

## PLANNING COMMITTEE

### Minutes of a meeting of the Planning Committee held on Wednesday, 7<sup>th</sup> October 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, I T W Fletcher, N C Lowery, P J Scott, M J Smith and C R Turley.

**ALSO PRESENT:** Councillors A Lawrence (for Planning Application TWC/2015/0556), S J Reynolds (for Planning Application TWC/2015/0701), J M Seymour (for Planning Application TWC/2015/0560) and S Bentley (for Planning Application TWC/2014/1093)

#### **PC-046**      **MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 16 September 2015 be confirmed and signed by the Chairman.

#### **PC-047**      **APOLOGIES FOR ABSENCE**

Councillor J Loveridge

#### **PC-048**      **DECLARATIONS OF INTEREST**

With regard to planning application TWC/2015/0556 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 application TWC/2015/0556, Councillor C R Turley advised that he was a member of the Granville Country Park Local Nature Reserve Management Committee but had not been involved in any discussions on this application.

#### **PC-049**      **DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PC-050**      **SITE VISITS**

None

#### **PC-051**      **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/2015/0556 – Land East/Southeast of Granville Drive, off Muxton Lane, Muxton, Telford

This was an outline application for a residential development of up to 78 dwellings with associated access with all other matters reserved. The application site was approximately 10.4ha in size adjoining the built up area of Telford as defined within the Wrekin Local Plan. The site was in agricultural use and comprised of pastoral grassland fields with mature hedgerows. There was existing housing to the north west of the site and to the south west on the opposite side of Muxton Lane. The illustrative plans indicated that the proposed housing would occupy 2.9ha of the site within the field to the south east of Granville Drive and adjacent to Muxton Lane. The remainder of the site would remain undeveloped and preserved as a managed nature conservation area and wildflower meadow. This application had been submitted following the refusal of application TWC/2014/0612 in December 2014 for the erection of up to 110 dwellings on the same site. An appeal had been lodged against that decision, and this application sought to overcome the previous reasons for refusal. The main differences were that the field at the end of Granville Drive would no longer be developed for housing, there would be 32 fewer dwellings, there would be a single access point onto Muxton Lane rather than two, and a shorter length of Muxton Lane would need to be widened which would reduce the amount of hedgerow that would need to be 'translocated'.

Councillor A Lawrence, Borough Ward Member, addressed the Committee, and stated that there was very strong feeling locally against this application, as evidenced by the number of objections and a petition containing 673 signatures. This site was in a rural location and comprised open countryside which was inappropriate for this scale of development. Although this application proposed fewer houses, the principle of development on this site was still flawed and contrary to a number of Local Plan policies. The development would still create traffic problems and congestion on Muxton Lane, and exacerbate existing safety concerns.

Mr P Loughlin, on behalf of local residents, addressed the Committee and stated that this application was very unpopular in the local community. The application site was outside the Local Plan area, and now the Council had a published five year supply of housing land there was no need for these additional houses on a greenfield site. The development would result in a lot of extra traffic entering and exiting onto a quiet and narrow lane, and would pose a hazard to walkers and families walking to and from Granville Country Park. This was not a sustainable location, and there were more suitable sites for housing elsewhere. It was important to respect green spaces and therefore the application should be refused.

The Planning Officer advised on the principle of development, design and landscape impact, highways issues, ecology issues, affordable housing, sustainable development, drainage and flood risk, planning obligations and S106 contributions, and impact on local heritage features. There were a couple of errors in paragraph 6.7.8 of the report regarding the Strategic Urban Extension on the north eastern edge of Telford – this cluster of sites would amount to 41.8ha rather than 83ha with a possible yield of 750 dwellings rather than 2,538. The Council had in excess of a 5 year supply of deliverable housing land, and therefore the relevant Core Strategy and saved Local Plan policies relating to the supply of housing could be relied upon

in consideration of the application. The application was not in accordance with policies CS7 (Rural Area) and H9 (Location of New Housing) and could not be justified on those terms. In relation to design, it was considered that there was insufficient information to demonstrate that 78 homes could be accommodated on the part of the site identified for development, bearing in mind other constraints. It was also considered that the new application did not fully address the issue of undesirable coalescence between the urban area of Telford and the village of Lilleshall. There were also concerns that the applicant had failed to satisfactorily demonstrate that the proposed managed conservation areas and other biodiversity measures were financially viable, and that insufficient information had been submitted in relation to the great crested newt surveys. However, the applicant had just submitted an update with further details and costings of the proposed biodiversity plan. Overall, while it was recognised that the applicants had sought to address the concerns about their previous application, a number of policy issues had not been overcome. It was considered that the development did not meet the sustainable development objectives of the NPPF, there would be a significant and demonstrable harm resulting from the development, and it was therefore recommended that the application be refused for the reasons set out in the report. In relation to reason 4, it was suggested that authority be delegated to Officers to assess whether this reason would still be appropriate following proper consideration of the updated information on biodiversity/ecology/wildlife issues submitted by the applicant.

During the ensuing debate, Members noted that the application was contrary to a number of policies in the Core Strategy and Local Plan. Reference was made to the serious traffic problems that already existed in Muxton Lane, which was considered to be unsuitable for providing access to and from a development of this size. There were serious questions about the lack of local infrastructure to support this development, and the development could not be considered to be sustainable. Members felt there was no justification to allow an extension of the development boundary into open countryside, and that it would result in an undesirable and unsustainable form of development.

**RESOLVED** – That with respect to planning application TWC/2015/0556 planning permission be refused for the following reasons:

- 1. The site lies in countryside outside the built up area of Telford, as defined on the Wrekin Local Plan Proposals Map, where new development is to be controlled. The development of this site on Muxton Lane would result in an undesirable encroachment into the surrounding countryside and be detrimental to visual amenity by reducing the visual and physical separation and openness between the two settlements of Telford and the village of Lilleshall and result in their undesirable coalescence that would cause irreversible significant and demonstrable harm. As such the development proposal would be contrary to the NPPF, Wrekin Local Plan policies H9, OL6 and OL11 and Core Strategy policies CS7 and CS11.**
- 2. The site lies in countryside outside the built up area of Telford, as defined on the Wrekin Local Plan Proposals Map, where new**

**development is to be controlled. In the opinion of the Local Planning Authority the development is located along a quiet rural lane without direct access to public transport and other social and community facilities and would result in an unsustainable form of development with associated social exclusion that would also undermine the preferred delivery of a Strategic Urban Extension with integrated infrastructure as proposed in the Telford & Wrekin Local Plan (2011 – 2031) consultation. Hence the development would result in an undesirable and unsustainable form of development and would be contrary to the NPPF, Wrekin Local Plan policy H9 and Core Strategy policies CS7 and CS9.**

- 3. The applicant has failed to properly consider the constraints of the site and insufficient information has been provided to demonstrate that the site can accommodate 78 homes without resulting in a cramped form of development that would not be acceptable in terms of scale, layout and design. The proposal which would have an overly urban form in a rural location would harm the character and appearance of the area contrary to the NPPF and with the urban design objectives of CS Policy CS15 and saved Wrekin Local Plan Policy UD2.**
- 4. The applicant has failed to adequately demonstrate that the loss of an area of grassland of local interest in terms of its ecological value can be appropriately mitigated against. No information has been put forward to demonstrate that the mitigation proposed has been costed or included within a detailed viability appraisal of the development. In addition insufficient information has been submitted with the application to demonstrate that the impact of the development on Great Crested Newts has been fully considered. As such the proposed development is contrary to the NPPF and the provisions of Core Strategy Policy CS12**

**and that authority is delegated to the Development Management Service Delivery Manager to finalise the reasons for refusal following consideration of whether the additional information submitted by the applicant in relation to ecological and wildlife issues is sufficient to address the concerns at reason 4. above.**

(b) TWC/2015/0701 – Site of the Stafford Arms, Main Road, Ketley Bank, Telford

This was an application for the conversion of a de-licensed public house into 6 residential apartments, associated external alterations and creation of 13 parking spaces and 4 cycle spaces. The Stafford Arms public house was located off Main Road in Ketley Bank, and the site had a total area of approximately 0.92ha. The property was set out on three floors and was currently in need of refurbishment. There was an access to the side of the property leading to an area of hardstanding and gardens to the rear, where it was proposed to form a parking courtyard. An update report was tabled which contained additional information from the Local Highways Authority. Members of the Committee had undertaken a site visit earlier in the afternoon prior to the meeting.

Councillor S J Reynolds, Borough Ward Member, commented that while the scheme would improve a currently dilapidated site, there were concerns at the proposed access and egress to and from Main Road which would create a number of problems. If all the parking spaces to the rear of the property were occupied, it was believed that there would be difficulty for vehicles to manoeuvre to get in and out of the site, and that the development was likely to lead to increased on-street parking which would cause congestion on a fast, fairly narrow road. The visibility for vehicles leaving the site would be restricted by a nearby bus-stop.

Mrs E Mills, a local resident, had registered to speak but was unable to attend the meeting, and her comments were read out by the Planning Officer. This development would cause an increase in traffic in what was a quiet area containing a lot of elderly residents. She also highlighted the dangers to pedestrians and road users from vehicles coming out onto Main Road from the proposed development.

The Planning Officer advised on the principle of residential development and the loss of a community facility, land stability considerations, impact on the character of the area and on neighbouring properties, highway considerations and other matters, and the need for this facility. A number of representations had been received, with 13 letters of objection and an objection from Oakengates Town Council. Notwithstanding these objections, it was considered that the use of the Stafford Arms as a public house was no longer viable, and that the loss to the local community was mitigated by two other public houses being in close proximity to the site. Residential use was considered appropriate to bring the site back into use, and the proposed development would not lead to an unacceptable impact on the character of the area (which was largely residential in nature) or the amenity of local residents. The comments of the Highways Officer had been carefully considered, but on balance it was considered that the parking provision was adequate and that the vehicle movements to and from the site would not cause an intensification of use to such a degree that it would be detrimental to highway safety. The application was therefore recommended for approval subject to conditions.

The Highways Group Manager reported on the additional representations and information provided in the update report. There was some doubt as to whether the area to the rear of the public house had been used for customer parking, and that traffic movements generated from use as a public house were different to those arising from a residential use. The Highways Authority was recommending refusal of the application in the interests of highway safety, with the main concern relating to severely substandard visibility at the access point onto Main Road, and that the proposed use would introduce additional exiting vehicle movements through the substandard access, particularly during the morning peak traffic period.

During the ensuing discussion, Members referred to the current condition of the site and that re-development would be welcome in terms of the appearance of the area. However, there was considerable concern about the dangers to highway safety in terms of the poor visibility splay, additional traffic, and proximity of parked cars and a bus stop on Main Road to the access point. In response to a question about the feasibility of measures to address highway safety, the Highways Group Manager advised that a visibility mirror was not usually a solution for private junctions to the highway, and that traffic calming measures in the vicinity were unlikely to be viable.

The Committee were largely of the view that the proposed parking and access arrangements were not acceptable, but they would welcome further discussions by Officers with the applicant to find a suitable scheme for the site. It was then moved and seconded that the application be refused.

On being put to the vote, it was:-

**RESOLVED – that with respect to planning application TWC/2015/0701 planning permission be refused for the following reasons:**

**Whilst there is no objection to the principle of residential conversion, the Local Planning Authority considers the proposed access to the site to be unsatisfactory by reason of restricted visibility to the right upon exiting the access from the parking area situated to the rear of the premises. The proposed use would introduce additional exiting vehicle movements through the substandard access, particularly during the morning peak traffic period hence the proposed development is detrimental to highway safety and contrary to Wrekin Local Plan policy H6 and Core Strategy policy CS15.**

(c) TWC/2015/0560 – Land North of Rushmoor Lane, Bratton, Telford

This was an application for the installation of a 4.08MW-AC/5MW-DC ground-based Photovoltaic (PV) Solar Farm with associated infrastructure, landscaping and access. The application site was located in open countryside approximately 1.3km north west of the settlement of Bratton, and comprised 7.66ha of agricultural land over two fields belonging to Cheshire Coppice Farm. The development would include approximately 816 arrays mounted on pole foundations, each containing 24 solar PV panels, set out into a 12x2 arrangement running horizontally across the site. The site would be accessed from a new vehicular entrance to be provided onto Rushmoor Lane.

Councillor J M Seymour, Borough Ward Member, addressed the Committee. She accepted the principle of solar power, but that location was the key. There were increasing numbers of applications coming forward for solar farms on agricultural land, and that a policy was needed in the emerging Local Plan to encourage such development in more appropriate locations. In relation to this application, she referred to the development of a solar farm by the same company at Tiddiecross, where conditions about hours of work and access routes to the site for construction traffic had been blatantly ignored. There needed to be proper assurances and enforcement built into any conditions for planning permission on this site in order to avoid the problems that had been experienced at Tiddiecross. There were also concerns about the additional traffic that would be generated on Rushmoor Lane during the construction period, given that 40 tonne articulated lorries already used the route.

Ms D Marriage, the Applicant's agent, addressed the Committee, particularly in relation to the construction phase for the development. Her clients were aware of the problems at the Tiddiecross site, and would be employing an experienced site manager for this scheme, who would make contractors and suppliers clearly aware of the operating times and agreed access routes. The route into this site was

relatively simple. A phone number would be provided for local residents to ring if they experienced any problems during the construction phase. A mixed species grass meadow would be seeded around and beneath the arrays and the site would be seasonally grazed by sheep.

The Planning Officer advised on the principle of development, visual impact, loss of agricultural land, highways and access, residential amenity and other matters. In relation to the comments about the construction phase, he advised that the construction period would be over a relatively short timespan of 10-12 weeks. It was not considered that the likely number of vehicle movements during the construction period would be excessive. A management plan had been agreed with the applicants which put restrictions on the times of working, delivery hours and access routes to the site – and these were set out in the report. In response to a Member question, he confirmed that the applicant's original proposal was for construction works between 6.30am and 8.30pm, 7 days a week. Following negotiations with the applicant, there had been a significant improvement in the hours (including no Sunday working) and these were considered to be reasonable. The proposal was considered to be compliant with the Council's planning policies and with the presumption for sustainable development in the NPPF. The land was not of high quality agricultural value, and could be returned to agricultural use at the end of the 25 year lifespan of the solar farm. In terms of visual impact, the site was well screened and would not be visible from any key viewpoints in the area. The application was therefore recommended for approval.

During the ensuing discussion, the Development Management Service Delivery Manager added that the Planning Enforcement team would be asked to prioritise monitoring of this site to ensure that the conditions on operating hours etc were being complied with. The Committee were generally happy to support this application, but did feel that more should be done to encourage the development of solar farms/panels in existing industrial areas or on industrial buildings rather than on greenfield sites in rural areas. The Development Management Service Delivery Manager advised that he would ask colleagues in the Planning Policy team to take this suggestion on board as part of the work on producing the new Telford & Wrekin Local Plan.

**RESOLVED – that with respect to planning application TWC/2015/0560, planning permission be granted, subject to the conditions set out in the report.**

(d) TWC/2015/0369 – Land off Garfield Road, Red Lake, Ketley Bank, Telford

This was an outline application for the erection of up to 45 dwellings with all matters including access, appearance, layout, scale and landscaping reserved for later consideration. However, the applicant had submitted an indicative layout showing 45 dwellings with a mix of detached, semi-detached and terraced dwellings. The site covered 1.2ha comprising undulating scrubland, part of which was being used for the open storage of concrete pipe sections and other building materials. The surrounding area was predominately residential in character. The land fell within the Borough's Green Network designation.

The Planning Officer advised on the principle of development, land stability, impact on the Borough's Green Network designation, impact on the character and appearance of the area, financial contributions and affordable housing. An update report was tabled, which provided clarification on the proposed Section 106 contributions and an amended recommendation to reflect these matters. In respect of affordable housing, the applicant had submitted a Viability Appraisal which concluded that the scheme would be unviable should the requirement for 38% affordable housing be applied on top of the other financial contributions. Discussions had been held with the applicants, and it had been agreed that in order to bring this site forward for development, affordable housing would not be requested subject to the agreed financial contributions for local recreation and education facilities being made. In terms of the Green Network, the applicant had submitted a Landscape and Visual Appraisal and Phase 1 Environmental Survey. It was accepted that the land was enclosed and inaccessible to the public and did not have any significant wildlife or ecological value, and therefore it could be argued that it was more of a brownfield site in nature given its previous and current use.

Members noted that there had only been two letters of objection, although concern was expressed about the proximity of the M54 motorway to the site with the potential issue of traffic noise. In response, the Planning Officer advised that there would be a condition to require the applicant to provide details of appropriate noise mitigation measures.

**RESOLVED – That with respect to planning application TWC/2014/0369, authority be delegated to the Development Management Service Delivery Manager to grant outline planning permission subject to:**

- a) **The applicant entering into a section 106 agreement with the Local Planning Authority in relation to:**
  - 1. **A contribution of £15000 towards the enhancement and improvement of the existing bus stops specifically within the vicinity of the site along Garfield Road;**
  - 2. **£600 per dwelling towards upgrading existing nearby off site equipped areas specifically the two nearest play areas at Mannerley Wood and Ketley Bank.**
  
- b) **the conditions set out in the report (and any others that officers deem appropriate)**

(e) TWC/2014/1093 – Site of Lyndale, Middle Lane, Cold Hatton Heath, Telford

This was an application for the demolition of an existing three bedroom bungalow, garage and various outbuildings and erection of a 4 bedroomed dwelling with double garage on approximately the same location, and with creation of access to provide on-site parking for several vehicles. The site was a sizeable, relatively level plot off Middle Lane in the rural village of Cold Hatton.

Councillor S Bentley, Borough Ward Member, addressed the Committee and wholeheartedly supported the Officer recommendation for approval of this application. He thanked Officers for the advice and support that had been provided to the applicants to find an acceptable scheme, and thanked the Committee for allowing the late withdrawal of a previous application.

The Planning Officer advised on the principle of development, design, mass and scale of the development, highways, drainage and ecology issues. The design of the dwelling originally submitted and subsequent plans were considered to be out of character with the area and local environment. However, following discussions with the applicant, agent and ward member, the most recent amendment to the application had addressed these concerns by significantly reducing the eave height and overall height of the dwelling, thereby limiting the potential impact and addressing neighbour's concern for the potential for conversion within the roof space. The height of the chimney had been raised, and so should not affect neighbouring properties. It was considered that the scheme as now submitted was acceptable and would not have a significant adverse impact on the character of the area or the immediate neighbouring dwellings.

**RESOLVED** – that with respect to planning application TWC/2014/1093, planning permission be granted, subject to the conditions set out in the report.

The meeting ended at 7.26 pm

**Chairman:** .....

**Date:** .....