

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 5<sup>th</sup> August 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), I T W Fletcher (Substituting for Cllr N Dugmore), E J Greenaway, J Loveridge, N C Lowery, M J Smith and C R Turley.

**ALSO PRESENT:** Councillors S Bentley (for Planning Application TWC/2014/1116), K Blundell (for Planning Application TWC/2014/0746), M Boylan (for Planning Application TWC/2015/0448), S Burrell (for Planning Applications TWC/2014/1080), and C Mason (for Planning Application TWC/2015/0496)

#### **PC-028      MINUTES**

**RESOLVED** – that the minutes of the meetings of the Planning Committee held on 15 July 2015 be confirmed and signed by the Chairman.

#### **PC-029      APOLOGIES FOR ABSENCE**

Cllr N Dugmore

#### **PC-030      DECLARATIONS OF INTEREST**

With regard to planning application TWC/2015/0448 Councillor E J Greenaway advised that she was a member of Lawley & Overdale Parish Council but had not been involved in any discussions on this application.

#### **PC-031      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PC-031      SITE VISITS**

With regard to planning application TWC/2014/0980 officers requested that a site visit take place with Members meeting at 3.30pm at the Lakeside Plant Centre in Priorslee.

#### **PC-032      TREE PRESERVATION ORDER 2015 (13 SYCAMORE TREES AT ST MICHAELS CHURCHYARD MADELEY)**

The Arboricultural Officer presented the report to Members. The TPO was made on 17<sup>th</sup> February 2015 in respect of 13 sycamore trees within St Michaels Church Yard. An objection to the order had been lodged by the Vicar of the Church who was concerned about the effect of the trees on the adjoining wall.

However, the Councils' Officers were of the opinion that they would be able to repair the wall in such a way that the trees could be retained as these were clearly marked on the 1883 map and were of significance. The wall could be shored up without the loss of the trees which would create a space as the trees were not fully grown and there would not be a need to dismantle the wall.

The area marked G1 on the map contained the 13 sycamore trees and two trees on the opposite side of the Church Yard numbered 12 and 13 were not included in the Tree Preservation Order.

Two of the trees marked within the G1 area were of poor form and these would be removed and replaced this would not change the grouping and there would be no requirement to modify the TPO.

The Arboricultural Officer confirmed to Members that the proposed sleeper construction to the wall could be adjusted if necessary with movement of the wall and the trees would be managed and dead-wooded. Both the trees and the wall were in situ when the 1883 map was marked and the trees were mature at this point. It was considered that the wall was an ancient wall and part of the church and that the trees have been planted purposefully and evenly placed. There would be movement of the trees, but this work would enable both the tree landscape and the wall to be preserved.

Following the discussion it was:-

**RESOLVED** – that the Borough of Telford & Wrekin (13 Sycamore Trees at St Michaels Church Yard, St Michaels Church, Church Street, Madeley, Telford) Tree Preservation Order 2015 be confirmed without modification.

### **PC-033      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/2014/0746 – Maxell Europe Ltd, Hortonwood, Telford, Shropshire TF1 6DA

The Assistant Director: Planning Specialist Addressed the Members regarding the application before them.

This had been the fourth time that this application had been before the Committee and the written report set out the relevant matters to be considered. The principle reason why the application needed further consideration by Committee was the Council's announcement that it now has a five year housing land supply. All other matters had previously been considered acceptable by Members. The application was subject to both national and local policy and provided much needed housing and performed an enabling role for employment opportunities at Hortonwood that included the applicant's proposed relocation of its modular buildings manufacturing enterprise from Oswestry, which would create 120 new jobs. Committee was advised that the attainment of a 5 year land supply should not be considered a ceiling and that there was a responsibility for the council to provide sufficient housing land for the Plan period and beyond. The Planning training that Members had received advised them to look beyond local issues and concerns and look at applications on a Borough-wide context in respect of investment, facilities and community support, jobs, roads and education.

The Planning officer addressed members that this was an outline application for the erection of a mixed use development comprising of up to 495 no dwellings (Use Class C3), a local centre (Use Class A1) and public open space with associated access and

landscaping following the demolition of an existing factory. He advised that the National Planning Casework Unit acting for the Secretary of State had notified the Council that it had received requests for the application to be called-in for consideration. The NPCU intended to consider the request over the coming few weeks; for the time being the Council could not issue planning permission.

The Chair informed Members that a 500 signature petition had been handed to him from the Friends of Apley Woods.

Cllr A Twyford, Hadley & Leegomery Parish Council spoke on behalf of the Parish Council. In 2011, Shaping Places had identified the site as suitable for mixed housing and employment but that this had been a desk-based NPPF exercise. The site scored well with regard to strategic highway services but this did not take into consideration the scale, density and proximity, schools and infrastructure. The issues with regard to the school catchment areas meant that some families were having to take children to different schools each morning which was adding to the pressure on the highways, increasing the risk of accidents and making it difficult to use sustainable transport. It was families that paid the price as children were unable to walk to school in safety and their friends did not necessarily come from where the local area. The development would put an extra 500 cars onto already congested roads and together with this and other recently approved developments, such as Allscott and Crudginton, only added to the impact on roadways and emergency services at peak times. Cllr Twyford asked Members to recognise the inadequacies of this desk-based exercise in the light of its disproportionate scale and the effect this would have on the schools and hospital services.

Cllr K Blundell, Ward Councillor, addressed Members with regard to the application before and discussions at the June 2015 meeting. At this meeting the application was deferred due to the density of the scheme, the infrastructure and the effect on the green network. Cllr Blundell considered that the Developers developers had largely ignored this request and have only reduced the development by a meagre 45 homes and not the significant changes that were expected. This development contained 42% green network, and quarter of which would be built on which would affect the ecological environment. The Council now had an 8 year housing land supply and 3,500 houses were due to be built. This application did not protect the green network, it was unsustainable, it would have a significant detrimental impact on roads and infrastructure and put additional pressure on doctors surgeries, schools and jeopardise emergency services to the hospital. Cllr Blundell could see no justification for this development that would outweigh the financial gains. The Council was the custodian of the Borough and was there to protect it.

Cllr K Blundell read out a Statement on behalf of Cllr B Tomlinson, adjoining Ward Councillor, who was unable to attend the meeting. Cllr Tomlinson was unhappy that the resolution did not reflect the minutes which were to negotiate a significant drop in housing numbers, look at highway infrastructure, the effect on the hospital and green network protection. One quarter of the green network would be lost if this development took place and it "flew in the face" of the Local Plan. There were no concrete plans to improve the highway and strategic plans could not be relied upon. Members had a duty to residents to look after their best interests.

Mr S Warner spoke on behalf of the Friends of Apley Wood. At the meeting held on 22<sup>nd</sup> June the Applicant had been asked to produce a smaller scheme on brownfield land and that he felt let down by the proposals with regard to the green network.

Mr Warner felt insulted that this had been suggested as a “misunderstanding” and that these proposals with regard to schools and the road network only served to compound concerns. There was now more than an 8 year land supply and the draft Local Plan had already allocated land up to 2031. Mr Warner asked for justification as to why this site was being built on green network and was against policy OL2, OL3 and OL4 with regard to building on green network in exceptional circumstances. In this case Mr Warner could see no exceptional circumstances and no legal justification. He was grateful for the changes to the buffer zone and the retained area of green network had improved but he could not see that flowers and cut grass were an improvement to ecology and the environment and that this comprised the value of the green network.

Mr N Scott spoke on behalf of J Ross Developments. Mr Scott confirmed that there were two key issues that came before the Committee being the extent of the development and the green network. The new proposals had sought to address concerns and had reduced the dwellings to below the levels envisaged for the site in the Shaping Places consultation document that informed the latest new replacement Local Plan. The proposals now amount to a density of 22 dwellings per hectare which was considered to be low density. The width of the buffer had now been increased from 20m to 40m to the roads and garden with the buffer to the built frontages being 55m. The proposals also indicate that 43% of the application site would be public open space and would contain a greater amount of accessible green network. Land had been gifted to the Council to improve the highways and there was provision within the proposed Local Centre to provide a new facility for the Shawbirch Medical Centre. Visitor parking spaces had also been increased. The land was in private ownership and not managed for nature conservation; incursion had already been made into the green network when the car park extension to Maxell had been constructed, which encroached to within 5m of Apley Woods. This development would improve the function of the green network and would provide an enhancement to the quality of the green network area, which would also be properly managed. This was more than a just a proposal for residential development. Pickstock had invested in Telford and had already created 200 jobs. Elements Europe also wished to stay in Telford and create 120 jobs. This development would provide an enabling opportunity that would allow Elements Europe to relocate into a purpose built unit. This in turn would help facilitate investment and bring local benefits.

The Planning Officer advised Members on the key issues regarding housing numbers and the current value of the existing green network area of the site. The existing green network had very limited value as a community resource and was not publicly accessible. Whilst utilised predominantly as an agricultural ploughed field, the area nevertheless had some landscape value. The minimum buffer had now been increased from 20m to a minimum 40 metres (55m to the façade of the closest dwelling). The proposed car park had been increased to 30 bays. Although there had been a modest reduction of 8% in the number of dwellings proposed, this did help ease the density of the overall development and enabled a greater amount of green network to be retained and enhanced. No objections had been raised by landscape officers or the Council’s Arboriculturalist in relation to the proposed landscape strategy. This would result in significant improvement and enhancement of the site’s green space, which would also be supported by the S106 Agreement contributions proposed, which amounted to £180k to assist in improving conditions and facilities at Apley Woods and Apley Pool. The Planning Officer believed that the scheme should be supported.

During the ensuing debate, Members asked a number of questions regarding the submission from the Hadley & Leegomery Parish Council, the reduction of 45 dwellings, local transport provision, competition between other local Town

Centres/Neighbourhood Centres, green network issues and the lack of environmental benefit, residents' concerns, the protection of employment land, highway capacity and pinch points, reductions to the 15% affordable housing provision, primary school provision and the impact on local highway network and access to the Princess Royal Hospital. The Planning Officer and the Assistant Director: Planning Specialist advised that there were no grounds on which to base a refusal and that if Members were minded to approve the application that controls could be put in place with regard to the ecology and conservation management. With regard to affordable housing, the Council had commissioned the District Valuer to undertake a viability assessment which had considered the level of affordable housing provision. This enabled the Officers to negotiate 15% affordable housing. Members were advised that developers often invite Committee to consider viability issues but that once signed, a section 106 Agreement could only be varied by Planning Committee. With regard to green network, current Wrekin Local Plan policy permits development within the green network provided there are clear community benefits arising from the development and that improvements and enhancement to the site occurred. The green network was currently in private ownership and had no real community function. This development provided accessible open space which did not affect the woodland and brought forward S106 contributions to enhance the woodland area. Members were reminded that Education Officers were satisfied that sufficient school provision would be provided through appropriate financial contributions. Highway Officers had carefully considered the likely impacts on the local highway network and raised no objections provided appropriate financial contributions were made to highway improvements together with land being transferred to the LHA in order to improve the Shawbirch roundabout. Members were advised that the Council had received LEP funding for necessary highway improvements along the Borough's northern corridor; this scheme is critical to the delivery of these highway improvements and in turn crucial to the continued economic development of the Borough. A meeting had taken place with Hospital Consultants with regard to the impact on hospital provision and no issues were raised. Members were asked to consider the application in a Borough-wide context and approve the recommendation to grant planning permission.

**RESOLVED** - that with respect to planning application TWC/2014/0746 that authority be delegated to the Service Delivery Manager: Development Management to grant planning permission, subject to the Secretary of State confirming that the Council as Local Planning Authority can determine the application, that delegated authority be given to the Service Delivery Manager (Development Management) to grant Outline Planning Permission subject to the applicant entering into a section 106 legal agreement with the Local Planning Authority (precise terms of the Agreement to be delegated to the Service Delivery Manager, Development Management) relating to the following:

- The provision of 15% on site affordable housing;
- The provision of the total sum of £1,614,205 to be paid by the Owner to the Council as a contribution towards the following education facilities in the following amounts:
  - £1,085,231 towards the provision of facilities at Millbrook Primary School, Leegomery; and
  - £528,974 towards the provision of education facilities at Charlton School, Wellington;
- The payment of £112,350 as a contribution towards the cost of highway works to the Shawbirch Roundabout
- The payment of £46,200 as a contribution towards the cost of highway works to the Leegomery Roundabout

- **A payment of up to £50,000 for the provision of a Control Crossing over Whitchurch Drive**
- **A payment of the sum of £30,000 as a contribution towards the provision of Bus Stops along Whitchurch Drive**
- **A payment of £50,000 as a contribution towards the costs of works to improve footpaths around Apley Pool;**
- **A payment of £130,000 as a contribution towards the cost of providing accessible disabled angling facilities and environmental improvements around and within Apley Pool**
- **Approval of scheme of maintenance of Local Centre landscaping and drainage via a management company and approval of scheme of maintenance for POS (which will require a commuted sum if adopted by the Council);**
- **Approval of drainage scheme and details of maintenance of drainage features (which will require a commuted sum if adopted by the Council);**
- **The approval prior to commencement of the Local Centre public art (to the value of £100,000) to be implemented concurrently with the Local Centre (this may be better placed in planning conditions and delegated authority is sought to finalise this option);**
- **The transfer of land to the Council at nil cost sufficient to effect Shawbirch junction improvements;**
- **A payment of £5,000 for Travel Plan monitoring;**
- **A payment of £11,500 for financial management and monitoring of the legal agreement**

**together with the conditions set out in the report.**

- (b) TWC/2014/1080 – Land south and west of Tibberton Motor Repairs, Mill Lane, Tibberton, Newport

This was an outline application for residential development (up to 22 houses) and construction of a modified vehicular access, with associated highways and drainage infrastructure and other accommodation works with all other matters reserved.

This application had last been before the Committee on 22<sup>nd</sup> June 2015 but had been deferred following the receipt of the Inspector's decision on another site in Tibberton to allow Officers and the applicant to consider that decision. A resolution to grant subject to completion of an appropriate section 106 agreement had been made by Committee prior to the announcement that the Council now had a 5 year housing supply but the section 106 agreement had not been completed prior to the announcement.

Cllr J Berry spoke on behalf of Tibberton and Cherrington Parish Council. In 2011 the development land was marked on the maps as a nursery and a house was built on the site following the agricultural use being lifted. He believed that the site was on a 100 year flood plain. Cllr Berry explained several plans that had been tabled at the meeting to the Committee Members. He asked Members to be reasonable, responsible and representative in making their decision.

Cllr S Burrell, Ward Councillor, addressed Members regarding the local planning flood risk and struggled to see how the site was deemed appropriate. There were no buildings within the flood plan. He considered that this was not about building units, but whether or not this was a Level 2 or Level 3 flood risk. In February 2015 there was no 5 year housing land supply and this application would not have been supported if the housing land supply had been in place and by using a sequential test. Each case should be examined on its own merits and Tibberton was less sustainable due to its

remoteness. There was limited evidence of need and it was hoped that collectively powers were used to ensure that the development did not take place.

Mr J Wright spoke on behalf of local residents. The land was part brownfield land part agricultural land and a change had been made in the mid 1960s. Later 70% of this area had become a greenhouse and formed a hay store. Part of the land contained the existing house which was built under TWC/2011/0795. A car repair facility was also held on part of the brownfield land. H10b did not allow extension of the village. Policy H10 carried no weight and had no benefit as this development contained a small strip of green field which was in open countryside. The development was also considered to be on the flood plain and would have a detrimental effect and cause over-development. If the Committee were not provided with the correct information, how were they able to make an informed decision. There would be substantial harm to the character of the area and the development would be subject to potential flooding. The Council now had a 5 year housing land supply and there were discrepancies in the report. Mr Wright asked the Committee to refuse the application.

Mr A Williams, the Applicant's Agent, wanted to put to rest the worry of flooding. The Environment Agency had been consulted and then asked to double check that the development was not on the flood plain. This was confirmed. The flood plain was contained within the banks and there was no sustainable objection on this ground. The Committee previously visited this site and it was deemed as a suitable site and complied with both local and national policies. The site was not in open countryside and was a well contained development. It conformed to Policy CS1, CS7 and CS10(b). The partial brownfield site had concrete footings and housed industrial buildings and there had clearly been previous development on the site. The site was surrounded on 3 sides and did not encroach into the countryside. The Development brought forward 40% affordable housing and delivered a much better financial package per dwelling.

The Planning Officer thanked the Agent for clarifying the position with regard to the flooding of this site. Members' attention was drawn to Page 122/123 of the report with regard to the Tibberton Appeal. This application needed to be considered in a different manner as it did not encroach into the open countryside in the same way and it was not visually exposed. Members were asked to grant approval to the application.

A discussion took place regarding policies, the inspector's report, limited hard evidence of local need and the need and demand and it was considered that only 4 affordable houses were required following recent consultation. Concerns were raised whether the land was horticultural land or brownfield land and the issues with the maps and the locations of the development. Further concerns were raised with regard to the flooding of the river Meese and one of the proposed dwellings being built on the site of a pond. The planning agent stated that there was no pond. The Planning Officer stated that the layout was illustrative only as this was an outline application.

The Planning Officer and the Assistant Director: Planning Specialist confirmed to the Committee that the Government's Agency had made the position clear with regard to the drainage and flood risks and that they were charged with assessing these situations across the Country. The 5 year housing land supply did not have a ceiling and the Council had a responsibility to provide a long-term housing supply in both the urban and rural areas. Officers believed that there was a need for affordable housing and that the land had previously been developed and was consistent with recent applications at Allscott and Crudgington. Some members raised further concerns regarding the economic, social and environmental benefits of this development and the need for

highway improvements and an extension to the local school if this application was approved.

**The recommendation to approve was proposed and seconded but not carried. Members were asked to elaborate further upon their reasons for refusal and after further debate reference was made to the Tibberton decision letter, paragraph 34, and also to scale and considered that with respect to planning application TWC/2014/1080 that planning permission be refused on the grounds that the proposed development would extend the village in such a way as to harm its established form and character as a settlement and to encroach into open countryside and the scale of the development would cause further harm.**

(c) TWC/2014/1116 – Land north of Hilbrae Pets Hotel, Ellerdine Heath, Telford

This application was for the erection of a free range egg poultry building and 8 no feed bins and creation of new access from Hazels Road. The free range farm would house 64,000 birds within the range area on the outskirts of Ellerdine Heath near to the Hilbrae Pets Hotel. Amendments had been made during the application process to the access and the erection of the food bins.

Cllr C Purves spoke on behalf of Ercall Magna Parish Council. The Parish Council were concerned that this was more than just a poultry house. The shed was vast. This was not agricultural land built or a built up area and had provoked a lot of comments regarding planning restrictions and policy. The building was to be 225m long which was 20% bigger than a hangar at RAF Shawbury. There were to be 8 large food silos which were higher than the roof line and 64,000 hens would be house. The site was close to the A442 within the rural area and there were only a few small scatter houses within Cold Hatton and Ellerdine. Ercall Magna Parish Council were very concerned to the major threat to the rural area as there were more significant scale buildings appearing on this northern edge of the rural area. The Parish Council were aware that future applications of a Solar Farm of some 285 acres and 2 more chicken sheds were on the horizon.

Cllr S Bentley, Ward Councillor, raised concerns regarding the management plan, harmful substances and the water protection zone which were omitted from the report and referred the Committee to policies E6, UD2, CS2, CS12 and CS15. He also raised concerns regarding inherent virulent diseases and emergency planning. It was felt that policies had been used to justify the development and that the community fears and concerns had not been investigated fully. If Members were unable to refuse the application, Cllr Bentley suggested that it be deferred in order that the application could area could be further investigated following the concerns.

Mr D Collier from David Collier Rural Planning spoke on behalf of local residents. Concerns had been raised with regard to noise, water pollution and highways and the adverse effects this application would have on the visual impact of the skyline. Key advice from design guides regarding new buildings suggested that buildings should be not visible on the skyline and this was paramount from the public viewpoint. It was suggested that an alternative site be explored as the local residents did not accept that these building would fit the local areas as they were made from untreated galvanised steel. Large buildings made intrusion inevitable. He referred to policies E6, UD1 and UD2. Mr Collier asked that the application be refused on the grounds of visual impact and a more suitable site be sought.

Ms M Speedhouse, the Applicant's Agent informed Members that the photo montages now included the feedbins for their information. The Applicant had carefully considered the sites in order to meet the demand for free-range and that this has to be located within units which enough areas for the hens to range around the building ie 1 hectare per 2,500 birds. The Applicant housed the birds to a high welfare standard which explained why the buildings were larger. The expansion was important to the business and created employment. This site was considered the most suitable for free-range. A new contract had been awarded to the Applicant and the business could not continue to grow without the new site and the Applicant had worked with officers in order to reduce the impact. Noise and pollution issues were fully controlled by the Environment Agency and covered by noise and odour management plans. There had been no previous issues with the Applicant or his sites. This was a rural, important agricultural business and the development was proposed on a suitable site.

The Planning Officer addressed Members that it was important to note that this was a business renowned for its productions. The Environment Agency had already given the Applicant a permit and in making this recommendation the case officer had visited one of the other sites to assess implications, noise and transport. The development was within the rural areas and the land was classed good to moderate so did not create a loss of high quality land. The main issues for consideration included the principle of development, the highways, the visual amenity and the environment. The impact was considered to be minor and the access point had been moved away from Hilbrae. There had been 200 local representations following the first consultation but following the re-siting of the access point the re-consultation exercise only gained 33 objections which was a significant reduction. With regard to the access point, there would be 3 egg collections per week and 2 food deliveries per week. The site was not far from the A442 and should not cause a big impact. Staff would arrive in domestic cars and vans, and manure would be collected on a tractor and trailer and vans and this would have been expected with the site's previous use for the production of crops which would have meant that up to 200-300 movements would have been made within the harvest season by HGVs and tractors. Now that the access point had been moved the location of the track would enable the road to be widened and was acceptable. With regard to the issues around the pathway and the dog walking at Hilbrae Kennels officers did not consider that the walkers would be affected as an element of the track that Hilbrae had access to would remain. It was acknowledged that the building was large, however it would be housed in the centre of a field and at a far distance this impact would be fairly limited and was not considered to cause a detrimental visual impact. The Environment Agency considered that there was no significant impact; the development complied with the regulations and bird welfare and was pretty similar to what was around in the area, managed by the same farmer. A noise assessment had been undertaken and there was no requirement for any noise mitigation measures. With regard to odour there was a manure management plan in place. With regard to the ground source water pollution, the Environment Agency had found no evidence which was detrimental and had already issued a permit. With regard to the SSS, concerns from Natural England had already been addressed and were now considered to have little impact on the residents following the relocation of the access. There were no issues regarding archaeology or surface water drainage. An update report had been tabled at the meeting relating to additional comments received. The Officers considered the development acceptable, as this supported a rural enterprise within a rural area. Highway issues had been addressed with the access being relocated. The development did not affect the landscape setting or the visual amenity. If the Committee were minded to approve the application, it would then be referred to the NPCU for their consideration.

Members discussed the right of way along the track for local dog walkers; the officer confirmed that no right of way was being closed or diverted. Points of clarification were raised regarding traffic movements, the spreading of manure and fly control. Concerns were raised regarding the over concentration of egg production within the gateway to Telford, the visual impact and the need to consider more appropriate sites. The Planning Officer advised the Members that there were existing farm holdings in the region and the highway movements with a tractor and trailer were consistent with other agricultural uses. With regards to the handling of manure, control of this lay with the Environment Agency through the permit.

**RESOLVED - that with respect to planning application TWC/2014/1116 that planning permission be granted, subject to the Secretary of State confirming that the Council as Local Planning Authority can determine the application and subject to the conditions set out in the report.**

(d) TWC/2015/0448 – Telecommunications Mast, Old Park Way, Old Park, Telford

This application was to replace the existing 14.8m monopole Telecommunications Mast with a 21m monopole mast and the installation of 1 no 30cm diameter dish and ancillary development at Old Park Way, Old Park, Telford, Shropshire. The 2 existing cabinets would remain and the existing mast removed.

Cllr D Blackburn spoke on behalf of Lawley & Overdale Parish Council who had received strong concern from local residents regarding the mast being placed so close to a residential area which would be used to increase 4G and 5G signals in the Rock. The mast would become an unwelcome land mark to many residents. There was a simple compromise in that the mast be kept to its current 14.8m height and maintenance work take place to the tree canopy in order to increase 4G and 5G signal. There were no safety barriers around the mast and there were concerns regarding safety if a vehicle was to hit the mast. Local residents had also raised health concerns regarding the size and strength of the new mast.

Cllr M Boylan, Ward Councillor, raised concerns that this mast would be a further 6.2m higher than the existing mast which would bring the total height to almost 70ft. Cllr Boylan considered the mast to be in the wrong place and that it could operate at its current height if the trees were lopped. He further considered that it would be no more expensive to relocate the mast than remove and replace the existing one. Health concerns were also raised by Cllr Boylan as they had not yet been proven or unproven. There were 21 masts within a 3 kilometre radius and as 4G signals were supposed to be stronger he questioned why there was a need to build bigger masts. It was asked that this application be refused.

Mr J Fowler spoke on behalf of local residents. The mast was 60m away from his house and would be twice the height and 4 times more powerful than the original mast. Mr Fowler was concerned with residents' health with the mast being so close to houses and was not against improvements, but not at any costs. Mr Fowler considered that local environmental concerns and the views of local residents had been ignored. He suggested that the mast be moved to the Forge Retail Park as there were no schools or houses within this area. Policy T21 stated that any development should be designed and sited to minimise the visual impact and be a response to customer demand, but there was no evidence to support that this was the case. A petition with hundreds of signatures had been signed and it was asked that Members consider the proposed

mast to that of the original application. Lucy Allen, MP and also written to the Council expressing her concerns.

Mr J Hunter, Applicant's Agent spoke regarding the getting connected campaign that had recently run in the Shropshire Star which was a joint campaign between Vodafone and 02 to upgrade existing masts within the area to increase 2G, 3G and 4G capabilities. Lucy Allen, MP had recently spoke regarding the social and economic benefits within the urban area. Countrywide a programme of work called "Connecting Shropshire" proposing new heights at many sights had been approved under delegated power. This programme used existing sites to be enhanced and the proposals would strengthen the quality of Vodafone and 02 and was a national policy.

The Planning Officer addressed the Committee and confirmed that at a previous appeal the Inspector did not see the need for barriers. With regard to health, this could not be considered as part of the application as the Government issued guidelines which the Council was unable to dispute.

During the ensuing discussion Members raised concerns with regard to environment and amenity issues, the health effects and antennae height. This mast would have an unacceptable impact on the area as it would be increased by some 50%. It was a substantial distance from trees and the side view was not a wooded backdrop. Members were in favour of better connectivity but felt that this mast was disproportionate and considered that there would be more suitable sites elsewhere.

Following the discussion it was:-

**RESOLVED – that with respect to planning application TWC/2015/0448 that the application be unanimously refused on the ground that the mast caused unacceptable visual impact due to the height of the mast.**

(e) TWC/2015/0496 – Reviive, Wellington Road, Donnington

This application was a retrospective application to vary condition 2 of Planning Permission TWC/2013/0118 to allow the movement of the woodwork workshop from the main building to another building on the main site at Reviive, Wellington Road, Donnington. Previously the work had been undertaken inside the building with the doors closed and was a successful business. Previously this had been used as a workshop and car valeting area.

The Planning Officer informed Members that the woodwork noise was causing a nuisance to residents and that this application had been deferred at the last meeting in order for a site visit to take place. Prior to the meeting a site visit had taken place at the site whereby Members had visited the original workshop and the new workshop area. Equipment had been switched on to consider the noise levels and Members visited a residential property close to the site in order to assess the noise heard both in the garden and in the house. The business was open 9am to 5pm Monday to Saturday and 10am to 4pm on Sundays and Bank Holidays. Members were asked to grant a six month consent in order for a more comprehensive assessment to take place. An update report had been circulated to Members which contained a further objection from Councillor E Clare.

Cllr J Lavery spoke on behalf of Donnington & Muxton Parish Council and confirmed to Members that this development had previously been used as a car showroom and that

it had never received any complaints from the neighbours regarding noise despite being fully surrounded by residents. This was a retrospective application which clearly showed that the business had tried to work without planning permission and showed little respect or regard for senior citizens that heavily populated the surrounding area and were at home during the day. It was suggested that the applicants should comply with the original conditions of the application before more disturbance was created.

Mr Molyneux on behalf of local residents played a short video clip, which was played at half volume and showed the level of noise residents could hear which was taken from the corner of the house, through double glazed windows and could often be heard over the television. Residents were of the opinion that hand tools to repair donated items were supposed to be used but, in fact, power tools and possibly an industrial capacity petrol engine was being used. Local residents found they were unable to sit or work in the garden and were unable to open their windows which could be avoided if the work was carried out in the main building with the roller shutter doors closed. Mr Molyneux was of the opinion that furniture was not being repaired but being made. There was no objection to the workshop on the site provided that it was in the original workshop and the doors closed to prevent the noise. Concerns were raised if this application was granted whether further machines would be introduced of a totally different variety and much more high pitched sound. It was asked that this application be refused and re-located back within the original area in order to protect the local amenity.

Cllr C Mason, Ward Member, commented that this application would have been completely unnecessary if the applicants had carried out the conditions in the original application. He had known that the doors were left open and had heard some of the tools and machinery which had been different to that which had been heard earlier on the site visit. Cllr Mason raised concerns regarding the site's condition following a prior visit he had made when he had seen settees being piled up by the Housing Trust within the site and was worried that this was becoming a dumping ground. It was suggested that the applicant put their house in order before any further conditions were granted

A discussion took place and Members were concerned with regard to the noise nuisance and the use of machinery near to the local houses and a lack of respect shown to local residents which was affecting their wellbeing. This area within the site was not suitable to house heavy duty machinery and noise levels could not be reduced. Further concerns were expressed that any conditions imposed on the Applicant were unlikely to be enforced.

Following the discussion it was unanimously:-

**RESOLVED** – that with respect to planning application TWC/2015/0496 that the application be refused due to the unacceptable impact on the local amenities and local residents.

(f) TWC/2015/0035 – Land rear of 6 & 7 Blue House Barns, Chetwynd Road, Newport

This application was for the erection of 2 no dormer bungalows with associated garages within land to the rear of 6 & 7 Blue House Barns, Chetywnd Road, Newport, Shropshire. The development was contained within the existing complex and was not an encroachment or extension into the countryside and there was no objection due to the small scale of the development. This site was included in the draft Local Plan.

A discussion took place and Members commented that although this development did contribute further to the highway issues off Blue Barns that this would be minimal.

Following the discussion it was:-

**RESOLVED** – that with respect to planning application TWC/2015/0035 that planning permission be unanimously granted subject to the conditions set out in the report.

The Chair informed the Committee that this was Gareth Thomas' last meeting as a Planning Officer of the Council and he wished to give his appreciation and thanks to Gareth for his contribution to the work of the Committee. The Committee Members then thanked Gareth and offered their best wishes for his future career.

The meeting ended at 9.38 pm

**Chairman:** .....

**Date:** .....