

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 15th July 2015 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Telford Whitehouse Hotel), Watling Street, Wellington, Telford TF1 2NJ

PRESENT: Councillors J C Minor (Chair), N A Dugmore, E J Greenaway, J Loveridge, N C Lowery, M J Smith and C R Turley.

ALSO PRESENT: Councillors J A Pinter (for Planning Application TWC/2015/0217), J M Seymour (for Planning Applications TWC/2015/0274 and TWC/2015/0414) and S Bentley (for Planning Applications TWC/2015/0157 and TWC/2015/0405)

PC-022 MINUTES

RESOLVED – that the minutes of the meetings of the Planning Committee held on 22 June and 24 June 2015 be confirmed and signed by the Chairman.

PC-023 APOLOGIES FOR ABSENCE

Councillor P J Scott

PC-024 DECLARATIONS OF INTEREST

With regard to planning application TWC/2015/0496 Councillor N A Dugmore advised that he was a member of Donnington & Muxton Parish Council but had not been involved in any discussions on this application.

With regard to planning applications TWC/2010/0828 and TWC/2015/0233, Councillor E J Greenaway advised that she had been a member of the Lawley Steering Group which had provided community input to the original blueprint for the Lawley Ironstone development, but had had no involvement with any specific planning applications relating to the Lawley 8 development.

PC-025 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-026 SITE VISITS

Councillor C R Turley referred to planning application TWC/2015/0496 – variation of planning permission at Revivie, Wellington Rd, Donnington. There were concerns that the applicants had not adhered to the agreed conditions of the original permission, and that a site visit would be useful for Members to see the suitability of the building that was being used as a woodwork workshop. It was moved, seconded and

RESOLVED – that with respect to planning application TWC/2015/0496, determination be deferred to the next meeting in order to allow for a site visit to take place on 5th August 2015 at 4.00pm.

PC-027 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/2015/0217 – Site A, Pool Hill Road, Horsehay, Telford

This was a full application for the erection of 14 affordable dwellings with associated access, parking and landscaping. The application site (0.38ha) formed part of a larger parcel of land in a semi-rural setting between Dawley and Horsehay. The site was currently covered by grass and shrubs and was used for grazing by horses. The application was a resubmission of a previous application which was withdrawn due to a requirement to carry out a Great Crested Newt Survey.

Councillor J A Pinter, Borough Ward Member, spoke on behalf of other Ward Members and local residents. Local roads (including some parts that were just single carriageway) were already heavily used, and were often used as shortcuts. This development would only add to the congestion. There was also the likelihood of more on-street parking, leading to a further impact on highway safety. There were few local amenities and infrastructure (eg no bus route) to support this development. There were concerns about the stability of the land on this site, and issues of flooding caused by historic infilling of old mines. This was an unsuitable site, the proposed housing would be out-of-keeping with the character of the area, and would be detrimental to the amenity of existing residents in the area.

Mr B Evason, a local resident, addressed the Committee and stated that there was strong feeling in the local community against this proposal. The amenity of local residents would be harmed, the scheme would encroach onto the Green Network and result in the loss of green space, an increase in traffic volumes and parking as a result of this development would lead to increased dangers to road users, and the design of the houses were out-of-character with the semi-rural nature of the surrounding area, and represented over-development of the site. This was a high risk development in a former coal mining area with possible hidden dangers, and he did not believe that the scheme was viable.

Ms C Thomas, the applicant's Project Manager, addressed the Committee and stated that this scheme was part of a wider project to bring forward more affordable housing in the Borough. There was high demand for such housing in the local area, and a lettings policy would be agreed with the Council to ensure priority for local people. The applicants were committed to developing this site, and were prepared to subsidise the high costs of site preparation, including the proposed conditions for remediation and stabilisation works before the commencement of the development. The proposed drainage scheme submitted with the application would help to slow surface water flows to the mains sewer through attenuation tanks located under parking areas.

The Planning Officer advised on the principle of development, site layout and design, impact upon residential amenity, highways issues, land stability and coal mining, ecology issues, flood risk and drainage and impacts on local infrastructure. It was confirmed that the site was not within the Green Network, and was designated in the Local Plan as a committed site. There was a Section 7(1) Consent for this plot of land, and a previous outline application for residential development was granted in 2008. It was considered that the proposed development was acceptable in terms of design, density and layout. There were satisfactory provisions in respect of access and off-street parking, and there would be a financial contribution towards off-site highways improvements, particularly at the Doseley Road/Pool Hill Road junction. In terms of ecology/wildlife, information had very recently been received that there may be newts in two ponds within the curtilage of the site. These would need to be assessed/surveyed in order to see whether a licence was required, and it was suggested that the recommendation in the report be amended to give delegated authority to Officers to request a newt survey of the two ponds as part of the conditions for planning consent.

During the ensuing debate, Members asked a number of questions regarding the proposals, including the level of financial contribution towards highways improvements, whether the 100% affordable housing could be enforced if it was not part of the Section 106 Agreement, and what were the implications of the proposed newt survey. The Planning Officer and the Council Solicitor advised that a viability appraisal had been submitted by the applicants which confirmed that a larger contribution would compromise the viability of the scheme; that a condition could be attached to any consent to ensure the housing provided was retained as affordable; and that if any mitigation measures were needed arising from the newt survey, the applicants would need a licence to proceed. While welcoming the provision of affordable housing, some Members expressed concerns regarding the ground conditions of the site, the impact of increased traffic on Station Road, the level of financial contribution that was being proposed for highways improvements, and the layout and design of the development. Given that there was now a need for an ecology survey of the two ponds within the curtilage of the development, it was suggested that consideration of the application could be deferred, pending the results of the survey.

RESOLVED – that with respect to planning application TWC/2015/0217 that determination be deferred to allow for an ecological survey to be undertaken into the possible presence of newts in ponds adjacent to the site.

(b) TWC/2015/0274 – Priorslee Academy, Priorslee Avenue, Priorslee, Telford

This was an application for the erection of one demountable building which would be used for pre-school and after-school clubs. The building would be sited to the east of the existing Academy on an embankment adjacent to the school running track.

Councillor J M Seymour (on behalf of the two Borough Ward members) commented on the objections that had been received from Priorslee Pre-School and others. It was felt that many of these comments were subjective and not in themselves material planning considerations. The Planning Officer's report made clear that there was not expected to be a significant increase in traffic and impact on highway safety as a result of this development, and that the proposed new pre-school would increase choice for local residents as well as providing employment opportunities. It was noted that the applicant had applied for a permanent permission in order to ensure certainty for the school pupils and curriculum, and it was suggested that the Officer's recommendation to grant a temporary consent for five years should be deleted.

Mr J Barker, Chair of Priorslee Pre-School, addressed the Committee and spoke against the application. He questioned the need for another pre-school facility in this area, and expressed the view that the Priorslee Community Centre (which shared the site with Priorslee Academy) could be lost to the wider community as the Academy expanded further. The Community Centre was a well-used space that hosted a lot of local groups, and should be retained for community use.

Mr A Lane, the applicant's agent, advised that consent had been granted for new classroom extensions in 2012 but that the funding had not yet been forthcoming to allow this to proceed. The present application would provide two classroom spaces for a breakfast and after-school club, and a pre-school facility for 3-4 year olds. There was a waiting list for the pre-school, and demand was likely to increase with the building of more houses in the area. Sport England had now accepted that the location of the building was on a part of the playing field that was incapable of forming part of a playing pitch. The application was for a permanent planning permission and this would be the ideal outcome, but the applicants were prepared to accept the proposed temporary consent for five years.

The Planning Officer advised on the principle of residential development, highway safety, and the need for this facility. A number of representations had been received, with 13 letters in support and 25 letters raising objections. Two additional letters of objection were referred to in an update report that was tabled at the meeting. However, these letters had not raised any matters that were material planning considerations. It was considered that the proposed development was acceptable and compliant with local and national policy/guidance. In terms of the application for permanent planning permission, given that there were already two demountable buildings across the site, it was considered appropriate to only grant temporary permission. The proposed five year consent would allow the School to build the previously approved extensions which would then allow for a reduction in the number of demountable buildings. It would also enable the Local Planning Authority to consider the impact of the proposed use on traffic and the local economy.

Clarification was sought regarding the Community Centre, and the Planning Officer confirmed that it formed no part of this application. There was an existing pre-school using the Community Centre.

On being put to the vote, it was unanimously:-

RESOLVED – that with respect to planning application TWC/2015/0274 that planning permission be granted, subject to the conditions set out in the report.

(c) TWC/2015/0157 – Former Dairy Crest Ltd site, Crudgington, Telford

This was an outline application for the demolition of existing commercial buildings and erection of 111 dwellings with associated amenity space and car parking, and erection of commercial units, creation of public open space with attenuation ponds, play space, landscaping and highway improvements. The application included a proposed layout (with the dwellings to be provided around a central village green) and access arrangements, but all other matters were reserved at this stage. The application site was located to the west of Crudgington village, and covered 6.08 ha of commercial brownfield land that was formerly Crudgington Creamery. There was a mixture of vacant commercial buildings currently on the site.

Councillor S Bentley, Borough Ward Member, addressed the Committee. He welcomed the consultation that the applicants had carried out with residents and the Parish Council, and the efforts that had been made to mitigate the loss of employment arising from the closure of the Creamery. This was a brownfield site that was suitable for such development, and the application was in line with national and local planning policies. It would help local people to get a property in the area, would provide employment opportunities and there would be benefit to the local community through the contributions being proposed for education, highways and public open space. There was one concern that the financial contribution for highways improvements was being earmarked for the Shawbirch roundabout scheme further down the A442. It would be more appropriate for improvements to be made to the Crudgington crossroads next to the application site.

The Planning Officer advised on the principle of development, layout, highways issues, ground contamination and stability, flood risk and drainage, trees, landscaping & open space, ecology, impacts on infrastructure and planning obligations/section 106 contributions. The application was a departure from the Local Plan in that Crudgington was not one of the settlements identified for housing development in the rural area in policy CS7. Also any change of use for employment land would be in conflict with the Core Strategy. Nevertheless, the site was vacant, brownfield land and, like the proposed development of the former British Sugar site at Allscott, it was considered that the strategic nature of the development needed to be considered in the context of the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development. It was considered that the mixed use development would be highly sustainable, with a number of benefits including employment floor space, enhanced linkages to nearby villages, generous open space provision and significant enhancements to the visual appearance of the site. It would represent the loss of a significant commercial site in the rural area, but there did not appear to be any sustainable alternative commercial use. In terms of improvements to Crudgington crossroads, the Highways Officer had undertaken capacity modelling exercises and had concluded that there were no defensible grounds to seek improvements to the junction solely as a result of this development. However, there was concern at the cumulative impact on the local roads network if an application for 130 dwellings on a site 1km to the north at Waters Upton was granted on appeal. It was therefore proposed to retain an option to use the

commuted sum towards improvements to Crudgington crossroads if this became a higher priority. There were not considered to be any technical issues to prevent the development from proceeding or any issues that could not be mitigated against through the use of conditions. A further representation had been received from the applicants, which was summarised in a tabled update report. This had not raised any new issues. In conclusion, it was considered that the application represented a sustainable form of development and a viable and plausible use of a redundant brownfield site, and was recommended for approval.

Members asked questions regarding the proposed contributions for primary and secondary school provision, whether a mini-roundabout at the Crudgington crossroads could be considered, the number of trees that would be lost, and the size of the proposed workshops. The Planning Officer advised that the education contributions would be ring-fenced and that capacity at Crudgington Primary School could be expanded through the replacement of existing demountable classrooms. Based on the advice from the Highways Officer, further traffic management measures at the crossroads were not currently required, and there might be implications of land acquisition to accommodate a roundabout. Information on the exact number of trees that would need to be removed was not available at the meeting, but there would be a requirement for replacement planting. The workshop units were aimed at small businesses, and there would be flexibility in terms of their size and usage.

Members welcomed the scheme and the re-use of a currently redundant brownfield site. It was therefore moved and seconded that the recommendation in the report be approved. On being put to the vote, it was:-

RESOLVED – that with respect to planning application TWC/2015/0157 that authority be delegated to the Service Delivery Manager: Development Management 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) Affordable Housing = 9 units (tenure split 5 affordable rent units and 4 shared ownership units)**
 - (ii) Education contribution = £560,722**
 - Primary School contribution £250,066 (allocated towards expansion at Crudgington Primary School)**
 - Secondary School contribution £183,508 (allocated towards expansion at Charlton Secondary School)**
 - Transport costs £127,148 (used for the transportation of secondary school aged pupils to the Charlton Secondary School)**
 - (iii) Highways contribution = £52,402 (To be used by the Council as a contribution towards improvements to existing junctions on the A442 on the highway corridor between and including Crudgington Crossroads and Shawbirch Roundabout. However, Local Highway Authority wishes to also retain the option to spend the money on improvement works to Crudgington Crossroads if these are**

- considered a higher priority as a result of other development coming forward in the local area)**
- (iv) Public Open Space**
 - **Contribution of £225,021 (towards the adoption and maintenance of public open space within the development)**
 - **Provision of Local Equipped Play Area (LEAP) and outdoor gym**
 - (v) Broadband provision to be provided by the developer**
- (b) the conditions and informatives set out in the report.**
- (d) TWC/2015/0405 – Heath House, 17 Middle Lane, Cold Hatton Heath, Telford

This was a full application for the erection of a two storey 3 bedroom detached dwelling with detached 3 bay garage. The dwelling would sit within the extensive grounds of the smallholding of Heath House, with access from an existing track from Middle Lane. The proposed dwelling would incorporate a number of design features, including a sedum green roof, to minimise its impact on the environment through extremely low energy demands and ‘futureproofing’ to ensure it continued to perform through its lifetime.

Councillor S Bentley, Borough Ward Member, addressed the Committee and spoke in favour of the application. It did not impact on any neighbouring properties, and was an innovative building that would have very low energy usage and could become a good practice example of a sustainable dwelling. Waters Upton Parish Council fully supported the application, and there had been no objections received.

Mr C Purves, the applicant, and Ms J Bleach, applicant’s agent, addressed the Committee. The dwelling was a simple, refined dwelling that would have a minimal impact on its surroundings, and had been designed to blend into the topography of the site. There would be sympathetic cladding and panels to the exterior, and a number of technical innovations. The proposal had been welcomed by a MADE Design Review panel, and was supported by a number of specialist companies and experts. It would meet rigorous environmental standards, and would have an energy performance 88% better than a typical new-build dwelling.

The Planning Officer advised on the principle of development, the impact on the character and appearance of the area, and technical issues relating to access, parking, drainage, ecology and landscaping. The application site did not fall within one of the three settlements identified in Local Plan policy CS7 for development in the rural area. However, it was not in open countryside and needed to be considered in the context of the settlement of Cold Hatton Heath – an area of low density, sporadic development. While it was technically contrary to policy, the “grand design” of the proposed dwelling did mitigate against this in terms of being an innovative concept with a detailed schedule of materials accompanying the application, and would lead to a low impact dwelling with clear environmental credentials. A further comment had been received from the Council’s drainage engineer in respect of the preferred means of discharge of surface water to a well, and this was outlined in a tabled update report. As a result, an additional condition was required, and this was shown in an amended recommendation in the update report. There were no other

technical issues, and it was considered overall that the development was acceptable in the context of sustainable development established through the National Planning Policy Framework.

Members welcomed the proposal and felt it was an excellent project that incorporated a number of exciting design features that would greatly reduce the building's visual impact in the landscape and impact on the environment.

RESOLVED – that with respect to planning application TWC/2015/0405 that planning permission be granted, subject to the conditions and informatives set out in the update report.

(f) TWC/2015/0414 – 63 Derwent Drive, Priorslee, Telford

This was a part retrospective application for the erection of a single storey rear and side extension and first floor rear extension. The dwelling was set within a predominately residential area where the majority of the properties were detached. The single storey side extension and the single storey element of the rear extension on their own would be classed as permitted development. However, the two storey element of the rear extension did require planning consent. The maximum height of the extension would be 6.75m and matched the height of the existing house.

Councillor J M Seymour (on behalf of the two Borough Ward Members) addressed the Committee and pointed out that a previous application for a two storey extension had been refused in 2007 because of the impact and loss of amenity on neighbouring properties. This application would have a detrimental impact on nearby houses, with loss of privacy and issues of overlooking. The scale of the development was excessive and would disproportionately increase the size of the dwelling. There was concern that this application was being recommended for approval when it was no different to the one that was refused. If Members did decide to grant consent, it was suggested that a condition be added for the use of frosted glass in the first floor window on the rear elevation.

The Planning Officer advised on the scale and design of the development, and on any issues of overlooking and the loss of privacy. It was considered that the proposals would not adversely increase overlooking issues for neighbouring properties, that the extensions were of an acceptable design and in keeping with the existing dwelling and were in accordance with local and national planning policies. There had been two letters of objection, and some of the issues raised were addressed in the report. The application that was refused in 2007 related to a two storey extension and the loss of open space in relation to a proposed change of use of the land. Also since then, there had been considerable changes in the regulations governing permitted development.

Some Members felt that it would be beneficial for the Committee to view the potential impact on neighbouring properties before making a decision, and it was moved and seconded that a site visit be undertaken. Upon being put to the vote, the motion was defeated.

The Planning Officer clarified issues raised about the retrospective part of the application and which elements would constitute permitted development. If there were concerns about overlooking, a condition could be added to require frosted glass in the first floor rear window.

RESOLVED – that with respect to planning application TWC/2015/0414 that planning permission be granted subject to the conditions set out in the report, and an additional condition for the treatment of first floor windows on the rear and side elevations in order to minimise any overlooking or loss of privacy.

(g) TWC/2010/0828 – Land at Ironstone, Lawley, Telford

This was an application for the variation of condition 16 of planning permission W2004/0980 to exclude the areas comprised within reserved matters application ref TWC/2010/0627 and within plots G4 and G5 as defined within the phasing plan drawing number 006 rev L from the effect of condition 16. This application was considered in conjunction with planning application TWC/2015/0233 – Reserved Matters, Lawley Phase 8.

The original Section 106 Agreement for the Lawley Sustainable Urban Extension (SUE) contained a requirement for 25% affordable housing with a mix of shared ownership and social rented houses. Members had already agreed to several variations to the affordable housing provision on different phases of the Lawley SUE based on viability appraisals, and these were set out in the report. The current application sought agreement for a Deed of Variation to reduce the affordable housing provision on Phase 8 to 12% and remove the overall obligation of a £100,000 contribution for sustainable development, payable on the occupation of the 1000th dwelling.

The Planning Officer reported that to date almost a third of the 3,300 houses planned for Lawley SUE had been built. The completion of the scheme was vital to the Borough's strategic housing needs, and Officers had been working with the developers to find ways of making sure the scheme was still viable and deliverable. The applicant had submitted a viability appraisal with the Reserved Matters application for Lawley Phase 8 to justify the reduction of affordable housing in this phase. Following careful assessment, it was considered that the reduction of affordable housing provision to 12%, and the use of some Green Network land for Phase 8a to facilitate this, was acceptable on viability grounds and to secure the long term future on Lawley SUE. In addition, the removal of the obligation to pay £100,000 was considered acceptable as a means to ensure that Phase 8 could be completed. It was recommended that the Deed of Variation should include a review mechanism in the event of any market appreciation.

During discussion of the application, some concern was expressed at the further loss of contributions and affordable housing and it was asked how the viability was worked out. The Planning Officer advised that the details were commercially sensitive, but there was an Officer in-house who assessed the viability taking into account such things as the cost of the land, any abnormal costs arising from groundworks etc, and the Section 106 contributions. Members recognised the importance of keeping the Lawley Ironstone project on track during a difficult economic period, and that 12% affordable housing was reasonable in the circumstances.

RESOLVED – that with respect to planning application TWC/2010/0828 that authority be delegated to the Service Delivery Manager: Development Management to make a Deed of Variation to the Section 106 Agreement to:

- (i) reduce the affordable housing provision on Phase 8 to 12%;
- (ii) remove the obligation to pay the £100,000 sustainable development contribution; and
- (iii) include a review mechanism in the event of any market appreciation, as well as any other legal wording changes necessary to make the s106 Agreement legally binding .

(h) TWC/2015/0233 – Lawley Phase 8, Lawley, Telford

This was a Reserved Matters application for 561 dwellings including details for landscaping, layout, appearance, siting, access and parking. This application was considered in conjunction with the request for a Deed of Variation to vary the terms of the Section 106 Agreement for planning application TWC/2010/0828 – Land at Ironstone, Lawley.

Phase 8 would provide a mix of dwellings/house types and the reserved matters application had been prepared in the context of an ongoing review of the Lawley Design Codes and a series of pre-application meetings and design workshops. Consequently, Phase 8 differed from previous phases in that it proposed a network of streets where landscaping and parking had been positively integrated from the outset to avoid problems with below ground utilities later on site. For viability reasons the extent of Phase 8 had been extended to include an area of land that was currently designated as Green Network, and shown as informal open space in the Development Framework. This would enable the provision of affordable housing on this phase, albeit reduced to 12% (see application g) above). Following some Officer concerns over detailed aspects of the scheme, the applicants had submitted further amended plans, and comments on these were included in an update report tabled at the meeting. These included comments from the Highways Engineer, Urban Design, Drainage Engineer, Parks & Open Spaces and Environmental Health (Pollution Control).

The Planning Officer advised on the principle of development, affordable housing and viability, loss of Green Network, design, highways/street layout/car parking/public footpaths, open spaces and recreation, trees and ecology, and ground conditions, drainage and noise. The development was largely in accordance with the Development Framework and Design Codes, and any departures were considered to be acceptable and would retain the unique character and appearance of the Lawley SUE. The loss of Green Network land could be mitigated by environmental and community benefits that would result from an enhanced layout design. There were also exceptional circumstances in terms of the benefit to the future integrity of the overall Lawley SUE and to ensure completion of Phase 8 and the delivery of affordable houses. The comments on the further amended plans had not led to any change in the recommendation for the grant of Reserved Matters, but there were some amendments to the proposed conditions and these were shown in the update report.

During discussion of the application, some concern was expressed at the loss of Green Network land, and the limited environmental benefits that would be gained from this development. Reference was also made to the comments of TWC Parks and Open Space in the update report regarding rights of way and areas of landscaping within adopted highways. The Planning Officer advised that these matters would be addressed through conditions.

RESOLVED – that with respect to planning application TWC/2015/0233 that authority be delegated to the Service Delivery Manager: Development Management to grant Reserved Matters, subject to the conditions outlined in the update report and any others that officers consider necessary to ensure compatibility with the outline application.

The meeting ended at 8.12 pm

Chairman:

Date: