

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 5 March 2014 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Whitehouse), Watling Street, Wellington, Telford TF1 2NJ

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, E J Greenaway, A S Jhavar, J Loveridge, C P R Mollett, G C W Reynolds, S A W Reynolds and C R Turley.

ALSO PRESENT: Councillors E A Clare (for planning application TWC/2014/0042); A J Eade (for planning application TWC/2014/0042); G M Green (for planning application TWC/2013/0871); and A A Mackenzie (for planning application TWC/2013/0871).

PC-089 APOLOGIES FOR ABSENCE

Councillor I T W Fletcher

PC-090 DECLARATIONS OF INTEREST

With regard to planning application TWC/2013/0902, Cllr C P R Mollett commented that he was the borough ward member but in the circumstances he would not be withdrawing from the meeting for that item.

With regard to planning application TWC/2014/0021, Councillor C R Turley commented that he was the borough ward member but in the circumstances he would not be withdrawing from the meeting for that item.

PC-091 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-092 SITE VISITS

RESOLVED – that a site visit takes place at 4.45pm on Wednesday, 19 March 2014 at land adjacent Police Houses, 2 Park Lane, Woodside, Telford, in respect of planning application TWC/2013/0920.

PC-093 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report together with the supplementary information tabled at the meeting regarding planning applications TWC/2013/0265, TWC/2013/0902 and TWC/2014/0042.

- (a) TWC/2013/0265 - The Mount, 1 Haygate Road, Wellington, Telford, Shropshire

This was a full application for the conversion of existing buildings to form 10 residential units with associated internal and external alterations including partial demolition and construction of 8 new residential bungalows. The application was considered in conjunction with planning application reference TWC/2013/0266 seeking listed building consent. An update report was tabled at the meeting which indicated that the stability declaration form had been submitted and that discussion regarding final conditions was still ongoing between the Local Planning Authority and the applicant requesting delegated authority to remove pre-commencement condition if information was submitted prior to approval.

Members were delighted that the listed building would be protected by these proposals. The proposed bungalows and excellent facilities for future residents were welcomed.

RESOLVED – that subject to receiving a satisfactory memo from the Director of Development, Business & Customer Services to provide a financial contribution of £6,750 towards upgrading of community use recreation facilities to authorise the Development Management Manager to grant planning permission subject to the conditions set out in the update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

- (b) TWC/2013/0266 - The Mount, 1 Haygate Road, Wellington, Telford, Shropshire

This was an application for listed building consent, considered in conjunction with planning application reference TWC/2013/0266 for the conversion of existing buildings to form 10 residential units with associated internal and external alterations including partial demolition and construction of 8 new residential bungalows

RESOLVED – that with respect to planning application TWC/2013/0266 listed building consent be granted subject to the conditions as 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/2013/0871 - Unit 108C, Halesfield 13, Halesfield, Telford, Shropshire, TF7 4QR

This was a full application for change of use from warehouse unit (Use Class B1, B2, B8) to metal recycling facility (Use Class Sui Generis) including the demolition of the existing building and erection of a two storey office building, 3 outbuildings, 2 weighbridges, an end of life vehicle facility and associated tank farm, a perimeter barrier and associated machinery, parking, access and landscaping. Councillor A A Mackenzie, Ward Member, had requested that the application be determined by the Planning Committee.

Councillor A A Mackenzie spoke on behalf of local residents in opposition to the application. He raised concerns regarding the proximity of the site to residential dwellings at Madebrook which would be subjected to increased noise. He commented that the water table in the area was high and pointed to the concerns of the Environmental Health Officer. He considered that the application was contrary to planning policies CS2, CS15, UD2 and the emerging Shaping Places Local Plan.

Councillor G M Green, adjacent Ward Member, made representations regarding the application in terms of the suitability of the site for recycling activities in such close proximity to residential properties due to the impact of noise. Councillor Green also raised concerns of the impact of the proposed facility on other businesses in the vicinity which may be forced to close as a result due to the impact of noise upon their operations. Pointing to long standing difficulties at similar facilities at Lightmoor, she questioned the Council's capacity for enforcement.

Mr P Caudle, representing local businesses, addressed the Committee to oppose the proposals. He informed the Committee that the nature of local businesses required the relative peace and quiet currently enjoyed and that the anticipated noise impact from the proposed facility may result in businesses closing with a loss of associated jobs. He argued that there were more suitable areas of Halesfield for the proposed facilities and that noise readings had been taken over too short a period. He also pointed to ongoing complaints about similar facilities at Lightmoor which did not give confidence regarding the potential for enforcement of any mitigating conditions.

Mr M Hopkins, the Applicant's Agent, spoke in support of the application, in terms of noise mitigation, local need, the extensive search for a suitable site for business operations, the applicant's background and experience, and the positive investment into the area.

The Planning Officer drew Members' attention to aspects of the report regarding noise mitigation in terms of an acoustic fence, noise management plan and hours of use. She noted that the applicant had requested an additional half an hour working time and as such it was considered reasonable as a set up time prior to the operation of noisy machinery, and as such amended proposed conditions reflected this. She acknowledged the concerns of objectors, reminding Members of the site visit which had taken place that afternoon, taking in Chillcott Gardens and Madebrook and pointed to the mitigating factors for the visual impact on the variety of nearby businesses. She informed Members that the site was brownfield and that Halesfield was not zoned in terms of the type of business allowed. The site was not on the flood plain and pollution would be controlled by permit through the Environment Agency. Highways Officers were satisfied that the highway would cope with additional movements and the design was in accordance with policy. She concluded that any concerns could be mitigated by condition.

Some Members expressed a number of concerns regarding the appropriateness of the location due to the proximity of residential dwellings and the nature of existing businesses in the locality. Concerns were also expressed regarding increased vehicle movements, the increased annual tonnage restriction to 75,000 tonnes, limited car parking and that there was little opportunity for business expansion.

In response to questioning, the Planning Officer explained the interactive process between planning permission and Waste Permit issued by the Environment Agency and explained that the facility at Lightmoor was an historic site with few planning controls hence the difficulty in controlling the site. She also went on to explain that the varying height of the acoustic fence to mitigate noise was associated with the use immediately behind it at a lower level and hence the reasons for the proposed height which also reflected that of the surrounding buildings. The Assistant Director: Planning Specialist also commented upon the need for recycling facilities in the borough, that the location was a sustainable employment area, that mitigation for noise had been adequately demonstrated and that there appeared to be no defensible reasons to refuse the application.

Considering the report and Planning Officer's advice, some Members did not feel that an Industrial Estate was an inappropriate location and considered that the proposed screening was sufficient to mitigate noise together with the busy A442 between residential properties at Madebrook and the site. The majority of Members, therefore, considered that the application was in accordance with the National Planning Policy Framework which sought to proactively support economic development, but did not feel extended hours of operation were appropriate. Members urged local businesses and residents to actively engage with the three month monitoring and review period.

RESOLVED – that with respect to planning application TWC/2013/0871 planning permission be granted subject to the conditions as set out in the report and revised hours of use from 08:00 to 18:00 hours Monday to Friday, 09:00 to 13:00 hours Saturday, with no working Sundays / bank holidays.

(d) TWC/2013/0902 - Hughes Transport Ltd, The Garage, Wellington Road, Horsehay, Telford, Shropshire, TF4 3QG

This was an outline application for residential development with associated access. The number of units proposed was not detailed in the application and, accordingly, only the principle of residential development was sought in addition to access. All other matters were reserved for future subsequent applications. An update report was tabled at the meeting which detailed further comments received from the applicant in support of the application.

Members sought clarification on the position regarding affordable housing and noted that the 25% contribution would be set as part of the S106 obligations. Members welcomed the use of a brownfield site.

RESOLVED – that with respect to planning application TWC/2013/0902 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement to provide 25% affordable housing, £600 per dwelling for off site leisure and recreation facilities, £2257 per dwelling for Education facilities, and £495 per unit towards bus improvements and further subject to the conditions set out in the report

- (e) TWC/2014/0021 - The Lakeside Playing Field, Stirchley, Telford, Shropshire, TF3 1FA

This was a full application submitted by the Council for the construction of a third generation (3G) all weather playing pitch and storage area with fenced enclosure, erection of 8 flood lights, construction of new pedestrian access and associated landscaping.

In response to questions, the Planning Officer confirmed that the gently sloping site would need to be levelled and that the drainage officer was happy that there were no flooding issues in the vicinity but that Parks and Open Spaces considered the existing pitch was not functioning well. Ecology matters were being actively addressed by the applicant, sufficient car parking was located nearby and it was anticipated football would be the dominant use of the site. Concern was raised about light pollution from the floodlights and the Planning Officer agreed to discuss opportunities for sensorised floodlights with the applicant.

RESOLVED – that with respect to planning application TWC/2014/0021 the Development Management Manager be authorised to grant planning permission subject to confirmation from the Council's Ecologist that they do not object to the planning application and further subject to 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) and further subject to investigation with the applicant regarding the installation of sensorised floodlighting.

- (g) TWC/2014/0042 - Land to the north west of existing MOD Donnington, Donnington, Telford

This outline application had been submitted by the Council and referred to Planning Committee for determination. The application supported the Council's Telford Defence Gateway Project and the bid to make Telford the main centre for the Ministry Of Defence's (MoD) logistics operation. The application was for the maximum requirements that the MoD would have in order to give greater flexibility. Additionally, the facilities would benefit from the close proximity of the rail freight terminal.

This application included a warehouse facility (known as a fulfilment centre) which at its maximum would be 675,000 sq ft and up to 35 metres high in part. Complete utilisation of the fulfilment centre would depend on whether the MoD decided that the warehouse should be manually operated or fully automated which would require a smaller footprint but maximum height. The planning application also included a further 200,000 sq ft warehouse as well as a 30,000 sq ft three storey office building and provision for a balancing pond to improve on-site drainage. The application's planning merits and environmental impact had been tested against the larger structure and it was the acceptability of the larger building that Members were required to consider. The Planning Officer emphasised that access to the site would be from within the existing MoD site which was important in terms of the Highways Officer's recommendations as set out in the tabled update report.

A site visit had taken place that afternoon and a lengthy update report was tabled at the meeting which set out further information received since publication of the main report including information from the applicants in support of the application, the Local Highway Authority's observations and recommendations, comments received from the Council's Pollution Control Officer and Urban Design Officer and additional third party representations received including a statement from the owner of 28 The Hoo which was the closest residential dwelling to the application site.

Following representations received prior to the meeting, due to the circumstances of this particular application, the Chairman had agreed that representatives both in favour and against the application should be afforded the opportunity to speak.

Councillor A J Eade, Ward Member for Church Aston and Lilleshall made representations to the Committee regarding the dramatic impact of the proposals upon residents and businesses in the vicinity. Whilst he supported the principle of creating employment, he considered that the environmental cost was too high. He criticised the lack of consultation and considered that local jobs could be saved whilst positively reacting to the needs of the local community. In this regard, noting the outline status of the application, he urged mitigation through altering the siting of the largest buildings.

Councillor E Clare, one of the Ward Members for Donnington, spoke in favour of the application, applauding the comprehensive report which had been presented. She outlined the MoD's longstanding presence as an employer in the borough and, pointing to local growth figures and the Council's business winning ethos, she emphasised the need to secure jobs for local people as well as create new jobs. Councillor Clare pointed out the excellent accessibility of the site and acknowledged that some further consideration could be given to siting the largest buildings to mitigate the impact on the immediate community.

Mr R Turner, representing Preston upon the Weald Moors Parish Meeting, spoke against the application, highlighting factors in the Environmental Impact Statement relating to noise and light pollution, the contextual size of the proposed buildings and loss of farmland. He questioned whether an automated facility would generate the anticipated employment figures and criticised the speed with which the application had been brought forward.

Mr W Dorrell, owner of Hoo Farm Animal Kingdom, addressed the Committee with concerns regarding the impact on his business and those businesses located in the grounds of the Farm in terms of employment and animal welfare. He pointed out light and noise pollution may jeopardise the business' zoo licence which could potentially result in the loss of an award-winning family attraction.

Mr S Blasczyk of Unite, spoke in support of the application, applauding the Telford Defence Gateway Project and citing the potential loss of employment which could occur if the bid was unsuccessful.

Mr P Ellingham, the Applicant's Agent, addressed the Committee in support of the application which he stated represented a unique opportunity to safeguard and create jobs in the borough. Whilst he noted the concerns of the local community, he

pointed to the overwhelming support generated through consultation exhibitions. He indicated that there were no available brownfield sites within the borough of sufficient scale to accommodate the requirements of the MoD and suggested that the visual impact of the buildings could be minimised, with drainage, landscaping and traffic concerns also being mitigated.

The Planning Officer emphasised aspects of his comprehensive report including surface water flows and drainage, ecology and biodiversity including the impact upon Great Crested Newts and bats, built heritage and conservation, relevant planning policy (including the National Planning Policy Framework), landscape and visual amenity including mitigation through screening and the impact upon the visitor experience at Hoo Farm Animal Kingdom. On balance, the report concluded that the negative impacts of the application were outweighed by the socio-economic benefits.

Members noted the dramatic impact that the proposals would have on the landscape and local communities. Particular concerns were expressed regarding the re-routing of Public Rights of Way, the disproportionate height of the buildings in the context of the landscape, consultation process, drainage, animal welfare, fears that once the principle of development was established alternative development could take place if the defence bid was unsuccessful, highways impact of vehicles travelling through Priorslee, Muxton, Trench and Newport, traffic flows, a perceived limited amount of top soil and retention of water bodies.

The Planning Officer explained Public Rights of Way were subject to a separate administrative process but he was confident that an alternative commodious route was available. He stated that consultation had been undertaken in accordance with requirements and additional consultation in the form of three public exhibitions had also taken place despite the very tight timescale imposed by MoD. He confirmed that three small ponds would be lost to the development but that a compensatory pond was proposed, a strategic landscaping solution would form part of any future reserved matters application, urban design elements were satisfactory, and the Highways Officer had undertaken a further traffic assessment, which had resulted in a request to condition any permission to link it to the MoD as the traffic impacts were significantly different than if the site came forward as a bespoke distribution facility. The travel plan would require further detail at any future reserved matters stage.

In response to questions regarding compensation, the Legal Advisor commented that there were limited avenues of recompense under land compensation law. She also confirmed that it was not the authority's practice to seek S106 financial obligations for the administrative process of re-routing Public Rights of Way. The Development Management Service Delivery Manager also commented that there was potential for organisations to make a case for Business Rate Relief which would be dealt with through the normal procedures. The Assistant Director: Planning Specialist noted that the consultation had been subject to timescales and deadlines imposed by the MoD and that the economic development opportunity represented by the proposals were of vital importance to the borough.

Despite the concerns summarised, Members also noted the socio-economic benefits of the proposals in terms of job security and job creation. It was noted that access to the site would be from the MoD's existing site and the Highway's Officers

recommendation to limit permission to the MoD in light of this was welcomed. It was noted that there was not an alternative site in the borough of sufficient size to accommodate the scale of the requirements and it was appreciated that a site with a larger footprint but lower building height would be preferred.

The Chairman commented upon the site visit which had taken place that afternoon, encompassing Hoo Farm Animal Kingdom. He commented that if Members were minded to approve the application, he fully advocated consultation with local residents and Hoo Farm to mitigate as far as reasonably possible against the negative impacts of the proposals.

On balance, whilst the Members were sympathetic to the concerns of local residents and businesses, it was unanimously considered that the socio-economic benefits to the whole borough were significant.

RESOLVED – that subject to receiving a satisfactory memo from the Director of Development, Business & Customer Services setting aside a sum of money of £50,000 to be administered as a grant for the planting of trees and hedges at selected off-site locations within 2 km of the site together with £5,000 to cover costs of monitoring of Travel Plan and £10,000 for planning monitoring to authorise the Development Management Manager to grant planning permission subject to the conditions covering the areas as set out in the report and an additional condition that the warehouse and distribution facility be used for storage and distribution relating to the activities of, the adjoining MOD Donnington only (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

The meeting ended at 8.35pm

Chairman:

Date: