

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 21 May 2014 at 6.00pm in the Haybridge Refectory, Telford College of Arts & Technology, Haybridge Road, Wellington, Telford

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher, E J Greenaway, A S Jhavar, C N Mason (as substitute for S A W Reynolds) and C R Turley.

ALSO PRESENT: Councillors M B Hosken and J M Seymour (for planning application TWC/2013/1033)

PC-106 MINUTES

RESOLVED – that the minutes of the meeting of the Planning Committee held on 30 April 2014 be confirmed and signed by the Chairman.

PC-107 APOLOGIES FOR ABSENCE

Councillors J Loveridge, G C W Reynolds and S A W Reynolds

PC-108 DECLARATIONS OF INTEREST

Cllr C R Turley commented on his position regarding planning application TWC/2013/1033 but stated that, in the circumstances he would not be withdrawing from the meeting for that item.

PC-109 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-110 SITE VISITS

None.

PC-111 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 application TWC/2013/1033.

- (a) TWC/2013/0809 - The Former Swan Centre, Grange Avenue, Stirchley, Telford, Shropshire, TF3 1UP

This was an outline application made by the Council with all matters reserved for a residential development of up to 21 dwellings together with associated open space, landscaping and infrastructure.

Members were disappointed that there were no additional comments from Highways or the Arboricultural Officer and that the proposals lacked affordable housing.

The Planning Officer explained that the primary issue for the Highway Officer was the relocation of the existing footway/cycleway that presently ran through the site and whilst it had been hoped this could be resolved prior to the Committee the Planning Officer was confident that the issues could be dealt with by condition. He also noted that the trees in question were protected, although clearly if the trees had an impact on visibility splays they would need to be lost.

The Assistant Director: Planning Specialist also explained that the wider community benefit associated with the Building Schools for the Future Programme and the provision of the Lakeside Co-Operative Campus was considered sufficient justification to allow a policy exception regarding the normal application of affordable housing.

The recommendation was proposed and seconded and, following a vote, it was:-

RESOLVED – that with respect to planning application TWC/2013/0809 the Development Management Service Delivery Manager be authorised to grant outline planning permission subject to:-

- (a) confirmation from TWC Highways that they do not object to the planning application.
- (b) 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 contributions of (i), (ii) and (iii) below either upon the sale of any of the development land or upon commencement of the development whichever is the sooner (precise terms to be agreed by the Development Management Service Delivery Manager).
 - (i) That commuted sums of money for the maintenance of the open space and any surface water attenuation feature on site to be agreed prior to development.
 - (ii) That funds raised from the sale of the land are directed to the delivery of the new Lakeside Academy in Stirchley.
 - (iii) Any contribution as requested by TWC Highways.
- (c) the conditions set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).
- (b) TWC/2013/1033 - Land to the North of Haygate Road, Wellington, Telford, Shropshire

This was an application seeking outline planning permission for up to 330 dwellings, of which 25% would be affordable with an agreement that an element of affordable housing could be provided off-site should the Council wish to pursue such an option.

The proposal included the provision of highway and infrastructure works, formal and informal open space, including a Neighbourhood Area Equipped for Play (NEAP) and a Local Area Equipped for Play (LEAP) and associated landscaping. Other than access, all other matters (appearance, landscaping, layout and scale) were reserved for subsequent approval. Full details of the application and numerous consultation responses were set out in the comprehensive report.

Members were presented with a lengthy update report which set out additional matters raised since publication of the main report and took some time to read this prior to receiving public speakers and the comments of the Planning Officer.

Councillor D Roberts, representing Wellington Town Council, spoke against the application on the grounds of educational sustainability, the Council's lack of 5 year housing land supply and noted that the site did not appear in any previous local plans or the Shaping Places plan currently under consultation.

Councillor J M Seymour, one of the Ward Members for Wrockwardine, also spoke to oppose the proposals; noting the level of local objections, she considered that this was the "wrong development, in the wrong place, at the wrong time". She commented on what she considered to be a lack of progress in developing a new local plan which had left the Authority at the mercy of the National Planning Policy Framework's (NPPF) presumption in favour of sustainable development and urged the Committee to fight the proposals in accordance with existing local policy.

Councillor M B Hosken, Ward Member for Ercall, spoke to oppose the proposals, citing the Council's co-operative values and strength of local opposition to the application. He believed that the proposals did not provide any community benefit and would put a strain on local utilities, transport system and result in the loss of valuable trees.

Mr J Pattinson, representing Haygate View Residents Group, addressed the Committee regarding residents' disappointment in the lack of an up to date local plan, lack of a 5 year housing land supply and noted the site's absence from the emerging Shaping Places local plan. He objected to the proposals based upon landscape quality, Wrekin Local Plan policy HE23 (Historic Parks) and Urban Design. He considered that these objections were sufficient to outweigh the requirements of the National Planning Policy Framework and referred to recent case law where an appeal against Herefordshire Council was dismissed.

Mr C Still addressed the Committee on behalf of the applicant to support the application in terms of compliance with the NPPF, particularly the lack of a 5 year housing land supply and presumption in favour of sustainable development. He noted community benefits in the form of education and highways contributions, socio-economic benefits in terms of investment and employment and housing need.

Referring to the report before Members, the Planning Officer highlighted the Council's position with regard to the NPPF and 5 year housing land supply and sought to identify whether the proposals would cause significant harm that would outweigh the benefits of housing delivery. He referred to aspects of the report relating to the sustainability of the location, building on Greenfield land, local heritage

assets, Area of Outstanding Natural Beauty and Wrekin Site of Special Scientific Interest. He drew attention to the consultation with English Heritage which concluded that the proposals would not result in significant harm to the registered park. He further drew attention to the comments of the Urban Design Officer and the illustrated masterplan submitted which could be conditioned as a parameter plan, ecology, highways, flood risk, NEAP/LEAP, upgrade to sports pitches, noise and air quality, addressed the impact on residential amenity during construction via a management agreement and planning obligations in terms of the proposed Section 106 Agreement.

During the robust debate which took place, Members made a number of comments and raised questions regarding land ownership, central government drive for economic recovery through housing delivery, Shaping Places, Strategic Housing Land Availability Assessment (SHLAA), Building for Life 12, access to public transport and planned reduction of local bus services, increased use of existing highways and the proposed junction improvements, loss of visual amenity, interpretation of the NPPF, development of Greenfield land before Brownfield, sustainability, lack of surplus of primary and secondary school places, significant adverse impact upon the historic park, urban design and loss of agricultural land.

The Assistant Director: Planning Specialist advised the Committee that the site had not been included in the Shaping Places Local Plan consultation document as this would have been tantamount to predetermination, however, if Members were minded to approve the application, the site would be included in future issues.

In response to questions, the Planning Officer advised that the local bus operator (Arriva) was currently reviewing the profitability of local bus service No55 and that its continuation was a commercial decision to be taken by the private operator. However, with further development being brought forward, this decision could be reviewed later and the service resumed. Notwithstanding, the site was considered to be very near to Wellington shops and services and therefore sustainable. The Planning Officer also explained that the highways improvement costs would be shared by a number of developments coming forward including the recently approved development at Holyhead Road (TWC/2013/0938) and that the Highways Authority would require that financial contributions should be made prior to commencement. He further advised that development at this site would not have a significantly adverse effect upon or lead to the loss of any heritage asset in the local area, a view supported by English Heritage. He explained that the site was separated from the Registered Park by a woodland block with the Cricket Club having been built within the Park and also providing an intervening incursion. Moreover the likely impact on the Grade II* Orleton Hall and the Grade II Old Orleton Hotel were very negligible.

The Assistant Director: Planning Specialist reiterated the comments of the Planning Officer regarding the involvement of English Heritage, the views of which had been taken on board by the applicant, and there being no objection in this regard, the conclusion reached was that there was no significant harm to heritage assets as the registered park was not part of the application site. He also went on to comment that the Council's education officers had been involved in negotiation for financial contributions and were satisfied with the sums agreed. He noted that numerous

Councils across the country were affected by the lack of a deliverable 5 year housing land supply and he argued that the Council was keeping pace with legislation for the development of a new local plan. Commenting on the number of homes which had been delivered in the last year and the anticipated figures for the next 12 months, he noted that the Planning Minister had written in response to the Cabinet Member for Housing, Development & Borough Towns regarding government initiatives to help stalled sites proceed and congratulated the Council's adoption of a positive approach towards encouraging building on brownfield land. He further advised the Committee that interpretation of the NPPF was an issue for the Courts and not for individual Planning Authorities.

The Development Management Service Delivery Manager also referred to a letter received from the Planning Minister that afternoon following a meeting of the Council and other neighbouring authorities regarding the 5 year land supply issue which set out the circumstances in which the Secretary of State would call in an application, including conflict with national policy, impact on economic growth, effect beyond locality, cross boundary applications, urban design issues and national security.

The recommendation in the report was proposed and seconded from the floor and, upon being put to the vote it was:-

RESOLVED – that with respect to planning application TWC/2013/1033 the Development Management Service Delivery Manager be authorised to grant planning permission subject to:-

- (a) the applicants/landowners entering into a Section 106 Agreement for the provision of 23% affordable housing on-site together with an off-site financial contribution of £300,000 to include a suitable review mechanism; the payment of £576,929 for primary education enhancement and £306,751 for secondary education enhancement (25% of total on commencement of development, 50% on completion of 25% of the dwellings and 25% on completion of 50% of the dwellings; a contribution of £130,000 towards the provision of upgraded sports pitches to be paid upon completion of 25% of the properties; a contribution of £25,000 for public art provision either on site or in Wellington to be paid upon commencement of development; a contribution of £410,720 towards off-site junction improvements to be paid upon commencement of development; contribution of £15,000 towards bus infrastructure improvements to be paid upon commencement of development; a contribution of £20,000 towards off-site traffic calming to be paid upon commencement of development; a contribution of £5,000 for Travel Plan monitoring and £15,000 for planning and financial monitoring to be paid upon commencement of development.
- (b) the conditions set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

(c) TWC/2014/0010 - Land adjacent Chillcott Drive, Madeley, Telford, Shropshire

This was a full planning application which sought permission for the erection of 44 dwellings comprising 100% affordable tenure and associated access and landscaping. This application followed an outline approval for residential development in April 2013.

Mr R Fletcher, addressed the Committee on behalf of the applicant, in support of the proposals in terms of affordable housing aspirations and needs.

The Planning Officer drew attention to aspects of her report relating to sustainability, highways comments, noise impact, flooding, design and provision of affordable housing.

Members welcomed the application, particularly the provision of affordable housing although it was noted that some 4-bed or 5-bed homes would have been warmly welcomed. Members were concerned about the impact on the neighbouring care home during construction and were advised that the proposed conditions made provision for a management plan which would control hours of construction, mud on road and hoarding, etc.

The recommendation was proposed and seconded and, following a vote, it was:-

RESOLVED – that with respect to planning application TWC/2014/0010 the Development Management Service Delivery Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement for financial contributions of £47,210 towards the adoption of the woodland; £16,500 towards off site leisure and play facilities; £7,500 for the treatment of infected Ash trees and further subject to the conditions set out in the report.

The meeting ended at 7.52pm

Chairman:

Date: