

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 15 October 2014 at 6.00pm in the Walker Room, Meeting Point House, Town Centre, Telford**

**PRESENT:** Councillors J C Minor (Chairman), N A Dugmore, E J Greenaway, K R Guy, A S Jhavar, J Loveridge, L A Murray and C R Turley.

**ALSO PRESENT:** Councillors R K Austin (for planning applications TWC/2014/0756 and TWC/2014/0758), R T Kiernan (for planning application TWC/2014/0484) and J Pinter (for planning application TWC/2014/0673).

#### **PC-038      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 24 September 2014 be confirmed and signed by the Chairman.

#### **PC-039      APOLOGIES FOR ABSENCE**

Councillor A A Meredith

#### **PC-040      DECLARATIONS OF INTEREST**

With regard to planning application reference TWC/2010/0828, Councillor E J Greenaway commented that she was a member of Lawley Steering Group but that she would not be withdrawing from the meeting for that item.

With regard to planning application references TWC/2014/0756 and TWC/2014/0758, Councillor L A Murray commented that he was a member of Hadley & Leegomery Parish Council but he had expressed no prior view and he would not be withdrawing from the meeting for either item.

Councillor C R Turley commented that he was a member of Great Dawley Town Council but he had not taken part in any prior discussions with regard to planning application reference TWC/2014/0673 and, in the circumstances, he would not be withdrawing from the meeting for that item.

#### **PC-041      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PC-042      SITE VISITS**

**RESOLVED** – that site visits take place in respect of the following planning applications on Wednesday, 5 November 2014:-

- 3.00pm – TWC/2014/0272: Erection of 12no. dwellings; Ivydale, High Street, Coalport, Telford, Shropshire, TF8 7HZ; and
- 3.30pm (approx) – TWC/2014/0883 – Felling of a Yew Tree; 25 Weavers Rise, Ketley Bank, Telford, Shropshire, TF2 0EX

**PC-043      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/2014/0484 and TWC/2014/0758.

(a)                    TWC/2010/0828 - Land at Ironstone, Lawley, Telford, Shropshire

This was an application to vary the existing S106 agreement for Lawley Sustainable Urban Extension relating to the Lawley School and community facilities (Facilities Building). The variation sought to amend key dates, which in turn would alter when education payment instalments were paid to the Council. The changes would aid cash flow for the provision of the school and facilitate the construction of the access road ahead of the proposed hotel/restaurant. The proposed variation did not change the total contribution figure (£3,600,000). Members unanimously supported the proposed variation.

**RESOLVED – That with respect to planning application TWC/2010/0828 the Section 106 Agreement be varied as follows with any other legal wording changes necessary to make the s106 agreement legally binding:-**

- (a)    **amend definition of “Facilities Construction Date” to read 31 January 2016;**
- (b)    **amend land transfer date to read “no later than 31 December 2014”;**
- (c)    **amend Schedule 3 to allow the School Expansion Sum to be paid in 2 instalments - £400,000 paid on completion of the school (by 31 January 2016) and second instalment of £200,000 within 24 months of the first instalment (ie by January 2018); and**
- (d)    **amend the definition of “the Facilities Land” site area 2.153 hectares.**

(b)                    TWC/2014/0484 - Land West of The Cedars, Rodington, Telford, Shropshire

This was an outline application which sought planning permission for the erection of up to 14 dwellings with associated access comprising a new junction on land to the west of The Cedars, Rodington. All other matters including appearance, landscaping, layout and scale were reserved for later approval.

An update report was tabled at the meeting which detailed further information received since preparation of the main report relating to an additional representation received and clarification on issues relating to highways, drainage, ecology and density.

Cllr R T Kiernan, one of the Borough Ward Members for Wrockwardine, spoke to oppose the application on the grounds of its speculative nature, precedent setting, housing need identified by the parish survey, local planning policy, development of greenfield land, detrimental impact on neighbouring properties, loss of native hedge,

ecology, drainage, highways and sustainability. Cllr Kiernan considered that Members would benefit from making a site visit.

Mr J Tennant, a local resident, spoke in opposition to the application on the grounds that the impact of other recently granted planning applications in the vicinity was unknown, contrary to national and local planning policy, sustainability in terms of limited public transport and capacity for school places, light pollution, lack of car parking, design, scale and location, detrimental impact on neighbours and the defence of any appeal in light of recent cases within the Shropshire area.

Mr S Thomas of Berrys, the applicant's agent, spoke in support of the application which was located in a sustainable settlement with access to a major road network and would contribute to local affordable housing needs. He also commented on design and layout, safety of access and the proposed package of conditions to mitigate concerns regarding run-off, foul water and ecology together with agreed financial contributions.

The Planning Officer pointed to aspects of the report dealing with the authority's lack of a deliverable five year housing land supply, the three strands to sustainability set out in the National Planning Policy against which this application had been judged, affordable housing, access, drainage, layout and character, ecology and planning obligations. She also noted speakers' concerns regarding the development of greenfield land but noted that no sequential test nor any obligation to require building on brownfield land in the first instance existed.

Members expressed concern that the principle of development at the site appeared to have been agreed prior to consideration by Planning Committee and were advised that this was an informal opinion given by the Planning Team in accordance with its remit to give pre-application advice. Concern was also expressed that the close of consultation fell prior to the consultation period for the Shaping Places Local Plan. The Assistant Director: Planning Specialist also reiterated the many roles of the Planning Team and commented that the process of developing the Local Plan could not interfere with the timetable for consideration and determination of planning applications. Following comments on the position of Shropshire Council with regard to the 5 year deliverable housing land supply, the Assistant Director: Planning Specialist noted that the revised methodology used to reach the supply figures would also provide an adequate supply in Telford and Wrekin, however, the formula was being challenged by a group of developers. This Council was investigating options for a more robust approach as the methodology used by Shropshire Council was vulnerable until tested.

During the ensuing debate, converse views were expressed. Some members focussed on a lack of sustainability, pointing to insufficient facilities and infrastructure in the village and others considered that the application was acceptable in principle but that further work was required with regard to scale, layout and design. A site visit was proposed but not seconded.

On being put to the vote, it was by a majority:-

**RESOLVED** – that with respect to planning application TWC/2014/0484 the Development Management Service Delivery Manager be authorised to grant outline planning permission subject to:-

- (a) the applicants/landowners entering into a Section 106 Agreement relating to:**
  - (i) Provision of on-site affordable housing constituting 40% of total number of units;**
  - (ii) A contribution of £600 per 2 bed unit (and above) towards off-site play and recreation;**
  - (iii) A contribution of up to £25,300 (£1,807 per unit) towards primary school provision;**
- (b) the conditions set out in the update report (with authority to finalise and impose additional conditions to be delegated to Development Management Service Delivery Manager); and**
- (c) any future reserved matters applications to be determined by the Planning Committee**
- (c) TWC/2014/0673 - Land rear of 2 Church Walk, Dawley, Telford, Shropshire**

This full planning application sought permission for the erection of a detached bungalow following the demolition of 6 garages currently on site at land to the rear of Church Walk in Dawley. Councillor J Pinter, one of the Borough Ward Members for Dawley Magna, had requested that the application be determined by the Planning Committee.

Councillor Pinter addressed the Committee in terms of parking, highways and personal safety. She highlighted residents' understanding that when the land was sold it was with the proviso that the existing terms of agreement regarding garages and access would remain unchanged. She noted that if the existing car parking provisions ceased, due to the lack of alternative off-road parking, there would be a dramatic impact on all roads in the vicinity. She also noted that the footpath at the rear of the proposals did not benefit from street lighting and could be a magnet for anti-social behaviour.

Mr D Stack of Chevin Homes, the applicant, spoke in support of the application. He noted that the site was underdeveloped brownfield private land in an established residential location. He noted the proposed provision of 5 parking spaces in response to the previous appeal decision, that the footpath would be retained and formalised, there would be no loss of privacy to neighbours and that a more pleasant environment would result.

The Planning Officer reminded Members of the previous appeal decision based on loss of parking and loss of community facility, with loss of community facility alone being an insufficient reason to refuse planning permission. The application before the Committee sought to address the issue of parking provision.

In response to questions, the Planning Officer advised that no garages were shown on the block plan and that there was no current formal right of access across the private land and that this application sought to formalise the situation. The Assistant Director: Planning Specialist stated the landowner's power to close the land to public access at any time and that whilst there was no obligation to provide parking for residents in the locality, parking could be available on a contractual basis. Members asked whether any street lighting would be provided and the Assistant Director: Planning Specialist advised that it would be inappropriate to impose any conditions without prior investigation about the adoption of lighting with the appropriate Council Officers. The Legal Advisor advised that it would be helpful to provide flexibility to use either a condition or planning obligation to preserve the communality of the parking and it was also agreed that any current rights of way would be verified. Members noted the benefits that would be garnered from the proposal and were unanimously in support.

**RESOLVED** – officers were requested to seek to verify what rights of way existed over the site and that with respect to planning application TWC/2014/0673 planning permission be granted subject to the conditions as set out in the report and further subject to either a condition or a planning obligation to ensure that off-road communal parking facilities are made available on-site in perpetuity.

(d) TWC/2014/0756 - Land adjacent 1-3 Castle Lane, Hadley, Telford, Shropshire

This application sought approval of Reserved Matters following the grant of outline planning permission, TWC/2011/1039 for the erection of 3 houses with on-site parking. This application sought permission for matters reserved which included access, layout, scale, appearance and landscaping. Councillor R K Austin, one of the Borough Ward Members for Hadley and Leegomery, had requested that the application be determined by the Planning Committee.

Councillor Austin addressed the Committee regarding the concerns of local residents about parking provision and access to Lidl food store.

The Planning Officer drew attention to aspects of the report relating to highways, layout, scale, landscaping and drainage.

Members noted that parking was an issue in the area and that the Council's highways Engineer had assessed the scheme and requested minor amendments regarding on-site parking for plot 14. It was, therefore, considered that subject to satisfactory receipt of amendments in this regard, the proposals could be supported and it was unanimously:-

**RESOLVED** – that with respect to planning application TWC/2014/0756 the Development Management Service Delivery Manager be authorised to grant reserved matters consent subject to the receipt of satisfactory amendments to the siting of on-site parking for plot 14 and further subject to the conditions as set out in the report together with any further conditions as the Development

**Management Service Delivery Manager may consider appropriate in response to any amendments to the siting of on-site parking for plot 14.**

- (e) TWC/2014/0758 - Land fronting Haybridge Road shops, Haybridge Road, Hadley, Telford, Shropshire

This was a part-retrospective proposal for the erection of a piece of public art in celebration of local firm, GKN Sankey. The artwork consisted of a metal wheel with a diameter of 1.03m, a thickness of 0.55m and standing a maximum of 1.48m in height. The proposed site was a strip of grass separating the highway from the car park of a small shopping precinct. A supporting concrete plinth had already been installed. No loss of trees or alterations to parking, access or street furniture was necessary. Hadley and Leegomery Parish Council had requested that the application be determined by the Planning Committee.

An update report was tabled at the meeting which reported the receipt of supportive consultation responses and a supporting 324 signature petition.

Councillor A Twyford, representing Hadley & Leegomery Parish Council spoke to oppose the application on the grounds of highway safety and design. The Parish Council did not object to the erection of a monument to either GKN Sankey or Jayden-Lee Mclvor, the child who had tragically lost his life after being knocked down by a vehicle on the nearby pedestrian crossing in 2013, but considered that this site was an inappropriate location.

Councillor R K Austin, one of the Borough Ward Members for Hadley and Leegomery congratulated the applicant on receiving the Shropshire Star's People's Champion Award, noting that the community spirit she embodied was reflected in this application. He did not consider that the monument was large enough to cause a hazard and felt that the tribute was appropriate following the removal of the GKN Sankey monument from Hadley District Centre during the scheme of regeneration.

The views of the Parish Council were echoed by Mr R Plenderleith, a Parish Councillor who spoke in his personal capacity.

Mrs S Fikeis spoke on behalf of the applicant. She provided a life-sized model of the proposed monument and paid tribute to the extensive work of the applicant in bringing the local community together. She also acknowledged the esteem with which GKN Sankey was held in the community and noted the popularity of the proposals among local people. She argued that the artwork would be no more distracting than advertising hoarding routinely erected at roundabouts and that there was no hard evidence that it would cause a hazard.

The Planning Officer noted that the main issues for consideration by the Committee were design and siting. She explained that the chosen colour was reportedly the favourite of Jayden-Lee Mclvor and whilst the Highways Officer had initially expressed concerns regarding the bright yellow hue, in view of the site and proposed angle of the monument it was subsequently deemed that this was an insufficient reason for refusal. She drew attention to significant local support, as set out in the

update report, and considered that the design reflected local business and was in accordance with the National Planning Policy Framework.

The Committee considered points raised by speakers and information provided by the Planning Officers in conjunction with the report. Members welcomed the initiative of the applicant. It was noted that similar concerns regarding safety had been raised in other comparable local circumstances, but such fears had not come to fruition. A Member suggested a compromise to delay the erection of the artwork to coincide with the installation of speed cameras but this was not deemed necessary. Members did not consider that the artwork represented a hazard and opined that the issue of safety related to poor driving and speeding. Members unanimously supported the proposal.

**RESOLVED** – that with respect to planning application TWC/2014/0758 planning permission be granted subject to the conditions as set out in the report.

(f) TWC/2014/0762 - 22 Priestland Terrace, Furnace Lane, Trench, Telford, Shropshire, TF2 7JJ

This was a part-retrospective proposal for change of use of open space to private garden land and creation of a new access with dropped kerb and associated driveway. Wrockwardine Wood and Trench Parish Council had requested that the application be determined by the Planning Committee. The Parish Council had been unable to send a representative to speak. Members considered that the proposals offered an improvement to the street scene and, on being put the vote, it was unanimously:-

**RESOLVED** – that with respect to planning application TWC/2014/0762 planning permission be granted subject to the conditions as set out in the report.

*NB. The Committee were disappointed that the Parish Council had been unable to send a representative to speak to the call-in request on planning application TWC/2014/0762 and the Chair agreed that a reminder of the Committee's expectations in this regard should be sent to all Town and Parish Councils.*

The meeting ended at 7.38pm

**Chairman:** .....

**Date:** .....