

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 18 December 2013 at 6.00pm in the Main Hall, New College, King Street, Wellington, Telford, TF1 1NY**

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

**ALSO PRESENT:** Councillors N A M England (for planning application TWC/2013/0808), V A Fletcher (for planning application TWC/2013/0769), A Lawrence (for planning application TWC/2013/0881) and J M Seymour (for planning application TWC/2013/0649).

#### **PC-065      APOLOGIES FOR ABSENCE**

Councillor J Loveridge

#### **PC-066      DECLARATIONS OF INTEREST**

Cllr N A Dugmore commented on his position regarding planning applications TWC/2013/0808 and TWC/2013/0881 but stated that, in the circumstances he would not be withdrawing from the meeting for either item.

Regarding planning application TWC/2013/0769, Councillor I T W Fletcher indicated that he was a Member of St Georges & Priorslee Parish Council but had not taken part in any previous discussions regarding the application and stated that, in the circumstances he would not be withdrawing from the meeting for that item.

Cllr C R Turley commented that, with regard to planning application TWC/2013/0808, he was a member of Stirchley & Brookside Parish Council but had not taken part in any previous discussions regarding the application and stated that, in the circumstances he would not be withdrawing from the meeting for that item.

#### **PC-067      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PC-068      SITE VISITS**

**RESOLVED** - that a site visit takes place at 3pm on Wednesday, 15 January 2014 at land to rear of 49, 51, 53, 55, 57, 59, & 61, Muxton Lane, Muxton, Telford, Shropshire in respect of planning application TWC/2013/0881.

#### **PC-069      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 each planning application.

(a) TWC/2013/0649 - Land to rear of Holly Acres, Long Lane, Telford, Shropshire

This was a full planning application seeking consent for the extension of the existing park homes site known as “The Moorings” situated off the A442 in Long Lane, Telford. The proposal included provision for 12 Park homes, 30 Caravan tourers and 10 holiday tents together with associated landscaping, access and fishing rights to canal/pond. Councillor J M Seymour, Ward Member for Wrockwardine had requested that the application be determined by the Planning Committee. During the preparation of the main report, the Local Planning Authority had reconsulted all consultees following receipt of amended plans and an update report tabled at the meeting detailed comments received as a result.

Councillor D Johnson, representing Rodington Parish Council, spoke against the application on the grounds of need, inclusivity, viability and noise disturbance.

Councillor J M Seymour, Ward Member for Wrockwardine, spoke in opposition to the application in terms of housing demand, sustainability, lack of affordable housing, limited current use and the likelihood of business failure.

The applicant, Mrs K Finney, addressed the Committee in support of the application, pointing out that the proposals represented a continuation of existing development at her family home-base and acknowledged that, whilst significant levels of tourism were not anticipated, business aimed at the over 50s would need to be built up over a period of time. She also said that the canal had been dredged.

The Planning Officer explained the three rounds of consultation which had taken place regarding this application and explained the planning history of the site in context with changing national and local policy. She drew attention to issues of sustainability in terms of park management, tourism, design, parking, access and indicated that the canal would not be reinstated so there was no reason to condition landscape and infrastructure on Shropshire & Newport Canal Trust land. She also indicated that it was not reasonable to condition the nature of the business, ie for adults over 55, and that a business viability statement was not necessary in this case with the expansion being at the applicant’s own risk. The threshold for affordable housing had not been met.

Members’ concerns focussed on sustainability but it was noted that the existing site was well managed, that the proposals were compliant with the National Planning Policy Framework and would contribute towards the borough’s tourism aims in the longer term. Members unanimously supported the application.

**RESOLVED** – that with respect to planning application TWC/2013/0649 planning permission be granted subject to the conditions as set out in the update report.

(b) TWC/2013/0769 - Land off Castle Farm Way, Priorslee, Telford, Shropshire

This was an outline application for up to 600 dwellings, associated open space and infrastructure works with all matters other than access (ie, appearance, landscaping, layout and scale) being “reserved matters” for consideration at a later stage. The proposal included provision for public open space including protected trees, footpaths and drainage courses. In addition, two new vehicular access points were proposed to the north and the south of the existing vehicular access off Castle Farm Way. The site had been subject to previous planning applications, which were detailed in the main report. An update report was tabled at the meeting and Members were given additional time to consider the further comments received since the publication of the main report together with details of Section 106 planning obligations secured following negotiations. A site visit had been undertaken in the afternoon immediately prior the meeting.

Councillor V A Fletcher spoke against the application in terms of access for the adjacent proposed academy, replacement of felled Oak trees, loss of wildlife and ecology, loss of amenity and open space, pollution and noise from the M54, lack of facilities for young people in locality and pressure on infrastructure.

Mr D Hambleton, Chairman of Priorslee Protection Association, spoke in opposition to the application on the grounds of pressure on infrastructure, safety of access and egress, lack of primary education facilities and the Committee’s decision to grant planning permission for application TWC/2013/0774 which he considered to be inappropriate.

The applicant’s agent, Mr S Hawley addressed the Committee in support of the proposals noting that the Planning Officer’s report comprehensively addressed issues raised by speakers.

The Planning Officer highlighted aspects of the report including that the principle of development had already been established on the site, housing need and the requirements of the National Planning Policy Framework, highways and deliverability. In order to provide clarification for Members, he also addressed comments made by speakers, noting that the application was in outline form, but that despite negotiation access to the proposed school from Castle Farm Way was not achievable, many protected trees remained on site, the ecologist’s comments regarding the loss of nesting sites for Little Ringed Plover was highlighted and planning gains were pointed out in terms of play facility provision and education. With regard to proposals for a school on the adjacent site, Members were reminded that this application had to be determined on its own merits.

In response to Members’ questions, the Planning Officer also advised that:-

- A balance was required between ensuring development can progress and securing planning contributions and the £0.4m contribution for primary education was accepted and could make provision for a class base extension.
- The detailed layout of the scheme would come forward in future applications as such an appropriate setback for the proposed dwellings from Castle Farm Way would be considered at this time.

- Drainage was a key viability consideration and the worst case scenario had been incorporated. Severn Trent Water were keen to avoid flooding and modelling would take place to see if the reservoir could cope with the installation of a weir plate. Provision of drainage infrastructure was the developer's responsibility.
- No further detail on phasing was available until a reserved matters application was made. However, it was considered that the proposals were logically formulated.
- The name of the applicant was somewhat irrelevant in the process.
- Section 278 requirements were expected prior to commencement or occupation.
- Joint reports encompassing this application and the school application had been undertaken to consider a cumulative approach.
- As the proposals were currently in outline form, on balance, it was considered that the proposals accorded with design criteria.
- Access issues for the proposed academy on adjacent site were considered in depth as part of those proposals on 4 December 2013; access for the school did not form part of this application.

In response to questioning regarding the Section 278 Agreement, the Highways Development Team Leader advised that the Section 278 works although priced for viability purposes were required to be undertaken regardless of cost and once the works were completed the Section 278 agreement, signed between the developer and the Council as Highway Authority, would be discharged. The commuted sums detailed were for ongoing maintenance and would be required as part of a Section 106 Agreement and would be secured on completion of the works.

The Assistant Director: Planning Specialist added that the proposals had been evaluated for viability, finance and education officers were aware of proposed education contributions together with the context and viability issues involved and funds would be used effectively, the proposed first phase had been designed to limit disturbance to the school and would effectively form a barrier between the school and the remaining development, access issues for the proposed new school were not part of this application and the proposals were acceptable to both the Highways Authority and Highways Agency, drainage issues were the responsibility of the utility company and the Environment Agency and no objection had been raised. He reminded Members that the site was brownfield, that the principle of development had been established and that the application was in outline form.

Following the above clarification, some Members considered that the development was sustainable and acknowledged its brownfield status; it was also considered that the proposals were National Planning Policy Framework compliant and would contribute towards the housing supply. Some Members also noted a good variety of housing types outlined in the proposals together with amenity space and contributions for affordable housing and play facilities. Therefore, the majority of Members did not believe that there were material planning reasons to refuse the application and it was

**RESOLVED** – that with respect to planning application TWC/2013/0769 provided that the viability position is final and the heads of terms of the

proposed S106 agreement are confirmed and acceptable, 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 the Council (final figures and terms to be agreed by the Service Delivery Manager of Development Management) relating to:
  - (i) to provide £1,100,000 contribution toward provision of off-site affordable housing units in the Telford urban area;
  - (ii) a contribution of £220,000 toward the provision, maintenance or enhancement of play equipment or facilities near to the application site;
  - (iii) a contribution toward the provision of primary education of £400,000;
  - (iv) a contribution of approximately £570,446 toward the maintenance of open space and drainage features to be determined in line with a detailed schedule of rates when full details are available;
  - (v) planning and travel plan monitoring contribution of £10,000;
  - (vi) a contribution of £100,000 will be made towards improvements to public transport in the area;
  - (vii) up to £10,000 toward the upgrade of bus stops in the vicinity of the proposal;
  - (viii) up to £24,000 commuted maintenance sum in respect of the signalisation works for the Castle Farm Way and Priorslee Avenue junction;
  - (ix) up to £24,000 commuted maintenance sum in respect of the signalisation works for the Castle Farm Way and southern access to this development;
  - (x) up to £12,000 commuted maintenance sum in respect of TOUCAN crossing in the vicinity of Salisbury Avenue where NCN81 crosses Castle Farm Way.

Where a contribution has been reduced for viability reasons, they will be subject to a robust review mechanism for fresh viability assessments ideally linked to the phasing of the development to be carried out by the DVS or another independent consultant (at the expense of the owner/developer) from the date this proposal comes before planning committee. This will ensure that a review of the viability of the development proposals will be undertaken at appropriate times to assess whether the S106 package can be enhanced

**(b) further subject to the conditions set out in the update report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager)**

(c) TWC/2013/0808 - Grange Park Primary School, Calcott, Stirchley, Telford, Shropshire, TF3 1YQ

This was an outline application with all matters reserved for the demolition of the existing school buildings to enable residential development for up to 37 dwellings together with associated open space, landscaping and infrastructure at the Grange Park Primary School. The redevelopment proposals were related to the Council's 'Building Schools for the Future' programme, with the proposed Lakeside Co-operative Campus including new buildings for the primary school. An update report tabled at the meeting detailed comments received from Affordable Housing and Viability Officers.

Councillor S Parr, representing Stirchley and Brookside Parish Council, spoke to oppose the proposals on the grounds of the adequacy of vehicular access and associated travel plan, lack of affordable housing, links to the 'Building Schools for the Future' programme, the lack of affordable housing in an area with high deprivation levels and lack of community consultation.

Councillor N A M England, Borough Ward Member, spoke against the layout of the proposals in terms of overlook and privacy for existing residential properties.

The Planning Officer particularly drew Member's attention to elements of the report relating to housing supply, sustainability, enhanced school facilities and 'Building Schools for the Future' Funding, which in the circumstances of this particular application was a material planning consideration. She pointed to the lack of affordable housing provision and other planning contributions but on balance considered exceptional circumstances existed in the form of the wider community gain to be realised from the enhanced education facilities provided by the proposed Lakeside Co-Operative Campus on the Lord Silkin School site. Noting concerns regarding access, she reminded Members that this was an outline application with all matters reserved and pointed to the Highways Engineer's comments detailed in the report. With regard to consultation, she advised Members that all applicants were invited to consult with the community but it was not reasonable to withhold consent if this option was not explored.

Following questioning regarding access, the Planning Officer confirmed that conditions would be appropriately worded to reflect that access was a reserved matter and noted Members' concerns that consideration should be given to ensuring vehicular access for residents of Calcott was not limited by the school run. The Planning Officer also advised that the proposed density accommodated residents' concerns regarding overlook and privacy. Whilst disappointment was expressed regarding the lack of affordable housing, Members noted the position regarding viability and it was, by a majority

**RESOLVED** – that with respect to planning application TWC/2013/0808, the Development Management Service Delivery Manager be authorised to grant planning permission subject to:

- (a) The Council as landowner agreeing to provide a Memorandum signed by the Assistant Director: Development Business and Housing agreeing that the Council as landowner will pay the contributions (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) £1,500 in connection with Traffic Regulation Order works for the implementation of a Traffic Regulation Order (Parking Restriction) on Calcott to replace the School Zone Road Markings. The monies are to be indexed.**
  - (ii) 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.**
  - (iii) That funds raised from the sale of the land are directed to the delivery of the new Lakeside Academy in Stirchley.**
- (b) further subject to the conditions set out in the update report including clarification of condition 7 regarding road access (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager)**
- (d) TWC/2013/0881 - Land to rear of 49, 51, 53, 55, 57, 59, & 61, Muxton Lane, Muxton, Telford, Shropshire**

This was an outline application for the erection of 5 detached dwellings and double garages. Access, layout and scale were included for determination with appearance and landscape matters reserved for subsequent consideration. Councillor A Lawrence, Ward Member for Muxton had requested that the application be determined by the Planning Committee. An update report tabled at the meeting set out submission of amended plans, clarified planning history at the site and detailed further comments received since the publication of the main report.

Councillor A Lawrence spoke against the application in terms of a previous application which had been refused on appeal, the location being outside the urban area, access and loss of visual amenity. He urged members to undertake a site visit and the Chairman exercised his discretion to allow circulation of the previous appeal decision.

Messrs H Haycocks, S Clinton and O Daley, local objectors, spoke to oppose the application on the grounds that it was contrary to policy, citing previous appeal decision and the suitability of the site as set out in the SHLAA 2012 Report, access, pedestrian safety, loss of privacy and loss of amenity.

The Applicant, Mr A Williams, spoke in support of the application, addressing concerns raised by noting that the road was constructed to an adoptable standard, the layout accommodated protected trees, bat and bird boxes would be installed, loss of view was not a material planning permission and no overlook would result due to the length of existing gardens. He also pointed to the context of changing planning policy, housing supply and sustainability.

The Planning Officer advised Members that since the appeal decision which speakers had referred to, there had been a shift in local and national policy which supported the government's drive to increase housing supply and in light of this, it was considered that the application was acceptable.

Following a brief debate, during which Members expressed concerns regarding issues of access and sustainability, Councillor I T W Fletcher proposed, seconded by Councillor N A Dugmore, that the application be deferred to allow Members to undertake a site visit. On being put to the vote, this was agreed by a majority.

**RESOLVED – that determination of planning application TWC/2013/0881 be deferred to allow the Committee Members to make a Site Visit.**

The meeting ended at 8.07pm

**Chairman:** .....

**Date:** .....