

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 4 December 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, K R Guy (as substitute for G C W Reynolds), A S Jhavar, A A Mackenzie (as substitute for J Loveridge), C P R Mollett (as substitute for R T Kiernan), S A W Reynolds and C R Turley.

ALSO PRESENT: Councillors A J Eade (for planning application TWC/2013/0777) and V A Fletcher (for planning applications TWC/2013/0774 and TWC/2013/0821).

PC-054 MINUTES

RESOLVED – that the minutes of the meeting of the Planning Committee held on Wednesday, 6 November 2013 be confirmed and signed by the Chairman.

PC-055 APOLOGIES FOR ABSENCE

Councillors R T Kiernan, J Loveridge and G C W Reynolds

PC-056 DECLARATIONS OF INTEREST

Regarding planning applications TWC/2013/0774 and TWC/2013/0821, Councillors I T W Fletcher and J C Minor indicated that they were Members of St Georges & Priorslee Parish Council but had not taken part in any previous discussions regarding the applications and stated that, in the circumstances would not be withdrawing from the meeting for those items.

PC-057 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-058 SITE VISITS

None.

PC-059 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/2013/0774, TWC/2013/0821 and TWC/2013/0823.

(a) TWC/2013/0774 - Land off, Teece Drive, Priorslee, Telford, Shropshire

This was a full application for the erection of a new 750 place secondary school and 150 place sixth form buildings with associated hard play areas, car parking, landscaping and engineering works.

An update report was tabled at the meeting which detailed further comments received since the publication of the main report and clarified Highways obligations, issues regarding bus service, design issues, issues regarding ecology and rationalisation of existing open space.

Cllr Mrs Brenda Richards representing St Georges & Priorslee Parish Council addressed the Committee, acknowledging the desirability of the new school, but raised the Parish Council's concerns in terms of access, loss of green space and impact on the local community.

Cllr V A Fletcher, Ward Member addressed the Committee in opposition to the application on the grounds that the proposed access was unsuitable and the extra traffic generated would have an adverse impact upon the area and local residents, loss of green space and amenity and sustainability due to a poor local bus service. During her address to the Committee, a photographic slideshow was played showing traffic issues in the vicinity.

Mr B Rive representing Priorslee Community Association noted that his grounds for objection had already been raised and handed over to Mrs S Lane, representing Priorslee Protection Association who also spoke to oppose the proposals. She highlighted issues regarding access, the suitability of the traffic assessment, pedestrian safety, limited consultation, loss of green space and impact on ecology.

On behalf of the Applicant, Mr R Cooke addressed the Committee in support of the application highlighting the scheme as part of the wider Building Schools for the Future project, which provided impetus for the transformation of learning across the borough. He noted that the site was derelict Brownfield and that the principle concern raised during consultation was that of access. He advised that an entrance from Castle Farm Way was not available as part of this proposal but that traffic and safety concerns could be mitigated by condition. He pointed out that the proposal was sustainable and contained community benefits in the form of enhanced sports provision and a modern educational establishment.

The Planning Officer particularly referred Members to aspects of the report which addressed issues relating to the National Planning Policy Framework (NPPF) and sustainability, footpaths, bus routes, parking, highways infrastructure works as detailed in the update report, and the rationalisation of existing open space. He confirmed the site would not be fenced and that the Atkins transport assessment was a joint submission between the Council and Landowner. The Planning Officer also informed Members that due to a technical glitch, the deadline for comments on this application had been published as 16 December 2013 which was later than the statutory requirement. He, therefore, suggested that if the Committee were so minded, in order to take account of any additional comments received during that extended period, grant of permission could be delegated to the Development

Management Service Delivery Manager following consultation with the Chair and Vice-Chair, after the published deadline had passed.

All Members welcomed the principle of the proposed school development but some Members expressed a number of concerns regarding the application particularly regarding the transport assessment submitted by Atkins which significantly differed from the “Corun” report submitted by Priorslee Protection Association, whether a school travel plan would be enforceable at an Academy, limited consultation with the local community, noise in terms of NPPF requirements, increased journey times, inadequate local bus service which did not run until after 9.00am, lack of community benefit due to borough-wide admission criteria for the faith-based school rather than a local catchment, adequacy of proposed access, preference for access from Castle Farm Way, traffic projections, parking and drainage.

In response to questioning, the Planning Officer advised that Environmental Health Officers had not raised objection subject to condition, there was no legal minimum requirement for consultation but that he had attended a Parish Council meeting and met with local residents on an individual basis when they visited the Offices and that School Travel Plans were enforceable by condition but it was likely that some revision would need to take place. He also confirmed that the Transport Assessment had taken into account the cumulative effect of potential residential development on the neighbouring site but that the potential for future modification or mitigation should not be taken into account in the determination of this application. He indicated that existing access from Castle Farm Way had been secured for construction purposes following negotiation with the landowner, but that this could not be extended permanently. He also confirmed that discussions were on-going with Severn Trent Water regarding drainage and it was intended for attenuation to be located beneath the car park if required.

In response to questioning regarding the Transport Assessment, the Highways Development Team Leader informed Members that the submitted Transport Assessment was based upon the Telford Strategic Transport Model (TSTM) supported by individual junction capacity assessments to determine any specific problems or works required to key junctions. The TSTM would be used to determine the acceptability, and associated transport infrastructure requirements of, sites coming forward under the “Shaping Places” Local Development Framework and to inform the Local Transport Plan. The model was approved under the Department for Transport Guidance and the Design Manual for Roads and Bridges (DMRB). It was noted that the “Corun” report contained none of the technical input/output modelling files with which to validate the stated conclusions, however, the main assertions in the “Corun” report regarding higher trip rates, revised junction geometry and traffic flow profile across the peak hour had nevertheless been modelled at 2030 by the Highway Authority and found to be acceptable in terms of both queues and delays. As the suggested alternative access via Castle Farm Way did not form part of the planning submission, it had not been assessed. He also noted that regarding the Priorslee Avenue right turn lane, contrary to the Corun report, DMRB allowed relaxations in the width of ghost right-turn lanes to 2.5m for improvements to existing junctions and 3.0m for through lanes at new junctions. At Priorslee Roundabout there was sufficient width kerb-to-kerb to meet the lane geometry, modelling and capacity requirements as required under either modelling scenario and regarding the

profile over peak hour, the TSTM suggested a flat profile which had been included in the submitted Transport Assessment and supported by the Highway Authority.

Responding to further questioning, the Highways Development Team Leader indicated that the bus service had been investigated in conjunction with the bus operator and it was considered possible to extend the No. 24 service to cater for school arrival time at a minimal cost. He referred to the highways recommendations regarding the provision of and extension to pedestrian routes to link with the bus stops on Priorslee Avenue along with funds to upgrade the bus stops, upgrades to surfacing and lighting to the footways and public rights of way which would provide pedestrian access to the site. He also noted that there were no footways on the Ricoh access side of Priorslee Avenue which would lead pedestrians to cross at this location. He noted reference to an additional accident to those reported in the Transport Assessment but this was considered to be an isolated incident and that this and the accidents reported in the Transport Assessment did not highlight any deficiencies in the highway network. The Highways recommendation also requested a condition allowing access to the school car park to cater for any capacity issues associated with the 21 spaces provided for parent drop-off/pick-up and financial contributions had been requested towards Traffic Regulation Orders at the junction of Teece Drive and Priorslee Avenue and any subsequent areas of Priorslee. Traffic volumes on Priorslee Avenue during the busiest peak hour were below the theoretical road capacity at 2030 and no evidence of link-capacity issues on Priorslee Avenue had come to light during modelling. All traffic flows and junction assessment work excluded the possible reduction in car borne travel associated with the School Travel Plan which was the subject of a recommended condition. He further noted that submitted photographs of primary school parking demonstrated a high proportion of illegal parking but this occurred some distance from Teece Drive and Traffic Regulation Orders could be considered along the intervening section of Priorslee Avenue to address illegal parking but would need to be subject to enforcement by the Police. The Highways Development Team Leader also confirmed that Teece Drive was wide enough for two coaches to pass and that parking for potentially four coaches was indicated on the layout which was the subject of the recommendation.

After consideration of the responses to questions, some Members considered that whilst access from Castle Farm Way was the preferred option, it was accepted that this did not form part of the application and that sufficient Highways conditions had been recommended to mitigate concerns regarding access from Teece Drive. Members were also supportive of potential improvements to the local bus service. It was noted that the land had previously been developed and that the proposals would provide a long-desired school in Priorslee. It was further noted that the proposals conformed to the NPPF requirements for sustainable development.

The Assistant Director: Planning Specialist confirmed that if Members were minded to approve the proposals, the travel plan would be connected to the site and any non-compliance would be a breach of consent. He also reiterated advice that the proposals were considered to be compliant with the NPPF in terms of a presumption in favour of sustainable development, that Highways modelling tools were Department for Transport approved and, therefore, the proposals met with government expectations, that there was no alternative access proposed as part of

this application, and that improvements to the bus service would be sought by the Highways Authority. He referred Members to the sections of the report dealing with footpaths, parking and drainage. In making their decision, he asked Members to consider whether the evidence presented suggested that there were defensible reasons to refuse the proposals.

On being put to the vote, the proposal was approved by a majority

RESOLVED – that with respect to planning application TWC/2013/0774 the Development Management Service Delivery Manager be authorised, following consultation with the Chair and Vice-Chair of the Planning Committee, to grant planning permission subject to :-

- (a) The Council as landowner providing a Memorandum signed by the Assistant Director Development, Business and Employment agreeing that the Council will provide the following sums at timescales to be agreed with Telford & Wrekin Council Highways Officers:
 - (i) Traffic Regulation Order to encompass Teece Drive and Ricoh entrance junctions off Priorslee Avenue £5,000;
 - (ii) £5,000 in connection with Traffic Regulation Order works elsewhere in Priorslee if required;
 - (iii) Up to £24,000 commuted maintenance sum in respect of the signalisation works for the Castle Farm Way and Priorslee Avenue junction;
 - (iv) Up to £12,000 commuted maintenance sum in respect of TOUCAN crossing in the vicinity of Salisbury Avenue where NCN81 crosses Castle Farm Way;
 - (v) Up to £10,000 toward the upgrade of bus stops in the vicinity of the proposal; and
- (b) 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 Development Management Service Delivery Manager).
- (b) TWC/2013/0777 - Aston Grove, Moorfield Lane, Church Aston, Newport, Shropshire, TF10 9EH

This was an outline application for residential development with associated access following demolition of Aston Grove with all other matters reserved. The application indicated a total of 10 units with 7 being Open Market housing (5 three bed and 2 four bed) and 3 Social Rented Housing (2 two bed and 1 three bed).

Cllr A J Eade, Ward Member, spoke to oppose the application expressing concern that the single-track was not suitable for the development, that existing walls should be retained and that the application was premature. He also expressed concern that recent evidence suggested that a five year housing supply did not exist and sought an explanation due to the implications for the Shaping Places document and planning policy.

The Applicant, Miss P Stephan, addressed the Committee in support of the application, noting the retention of TPO trees, removal of a low quality hedge and increase in visibility splay to be secured by moving the existing wall. She noted that surrounding land was also subject to planning permission and drew attention to the NPPF requirements regarding housing supply.

The Planning Officer confirmed that as a five year supply of deliverable housing sites could not be demonstrated, the application had been considered in terms of the 'presumption in favour of sustainable development' as no material considerations indicated otherwise. She commented that the site was sustainable, that residential development would take place on the adjacent site and, as part of those proposals, the traffic speed limit outside the access to Aston Grove on Wellington Road would be reduced to 30mph. She noted that ecological concerns could be mitigated by condition and pointed out that the layout of the site was a reserved matter.

Members requested a detailed explanation of the issue regarding housing supply which was provided by the Assistant Director: Planning Specialist. He referred Members to the detailed published statement on Five Year Housing Land Supply which was available to view on the Council's website and confirmed that there was no change to local policy. In summary, he referred to the provisions in the NPPF which established the 'presumption in favour of sustainable development' should an Authority be unable to demonstrate a five-year supply of deliverable housing sites. The new policy approach was key to the Government's drive to bring about a rapid and substantial increase in new homes across the country. Evidence indicated that no English region would meet this requirement as it was based on evidence of delivery. Due to the economic recession, the rate of building had declined and, therefore, evidence of supply could not be proven even though 800 homes were being built per year, potentially making Telford the fastest growing town in the country. The Local Planning Authority was therefore responding to a position set by Central Government and recommending to Members how to determine applications in the context of this position.

Although Members expressed some continued frustration with the position regarding housing supply, on being put to the vote it was unanimously

RESOLVED – that with respect to planning application TWC/2013/0777 the Development Management Service Delivery Manager be authorised to grant planning permission subject to :-

- (a) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:
 - (i) Provisions ensuring that 35% of the dwellings to be built shall be affordable housing (in this case as social rented) in number, with any fraction of this 35% not being sufficient to construct a full unit then the remainder shall be calculated and given to the Council as an off-site contribution; and

- (ii) **An open space contribution as required by Policy LR4 and LR6 of the Wrekin Local Plan equating to £600.00 per 2-bedroom property (or above) to be provided upon commencement of the development.**
- (b) **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 Development Management Service Delivery Manager)**
- (c) TWC/2013/0821 - Land adjacent to Kiyokuni Europe Ltd, Holyhead Road, Snedshill, Telford, Shropshire

This was an application for change of use of vacant employment land to a two year temporary gypsy and traveller caravan transit site with the provision of 15 pitches and portable toilet facilities for a temporary two year period. The proposals indicated that the pitches would comprise 14 “double” pitches (2 caravans and 2 cars) and one “single” pitch (with one caravan and one car). Therefore the total provision on the whole site was for 29 caravans and 29 cars. The proposal included charges for occupation.

An update report was tabled at the meeting which detailed amended plans received, additional consultation responses received and information regarding the policies relevant to this application, particularly the Central Telford Area Action Plan (CTAAP) and NPPF.

Cllr Mrs Brenda Richards representing St Georges & Priorslee Parish Council (adjoining parish) spoke to oppose the application on the grounds of increased traffic, impact upon the area and the weight of public objection.

Cllr V A Fletcher, Ward Member for adjoining Ward (Priorslee), addressed the Committee in opposition to the application. Although she recognised the Council’s statutory obligations towards the travelling community, she believed that the site was not appropriate due in part to it’s proximity to the M54 and associated noise and pollution. She also believed that the application was in breach of CTAAP and the NPPF. Cllr Fletcher noted the weight of public objection as evidenced by petition and individual letters and questioned the potential for non-compliance with any time limit on stays and enforcement of conditions of use.

Mr A Jones spoke on behalf of Castle Trading Estate Management Company to oppose the application in terms of consultation, contradiction of policy (CTAAP and NPPF), strategic importance of the site and its designation as employment use, the purpose of the transit site whilst awaiting extension of Lodge Road and discrepancies in the application. He believed that there procedural issues regarding the amended Red Line plan and sought withdrawal of the application from consideration at this time under the threat of an Ombudsman complaint.

On behalf of the Applicant, Mr J Bedesha addressed the Committee in support of the application. Mr Bedesha noted the Council’s statutory obligations in terms of the Housing Act 2004 and the need to limit illegal encampments and their associated adverse impacts. The site, which was well screened, would be managed by the

Council's Housing Team by license agreement and conditions and any breach of license or conditions would result in eviction. The Council was also still looking to identify a suitable alternative site.

The Planning Officer particularly referred Members to aspects of the report which addressed issues relating to the principle of development in relation to local and national planning policy, design, location and highways. She noted speakers' concerns regarding the submission of amended plans but indicated that the Red Line had not changed, only the layout, and therefore there was no reason to reconsult and no breach of procedure had occurred. The Planning Officer also informed Members that due to a technical glitch, the deadline for comments on this application had been published as 18 December 2013 which was later than the statutory requirement. She, therefore, suggested that if the Committee were so minded, in order to take account of any additional comments received during that extended period, grant of temporary permission could be delegated to the Development Management Service Delivery Manager following consultation with the Chair and Vice-Chair, after the published deadline had passed.

During the course of the debate, some Members raised questions regarding planning policy (particularly CTAAP); loss of employment land, consideration of coal mining features and that fencing had already been erected on the site. Concerns were also raised regarding crime and antisocial behaviour, occupation by pitch and not by family, considerable public objection and the evidence-base for assertions that there was a lack of space for gypsies and travellers.

In response to questions raised, the Planning Officer advised that there was an abundance of employment land in the borough and by taking a balanced view and considering the temporary nature of the site, it was considered that the lack of facilities for gypsies and travellers outweighed the provisions of CTAAP in this particular case. In particular, she advised that the Planning Policy for Traveller Sites (paragraph 25) indicated that as a five-year supply of deliverable sites could not be demonstrated, this constituted a significant material consideration in the consideration of applications for the grant of temporary planning permission. She confirmed that as no below ground level works would be carried out on site, the Coal Authority did not object to the proposals subject to an Informative and that the fencing which had been erected at the site did not require planning permission.

Continuing the debate, some Members were of the opinion that a requirement for a temporary traveller site could be demonstrated by the growing number of illegal encampments across the borough. The Council's statutory obligations were noted, together with the abundance of employment land and national policy provisions regarding land supply. It was noted that work was taking place to extend permanent provision at Lodge Road, which was a well-managed site, and no evidence of antisocial behaviour at existing permanent sites had been presented. Considerable public objection was noted but it was also noted that of those objections received, only a small percentage came from residents or businesses in the immediate vicinity.

The Assistant Director: Planning Specialist summarised the reasons for the recommendation to approve this application, highlighting the Council's responsibility to provide traveller sites and, whilst this site represented a departure from local

policy, it did not change the provisions of CTAAP and the lack of a five year supply of sites was presented as a significant material consideration. Ground conditions had been considered and could be dealt with by Informative; no evidence had been provided of antisocial behaviour at existing sites. He indicated that evidence of need had been written several years ago and a greater demand could now be evidenced by the numbers of unauthorised encampments. He concluded that in making their decision, Members needed to determine whether there were any sustainable and defensible reasons to refuse permission on the basis of planning matters alone.

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

RESOLVED – that with respect to planning application TWC/2013/0821 the Development Management Service Delivery Manager be authorised, following consultation with the Chair and Vice-Chair of the Planning Committee, to grant two year temporary planning permission subject to the conditions set out in the update report tabled at the meeting.

Councillor I T W Fletcher asked that his vote against the recommendation be recorded in accordance with procedure rule 11.4.

(d) TWC/2013/0823 - Blessed Robert Johnson Catholic College, Whitchurch Road, Wellington, Telford, Shropshire, TF1 3DY

Councillor A A Mackenzie left the meeting prior to consideration of this item.

This was a full application for the demolition of existing school buildings and the erection of a 1200 place secondary school with associated parking and hard and soft landscaping. An update report was tabled at the meeting which set out additional comments received since the publication of the main report and clarifying the highways works to be secured by condition rather than a Memorandum.

Noting the principle of development on site already existed, that land ownership was not a material consideration and that parking provision would be significantly increased, Members welcomed the new school facilities.

RESOLVED – that with respect to planning application TWC/2013/0823 the Development Management Manager be authorised to grant planning permission 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 Development Management Service Delivery Manager).

The meeting ended at 8.46pm

Chairman:

Date: