

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 28<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, S J Reynolds (substitute for J Loveridge), P J Scott and C R Turley.

**ALSO PRESENT:** Councillors S. Davies and K S Sahota (for Planning Application TWC/2015/0790), and Councillor B D Tillotson (for Planning Application TWC/2015/07778)

#### **PC-052      APOLOGIES FOR ABSENCE**

Councillors J Loveridge and M J Smith

#### **PC-053      DECLARATIONS OF INTEREST**

With regard to planning application TWC/2015/0811, Councillor I T W Fletcher declared that he personally knew both the applicant and the main objector – and he would therefore withdraw from the meeting during consideration of this application.

With regard to planning application TWC/2015/0763 Councillor N A Dugmore advised that he was a member of both Donnington & Muxton Parish Council and Granville Country Park/LNR Management Committee but had not been involved in any discussions on this application.

With regard to planning application TWC/2015/0790, Councillor C R Turley advised that he was a member of Great Dawley Town Council, but had not been involved in any discussions on this application.

With regard to planning application TWC/2015/0763 Councillor C R Turley advised that he was a member of Granville Country Park/LNR Management Committee but had not been involved in any discussions on this application.

With regard to planning application TWC/2015/0763 Councillor I T W Fletcher advised that he was a member of Granville Country Park/LNR Management Committee but had not been involved in any discussions on this application.

#### **PC-054      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 7 October 2015 be confirmed and signed by the Chairman.

**PC-055      DEFERRED/WITHDRAWN APPLICATIONS**

With regard to planning application TWC/2015/0566 – erection of 3 dwellings on land adj to 4 Tunnel Cottages, Stirchley - the Development Management Service Delivery Manager reported that the applicant had now submitted amended plans for the development. It was also considered that a site visit would be beneficial, and therefore it was recommended that the application be deferred.

**RESOLVED** – that with respect to planning application TWC/2015/0566, the application be deferred to the next meeting

**PC-056      SITE VISITS**

Further to the Officer recommendation for a site visit above, it was

**RESOLVED** – that with respect to planning application TWC/2015/0566, a site visit be held on Wednesday 18 November 2015 at 3.30pm

**PC-057      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/2015/0777 – Grove House Hotel, 17 Whitchurch Road, Wellington, Telford

This was a full application for change of use from a hotel (use class C1) to a children's day care nursery (use class D1) with associated internal works and landscaping and parking. No external alterations to the main building were proposed. It was proposed to erect a 2.3m high wall to separate the parking area from the landscaped play area, and the front parking area would be reconfigured to provide 19 spaces. A separate application for Listed Building Consent (TWC/2015/0778) had been submitted, and was considered by the Committee in conjunction with this application. The application site consisted of a large 3 storey early 19<sup>th</sup> century detached property which was Grade II listed. It was surrounded by mainly residential properties and was a short walking distance from Wellington Town Centre. The property had most recently been used as a hotel until its closure in February 2015. The applicants considered that it was a suitable building to which to re-locate their existing Honeybuns Nursery Group after the expiry of the lease at its current location at the Princess Royal Hospital site.

Councillor B D Tillotson, Borough Ward Member, addressed the Committee and outlined the concerns of local residents regarding noise, parking and traffic congestion. The rear of the application site adjoined dwellings on St Chads Close, and it was feared that the noise from children playing outside would cause disturbance to local residents potentially from 7.30am to 6.30pm, 50 weeks a year. It was believed that the on-site parking provision was inadequate and would be largely used for staff parking. This would mean parents dropping off or picking up their children would be likely to park on neighbouring streets and cause disruption

and congestion. There were also concerns at the generation of additional traffic on Whitchurch Road and how delivery vehicles would access the site. This proposed change of use was inappropriate and would blight the lives of local residents.

Mr J Lawrence, the Applicant's agent, addressed the Committee and stated that his client wished to work positively with the local community to allay any concerns. In terms of traffic, a nursery was not the same as a school because not all the children attended for the same number of hours, and therefore there would not be the same peaks of traffic sometimes seen outside schools. Staff would be encouraged to cycle to work or use the bus, and it was estimated only around half of employees would bring their car. The applicant had sought to address the concerns about noise by agreeing to a condition to limit the numbers of children playing outside to 16 at any one time.

The Planning Officer advised on the principle of change of use, impact on the Grade II listed building, highways and parking, impact on residential amenity and other matters. Three letters of objection to the proposed change of use had been received from neighbouring occupiers, mainly relating to highways and parking, safety and noise. It was considered that the proposed change of use would create an acceptable long term use for this building without adversely affecting its character and appearance. It was within a sustainable location close to Wellington Town Centre and easily accessible by foot or bus. Concerns had been raised about the possible use of nearby roads for parking by parents dropping off and collecting their children. The applicants had sought to address these fears, and had submitted a Travel Plan. The Highways Officer had not raised any objections, but was requesting a contribution of £3,000 towards the placing of double yellow lines to the front of the site to help avoid parking on the main Whitchurch Road and to assist visibility when exiting the site. In relation to concerns from neighbours about noise that might be created by children playing outside, the applicants had agreed to a condition that no more than 16 children could play outside at any one time. The application was therefore recommended for approval, subject to a Section 106 Agreement and conditions.

During the ensuing discussion, Members felt that this was an appropriate use for this listed building, and that the use would support jobs and the local economy. However, some concerns were expressed as to whether there was adequate on-site car parking provision for both staff and parents and whether more spaces should be provided. The Planning Officer advised that the Highways Officer was satisfied that the level of parking proposed was acceptable and would not lead to an adverse impact upon the surrounding highways. In response to a question about deliveries to the premises, he stated that deliveries would be made twice a week and after 9.30am. All deliveries could be made with access to the front of the building off the main highway.

**RESOLVED** – that with respect to planning application TWC/2015/0777, authority be delegated to the Development Management Service Delivery Manager to grant planning permission subject to:

- a) The applicant/landowner entering into a section 106 agreement with the Local Planning Authority in relation to:

**i) A contribution of £3000 towards highways improvements (to be spent specifically on the implementation of double yellow lines to the front of the application site on Whitchurch Road);**

**b) the conditions set out in the report**

(b) TWC/2015/0778 – Grove House Hotel, 17 Whitchurch Road, Wellington, Telford

This was an application for Listed Building Consent for the change of use from a hotel (use class C1) to a children's day care nursery (use class D1) with associated internal works and landscaping and parking. A separate full planning application for the change of use (TWC/2015/0777) had been submitted, and was considered by the Committee in conjunction with this application – see (a) above.

The application site consisted of a large 3 storey early 19<sup>th</sup> century detached property which was Grade II listed. The property had most recently been used as a hotel until its closure in February 2015. The applicants considered that it was a suitable building to which to re-locate their existing Honeybuns Nursery Group after the expiry of the lease at its current location at the Princess Royal Hospital site. No external alterations were proposed to the main building, although it was proposed to erect a 2.3m high wall to separate the parking area from the landscaped play area. The materials and appearance of the new wall would match the existing building and side boundary wall. Internal works would include the removal of partition walls that were not original to the building. The Conservation Officer had not raised any objections to the development.

**RESOLVED - that with respect to planning application TWC/2015/0778, authority be delegated to the Development Management Service Delivery Manager to grant Listed Building Consent, subject to the conditions set out in the report.**

(c) TWC/2015/0790 – Telecommunications Mast, Dawley Green Way, Dawley Bank, Telford

This was an application for replacement of an existing 17.4m high monopole (including 3 antennas) mast with a 17.5m high monopole mast with 6 shrouded antennas, a microwave transmission dish and replacement of one equipment cabinet with two equipment cabinets, and ancillary development. The new antennas would have dual user capabilities for use by two network providers, and the proposed upgrading of the base stations was required to retain both existing coverage and to increase capacity to cater for future 4G coverage demands in the area. The Planning Officer advised that the report had stated in error that the new mast would be the same height as the existing mast - it would actually be 10cm taller than that.

The application site was located on the fringe of Malinslee Playing Fields adjacent to Dawley Green Way, and adjacent to a pedestrian/cycle path and subway within a well-established belt of trees, shrubs and hedging.

Councillors S Davies and K S Sahota, Borough Ward Members, addressed the Committee on behalf of local residents. The new mast would be wider than the existing one, and would be more intrusive. Its visual impact on the amenity of residents would be unacceptable. Many residents had not wanted the mast there originally and had believed that it would be removed on expiry of its consent. The site was between two primary schools and sat next to a playing field that was being increasingly used for community events. The visual impact of the mast would have a detrimental impact on the character and appearance of the area.

Mr J Mitchell, a local resident, addressed the Committee and contended that the report wrongly said that the mast was on Dawley Green Way – it was on the St Leonards Playing Field. The playing field was a heritage site and should be protected from harmful development. The existing mast should not have been there in the first place, and it was felt that residents had been misled.

The Planning Officer advised on the principle and need for the development, the impact on the character and appearance of the area, and health matters. Following neighbour consultation, one letter of objection had been received. It was considered that this was a relatively modest proposal for a replacement mast which would facilitate mast sharing. Visually, the existing tree belt would continue to screen views of the mast from within the surrounding area. The mast was set back from the highway and did not draw the eye in the street scene. The applicants had submitted an ICNIRP Declaration which certified that the site was in full compliance with national guidelines regarding public safety from frequency emissions. The permission for the current mast was granted in 2006, and it was believed that it was still an appropriate site for such a development. The application was therefore recommended for approval.

Members referred to the comments from the local resident about the location of the mast and the “protected” status of the playing field, and sought clarification. It was also asked whether the applicants had looked at any alternative sites in the vicinity for this mast. The Assistant Director: Planning Specialist advised that the mast was situated on Council owned land on the edge of the playing field, which had been granted QE2 Fields in Trust status in the last few years. The Planning Solicitor stated that he did not believe that ‘Field in Trust’ status presented a technical issue in relation to a development of this nature, but considered that it was something that might need checking. In terms of alternative locations, the Planning Officer advised that as part of the application, the applicants had to demonstrate that they had examined other possible sites in the area, but he did not have the details to hand.

In order to receive this additional information and clarification on the “protected” status of the playing field before making a decision on the application, it was moved and seconded that the application be deferred. Upon the vote being taken, it was:

**RESOLVED** - that with respect to planning application TWC/2015/0790, the application be deferred to the next meeting in order for clarification to be sought on the ‘protected’ status of the St Leonards QE2 Fields in Trust site and for further information to be provided on any alternative sites for the mast that had been looked at by the applicant.

(d) TWC/2015/0763 – Land SW of Lodge Cottage, 1 Lodge Road, Donnington Wood, Telford

This was an outline application for the erection of a detached dwelling and garage with associated access, with all other matters reserved. The site comprised a corner piece of land in a rural location immediately against the junction of Granville Road and Lodge Road to the east of the main built-up area of Telford. The site had been subject to some ground clearance including the removal of a number of trees. An update report was tabled which contained additional information from the applicant in response to objectors' comments, as well as a further plan and photos of the site.

Councillor C Mason, on behalf of Donnington & Muxton Parish Council, addressed the Committee and spoke strongly in favour of the application. He detailed the history of the past industrial use of the land in this vicinity, which demonstrated that this piece of land was a brownfield site and should be considered as 'urban' in nature. The dwelling would be only for the applicant and his family, who had lived in the locality for many years. Some petitions had been submitted against this development, but it appeared that none of the signatories lived anywhere near the site.

Mr Z Khan, a local resident, addressed the Committee and stated that this was not a suitable site for a residential property. The site was located at the base of the Granville landfill site and next to an industrial scrap yard, and there would be a risk to health and other environmental hazards/nuisances for any persons living there if the application was allowed. He was in agreement with the Officer's recommendation to refuse the application.

Mr C Roberts, the Applicant's Agent, spoke in support of the application. He noted that there were no objections from the Highways department or any issues of contamination. There was no basis for refusing the application on the grounds raised by objectors, and many of the objectors did not live near to the site. He believed that the boundary of the Telford urban area defined in the Wrekin Local Plan was out-of-date and that the application should be considered in terms of the guidance set out in the National Planning Policy Framework. This was a sustainable development on a brownfield site. It was believed that the land had not been in agricultural use for over 100 years, and there had been an established use as part of the former Granville Colliery.

The Planning Officer advised on the principle of housing at the site, impact on the character and appearance of the area and on neighbouring properties, and highways and drainage considerations. Five letters of objection had been received, along with two petitions with over 60 signatures opposing the proposed development. Since the preparation of the Committee report, a further three letters of objection had been received from local residents together with a further petition against the development. However, these had not raised any new issues. The Wrekin Local Plan was not out of date, and its policies were still relevant. It was considered that the application site was contrary to Policy CS7 in the Core Strategy, as it was outside of the three key identified settlements for development in the rural area. It was also considered that the proposal represented an unsustainable form of development

which did not meet any of the exceptional circumstances set out in the National Planning Policy Framework for allowing new isolated homes in the countryside. The development would also result in the loss of an area of important incidental open land which contributed to the character of the area, and was therefore contrary to Policy OL6 of the Local Plan and CS11 of the Core Strategy. There were no material considerations to justify a departure from policy, and it was recommended for refusal.

During the ensuing discussion, some Members did not feel that the site constituted an area of important incidental land in open countryside, but rather needed to be considered within the context of the wider locality which was former industrial land, and which now supported such non-agricultural uses as a scrap yard, equestrian centre, golf course and a residential property at 1 Lodge Road. As such, it appeared reasonable to consider the site as brownfield land, and that a small development of one dwelling would be sustainable in this location. Concerns were also expressed about the validity of the petitions that had been submitted against the application, and that many of the issues raised by objectors were not strong planning grounds for refusal. On balance, it was believed that objections on policy grounds could be overcome, and it was moved and seconded that the application be approved subject to appropriate conditions. Upon being put to the vote, it was

**RESOLVED – that with respect to planning application TWC/2015/0763, authority be delegated to the Development Management Service Delivery Manager to grant outline planning permission, subject to conditions that officers deem appropriate.**

(Councillor I T W Fletcher withdrew from the meeting before consideration of the following application)

(e) TWC/2015/0811 – 7 Cloisters Way, St Georges, Telford

This was a retrospective application for the erection of a 600mm high Diamond Rail and Bird Mouth railing on land to the rear of 7 Cloisters Way. The railing had been erected outside of the residential curtilage of the property but enclosed land that was within the applicant's ownership. The applicant had suggested that the railing had been erected to protect the existing landscaping from damage by vehicles driving over the land when entering a shared parking area to the rear. The site was within a residential street on a recently erected modern housing estate.

Mr Davies, a local resident, addressed the Committee and stated that the entrance to the parking area was very restricted on a blind corner, and the railing made it very difficult for more than one vehicle at a time to get past. It was therefore a danger to road users/vehicles as well as being a safety risk to children who used it as a place to sit and congregate. The applicant had previously objected to a similar fence/railing in the locality, and was now knowingly breaking the rules in erecting these railings without planning permission. The railings should be moved back to a safer position that provided no risk to the use of the shared parking area.

The Planning Officer advised on the principle of development, highways safety and appearance. St Georges & Priorslee Parish Council supported the application, and

two letters of objection had been received. The erection of a railing of this height was considered appropriate in terms of scale and design, and did not detract from the street scene. In terms of highway safety, this was not a main highway and vehicles were mainly going at low speeds. The development did not impede visibility or adversely impact on safety for a shared access leading to a private drive, and therefore there were no technical highway reasons to refuse the application.

While expressing regret at the retrospective nature of the application, Members considered that the application was acceptable in terms of highway safety and appearance. In response to a question about the feasibility of moving the railings back 6-12 inches, the Planning Officer advised that there were no technical planning reasons to request the relocation of the railing.

**RESOLVED** - that with respect to planning application TWC/2015/0811, planning permission be granted, subject to the conditions set out in the report.

(f) TWC/2014/0888 – Land adjacent to the Old Rectory, Waters Upton, Telford

This was a Reserved Matters application for the erection of 7 residential dwellings, a cemetery extension and car parking for cemetery visitors. The application site was located to the west of the village of Waters Upton and was currently overgrown grazing land that wrapped around the existing cemetery to the south. Outline approval for up to 12 dwellings, cemetery extension, car park and recycling area was granted in 2011, subject to a Section 106 Agreement for 50% social rented housing and contributions to education and play facilities. During the application process, the number of dwellings had been reduced to 7 due to issues with viability and building on the steeper part of the site to the east. The development was now below the threshold for requiring affordable housing and education contributions, and the application also sought approval for a variation of the S106 Agreement to remove these. The proposed dwellings were detached comprising of three, four and five bedrooms accessed from a communal private driveway off River Lane. The application no longer proposed a recycling area as residents in Waters Upton now had the benefit of a kerbside recycling collection service.

The Planning Officer advised on the principle of development, impact on the character and appearance of the area, impact on residential amenity of neighbouring properties, access, parking & highways, drainage, ecology issues, trees, and Section 106 contributions. There were no objections from statutory consultees, and in terms of neighbourhood consultation responses, one letter of support, three letters of objection and four further letters making additional comments on revised layouts had been received. Issues raised by the Parish Council and local residents had been examined, but it was considered that the layout, scale and appearance of the development were acceptable. It would have an acceptable relationship with neighbouring properties and have sufficient access and parking arrangements. It was considered to be in accordance with key policies in the Core Strategy and Local Plan, and with national policy guidance and was therefore recommended for approval.

During the ensuing discussion, Members welcomed the reduction in the number of dwellings for this development, which it was felt created a better scheme. Reference

was made to the request from Waters Upton Parish Council for River Lane to be made one-way to better accommodate the increases in vehicle movements, and whether this could be investigated. Comments were also made regarding the construction period for the development and the need for conditions on working hours and on construction traffic using River Lane. The Planning Officer advised that the principle of development and access arrangements, which included the consideration of River Lane with two-way traffic, had already been approved at outline stage and could not now be revisited under this application. However, Members concurred with a suggestion made by the Assistant Director: Planning Specialist that, separately from this application, the Highways Authority could be asked to look at the traffic usage/safety of River Lane. In relation to the construction period, the Planning Officer advised that the hours and access arrangements etc would be controlled through a Construction Management Plan.

**RESOLVED** – that with respect to planning application TWC/2015/0888, authority be delegated to the Development Management Service Delivery Manager to grant reserved matters consent subject to:

- a) The applicant/landowner entering into a section 106 agreement (variation) with the Local Planning Authority in relation to:
  - i) financial contribution to play facilities in the villages of Waters Upton and Crudgington;
  
- b) the conditions and informatives set out in the report.

The meeting ended at 7.35 pm

**Chairman:** .....

**Date:** .....