGIES FOR ABSENCE

None.

PB-081 DECLARATIONS OF INTEREST

Cllr N A Dugmore commented on his position as a Parish Councillor with regard to planning applications TWC/2012/0138 and TWC/2012/0139 but stated that, in the circumstances, he would not be withdrawing from the meeting for those items.

Cllr R T Kiernan commented on his position regarding planning application TWC/2012/1018 and stated that, in the circumstances he would withdraw from the discussion and determination of that item.

PB-082 DEFERRED/WITHDRAWN APPLICATIONS

None

PB-083 SITE VISITS

RESOLVED – that a site visit takes place at 4.30pm on Wednesday, 27 February 2013 at land adjacent to The Cleveland Arms, High Ercall, Telford, Shropshire, TF6 6AE in respect of planning application TWC/2012/0314.

PB-084 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/2011/1102 and TWC/2012/0320.

(a) TWC/2011/1102 - Land off Beech Road, Madeley, Telford, Shropshire

This was an outline application for part demolition of existing care village and nursery followed by construction of not more than 90 no open market residential dwellings, 3 no registered social care bungalows, a new plant nursery and cafe, including the provision of means of access. All matters other than the means of access (ie appearance, landscaping, layout and scale) were reserved matters for subsequent approval. The Gorge Parish Council had requested that this application be determined by the Plans Board. An update report was tabled at the meeting which clarified the views of Telford & Wrekin Council Social Care and explained legal revisions to the proposed Section 106 Agreement.

Councillor M Bragg, representing The Gorge Parish Council, spoke to oppose the application. Councillor Bragg noted the excellent relationship to date between the Care Village and local residents, but raised concerns in terms of scale, traffic generation and pedestrian safety, loss of Green Network and wildlife corridor, encroachment on the buffer zone for the World Heritage Site, lack of affordable housing, impact upon infrastructure (particularly sewerage and drainage) and local education provision.

Councillor D G Davies, Ward Member for Ironbridge Gorge, raised concerns regarding the protection of the World Heritage Site, road access and transport, increased traffic generation in the area, flouting of traffic restrictions along Lincoln Hill, over-development of the site and suggested that the density of dwellings be reduced.

A statement was read from Councillor G M Green, Ward Member for the adjoining Madeley Ward, which drew attention to increased traffic generation along School Road and Beech Road and asked Members to consider further Section 106 contributions for highways and traffic management.

Mr R Turner, representing local residents, noted there was no animosity towards the Care Village but stated that the application raised concerns on the grounds of scale, impact upon the World Heritage Site, traffic generation and highway safety, and the potential impact upon the Beeches Hospital.

Ms V Joynes, the applicant's agent, spoke in support of the application. She noted the comprehensive officer's report which detailed no objection in terms of the submitted traffic report and pointed to the proposed Section 106 contribution towards footpath improvements in the vicinity of the application site. She further noted that there were no objections from Severn Trent Water or from the Council's Education Service and drew attention to overall enhancement and improvement to the function and operation of the Green Network in this location.

The Planning Officer reminded Members of the Board that the application arose as a result of the applicant's response to changing central Government best practice requirements in relation to the provision of residential care and noted that discussions had been ongoing since 2005. She drew attention to elements of the report relating to affordable housing and viability, green network and open space, protection of wildlife, ecology, consultation responses including education provision,

and commented that the flouting of the Traffic Regulation Order restriction on access to properties on Lincoln Hill was a matter for the Police.

The Assistant Director: Planning Specialist advised that there was not a formal buffer to the World Heritage Site but that the design had been carefully considered with a view to protecting this important asset; the Environment Agency and Utilities were satisfied with the proposals and Highways had no objection subject to condition. He also pointed out that the proposals contributed towards local housing need.

The Legal Advisor clarified intentions with regard to the Section 106 Agreement, as set out in the update report.

During the ensuing debate, Members expressed views relating to the protection of the World Heritage Site, education provision, access, housing density and affordable housing. Members were also mindful that the development met the requirements of the National Planning Policy Framework (NPPF) and welcomed the applicant's positive approach and commitment to patient choice. It was, by a majority vote:-

RESOLVED – that with respect to planning application TWC/2011/1102 the Development Management Manager be authorised to grant planning permission subject to:-

- (A) the applicants entering into a Section 106 Agreement (with full terms to be agreed by the Development Management Manager) to include:
 - (i) Alternative affordable housing provision (to be provided prior to the occupation of any open market housing on site) in the form of at least 10 Registered Care or Supported Living Units (in addition to the 3 registered 2 bed bungalows), with requirements that:-
 - (1) Each of the 10 units should sleep at least 3 people and be capable of meeting the Social Services requirements for Registered Care/Supported Living;
 - (2) Those persons already residing at Forbes Close will have priority for the newly acquired properties and registered bungalows;
 - (3) In addition to the registered bungalows, at least 3 of the 10 units being available on site if required by existing Forbes Close residents;
 - (4) In the event that vacancies arise in any of the on site properties over time, that Telford & Wrekin Council has the opportunity to nominate an alternative resident for that vacancy from individuals known to Telford & Wrekin Council as being suitable to be nominated as a new tenant at the Property.

(5) If there are no nominations from Telford & Wrekin Council and the applicant cannot fill voids within an on site property and it is vacant for more than 6 months, then the applicant can apply to Telford & Wrekin Council for consent to let or sell the property on the open market free from the obligations and restrictions

(ii) contribution of £12,500 to fund public footpath improvements in the vicinity of the site;

(B) and further subject to the conditions set out in the report.

(b) TWC/2012/0138 - Hill Farm House, Land adjacent, Old Farm Lane, Lilleshall, Newport, Shropshire

Members considered this application for listed building consent to allow conversion to residential dwellings in conjunction with planning application reference TWC/2012/0139 (below).

RESOLVED – that with respect to planning application TWC/2012/0138 listed building consent be granted subject to the conditions set out in the report.

(c) TWC/2012/0139 - Hill Farm House, Land adjacent, Old Farm Lane, Lilleshall, Newport, Shropshire

Members considered this proposal alongside planning application reference TWC/2012/0138 (above) which sought listed building consent. This proposal comprised the conversion of barns to form 9no dwellings and erection of 12no dwellings (including 6 affordable properties) with associated garaging, parking and access. Plans Board had previously considered this application and granted planning permission by a majority vote on 3 October 2012. However, Members were now asked to consider revised drawings in respect of Barns 8 and 9 which included a modest single storey extension on the western elevation of Barn 9. The Council's Conservation Officer had confirmed that she had no objections to the alteration. Members were satisfied with the revision as displayed by the Planning Officer and the revision was unanimously supported.

RESOLVED – that with respect to planning application TWC/2012/0139 planning permission be granted subject to the applicants entering into a Section 106 Agreement in respect of the specified affordable homes being transferred to an RSL with the tenure noted above, a commuted sum of £12,600 to be payable for improvements towards the upgrading of the nearest community use recreational, the implementation of works to the car park carried out in accordance with planning application reference TWC/2012/0558, and commuted sum of £16,500 to be payable for use by the Parish Council for improvements to Lilleshall Memorial Hall and any other minor works identified within Lilleshall by the Parish Council; and further subject to the conditions set out in the report.

- (d) TWC/2012/0314 - Land adjacent to The Cleveland Arms, High Ercall, Telford, Shropshire, TF6 6AE

This was a proposal which sought planning permission for the erection of 6no dwellings with associated car parking.

RESOLVED – that determination of planning application TWC/2012/0314 be deferred to allow the Board Members to make a Site Visit.

- (e) TWC/2012/0320 - Land off Sommerfeld Road, Hadley, Telford, Shropshire

This was an outline planning application, with means of site access from Sommerfeld Road to be determined, for the erection of up to 185 dwellings (Class C3), public open space including linear park and community allotments, balancing pond and associated earthworks to facilitate surface water drainage, landscaping, car parking, and other ancillary works. Layout, scale, appearance and landscaping were reserved matters for subsequent approval. Members considered this application for reserved matters consent for residential development in conjunction with planning application reference TWC/2012/0583 (below). An update report was tabled at the meeting and the Planning Officer further updated Members regarding the proposed Section 106 contributions and the need for a further planning condition. He explained that off-site highway improvements would be subject to planning conditions and subsequent highway adoption procedures rather than including such requirements within the section 106 Agreement.

Mr M Warner, Chief Executive of the applicant company, spoke to support both applications. He explained the falling demand for bricks as a result of the downturn in the economy and the company's subsequent response which would ensure job retention at the site. He commented upon viability issues with regard to affordable housing and Section 106 contributions and asked Members to consider the submission of a financial viability appraisal after five years, rather than the three recommended by the Planning Officer.

The Planning Officer referred to the background to the applications as detailed in the reports and particularly drew Members' attention to discussion in the report regarding the provision of recreational resource, viability and affordable housing, Section 106 contributions, traffic and highways. In relation to recreation provision, he stated that the element of the application relating to allotments was being further considered and may not be developed. With regard to the review of financial viability, he stated that it was normal to seek review after two to three years and, in his opinion, the five years requested by the applicant was too long.

Members asked questions regarding contaminative sources, mineshafts, conditions regarding piling, stability for retaining walls, retention of notable heritage features and viability. Whilst some disappointment was expressed regarding the lack of affordable housing included in the proposals, Members were keen to support local industry, however the requested five year review of viability was considered to be too long. Members were also mindful of the application of the NPPF.

In response to questions, the Planning Officer advised that it was not appropriate to condition retaining walls in relation to the use of gabion baskets as the NPPF clearly placed the onus of responsibility for stability upon the developer. With regard to mineshafts, no permanent structures would be erected at the factory site in an area where known mineshafts existed. Turning to contaminated land issues, the Planning Officer advised that there was some overlap between the requirements of the Environment Agency and the Council's Land Contamination Officer, whilst the phase 1 desk study was accepted, some further work was required to satisfy the requirements of the Environment Agency. The Assistant Director: Planning Specialist noted Members' comments regarding the availability of viability studies and stated that some consideration would be given to how viability information could be shared in future without compromising commercial interests. The Development Management Manager indicated that it may be possible to share the standard template to demonstrate the type of issues considered.

On being put to the vote, it was unanimously:-

RESOLVED – that with respect to planning application TWC/2012/0320 the Development Management Manager be authorised to grant planning permission subject to:-

- (a) the applicants entering into a Section 106 Agreement to secure financial contributions consisting of £359,000 to be used for education provision, £30,000 for upgrade to off-site NEAP, £7,000 for planning/financial monitoring and £5,000 for travel plan monitoring;
- (b) the developer be required to submit a financial viability appraisal as agreed in writing by the Council prior to the third anniversary of the date of Plans Board and should the viability appraisal demonstrate that there is an uplift in land values having regard to development costs then affordable housing be provided in accordance with the approval in writing of the Council;
- (c) the Development Management Manager confirming that the distinctive block work motif associated with the factory livery at the current point of access and the Thomas Telford chimney at the site would be retained and incorporated into the landscaping scheme/public art provision;
- (d) and further subject to conditions detailed in the report except Conditions 6 and 22 are deleted and replaced by the following condition:

Condition 6: No development (excluding demolition, site clearance and site preparation) shall commence within the area marked B on the Phasing Plan Reference G3980 until the car parking, vehicle turning area, wheel wash facilities and office building as approved under planning permission TWC/2012/0583 have been constructed and are operational.
- (e) and further subject to an additional condition regarding noise attenuation.

- (f) TWC/2012/0583 - Blockleys Bricks Ltd, Sommerfeld Road, Hadley, Telford, Shropshire, TF1 5RY

Members were presented with this proposal, which would normally have been determined by Officers, as it was linked to application TWC/2012/0320 (above) for residential development. This proposal, considered in conjunction with planning application reference TWC/2012/0320, sought planning permission for the reconfiguration of an existing factory site to include provision of a new office block (Class B1), relocation of wheel wash and reconfiguration of existing roadway and parking arrangements and other ancillary works.

RESOLVED – that with respect to planning application TWC/2012/0583 planning permission be granted subject to the conditions as set out in the report.

- (g) TWC/2012/0808 - Land adjacent to Rock Cottage, 39 Mill Lane, Tibberton, Shropshire, TF10 8NL

This application for the erection of a 2 storey detached dwelling with integral single garage to side was brought to Plans Board for determination due to the previous planning history at the site.

Mr P Middleton spoke on behalf of the neighbouring resident (Green Ridges) to oppose the application. He highlighted the planning history of the site including the appeal decision in 2006, application of the NPPF, the uniqueness of the site, loss of light to the neighbouring property's living room and kitchen, access and road safety, visual impact upon the aspect of the village and subsequent fears that granting the application would set a precedent for development in the area. He concluded by inviting Members to undertake a site visit.

Mr A Williams, the Applicant's Agent, spoke in support of the application. He highlighted changes in national and local policy which superseded some local policy provisions which had been relevant at the time of previous decisions pertinent to this application and argued that, with the NPPF's presumption in favour of sustainable development, this application was now acceptable. He pointed to the location, scale and design and emphasized the general lack of objection to the proposals concluding that the main objection related to loss of private view rather than visual amenity.

The Planning Officer advised Members that whilst previous decisions were material planning considerations and there would normally be reluctance to counter them, the NPPF represented a strong change in policy direction. He noted that the site was at the edge of the village, not in open countryside, and benefitted from adequate access, parking and amenity areas. Whilst some secondary windows of the neighbouring property would be affected, the overall design was considered acceptable and compliant with current policy as detailed in the report.

Following clarification of road access to and egress from the proposed dwelling, which windows of the neighbouring property would be affected and separation

distances, the majority of Members considered that the evolution of planning policy and the weight afforded to the NPPF meant that they were not in a position to refuse the application.

RESOLVED – that with respect to planning application TWC/2012/0808 planning permission be granted subject to the conditions as set out in the report.

(h) TWC/2012/0942 - Land between 8 & 16 Hordley Road, Wellington, Telford, Shropshire

This application sought full planning permission for the erection of 4no three storey town houses.

Councillor B J Thompson, the local Ward Member, spoke on behalf of local residents who opposed the application. He raised concerns regarding safety due to the creation of an alleyway between plot 4 and the existing shop, inadequate lighting, the location of three storey dwellings against existing properties, the character of the design and movement of the bus-stop. He requested that Members considered a site visit and sought support for contributions towards the provision of a bus shelter.

Mr C Huntley, the Applicant's Agent, spoke to support the application. He noted that the site was privately owned in a sustainable location and that the development sought to improve vehicular and pedestrian safety and would also improve the area by limiting opportunities for fly tipping. He stated that the applicant would not object to a condition to introduce a scheme of lighting for the alleyway if Members were minded to approve the proposals.

The Chairman noted that a site visit had been suggested during the public opportunity to speak, but as Members were familiar with the site there was no proposer for a deferral to make a site visit.

The principle of development having already been established at the site, Members considered that the proposals would improve the area and that the design was a good fit with the existing street scene. However, some concern was expressed regarding the lack of lighting for the alleyway created within the proposals, and considered that a scheme of lighting should be conditioned to improve safety.

RESOLVED – that with respect to planning application TWC/2012/0942 planning permission be granted subject to the conditions as set out in the report and further subject to an additional condition to provide a scheme of lighting for the alleyway created between plot 4 and the existing shop.

(i) TWC/2012/1018 - Unit 2-10, Sutton Road, Admaston, Telford, Shropshire, TF5 0AY

This application sought consent for use of land adjacent to a block of shops on the junction of Station Road and Sutton Road in Admaston for staff parking and to install a pedestrian access gate. Councillor J M Seymour, Borough Ward Member, had requested that this application be determined by the Plans Board.

Councillor J M Seymour, Ward Member, welcomed the officer's recommendation and stated that following the refusal of a retrospective application in September 2011, the applicant was parking vehicles on the grassy area by the lay-by and achieving access to that land by driving over the driveway belonging to 19 Station Road. The applicant had also laid hard standing on the grassy area which belonged to the Council. Councillor Seymour considered that the use was unsuitable and hazardous and asked that bollards or other suitable protection be afforded to the owner of 19 Station Road whose circumstances required emergency access to their property.

Members sought clarification regarding enforcement action which was provided by the legal advisor. The Planning Officer utilised Googlemaps to demonstrate the application in the context of the street scene and agreed, upon the Member's request, to liaise with colleagues to consider whether bollards or other street furniture was appropriate at the site.

RESOLVED – that planning application TWC/2012/1018 be refused for the following reasons:-

- (a) **The proposed development is unacceptable by virtue of the proposed location over an adopted public highway. Consequently the proposal will prejudice the safety and free flow of highway users, contrary to Wrekin Local Plan saved policy UD2, and the NPPF.**
- (b) **The Local Planning Authority considers proposed vehicle movements generated by the development would be likely to result in an increase in highway danger due to reduced visibility for vehicles exiting the site, exasperated by the lack of on site turning facilities. Accordingly the proposal is contrary to Policy CS15 of the Core Strategy, "saved" policy UD2 of the Wrekin Local Plan and the NPPF.**
- (c) **The Local Planning Authority considers that the proposed land is incidental open space which is important to its locality by virtue of the prominent position within the village. The proposal would have a detrimental impact on the character and amenity of the area. Accordingly the proposal is contrary to Saved Policies OL6 and UD2 of the Wrekin Local Plan and the NPPF.**

The meeting ended at 8.14pm

Chairman:

Date: