

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 29 June 2016 at 6.00pm in the Walker Room, Meeting Point House, Southwater Square, Telford TF3 4HS

Present: Councillors J C Minor (Chair), N A Dugmore, I T W Fletcher, N C Lowery, L A Murray, P Scott, C F Smith (as substitute for J Loveridge), and C R Turley.

PC-007 Apologies for Absence

Councillor J Loveridge

PC-008 Minutes

RESOLVED – that the minutes of the meeting of the Planning Committee held on 8 June 2016 be confirmed and signed by the Chairman.

PC-009 Declarations of Interest

Councillor C F Smith, regarding planning application TWC/2016/0125, stated that he was on the Planning Committee for Wrockwardine Wood and Trench Parish Council and that he would withdraw from the meeting during the determination thereof.

In respect of planning applications TWC/2013/0855, TWC/2016/0121, TWC/2016/0124 and TWC/2016/0150 Councillor P Scott advised that he was a member of Newport Town Council but had not been involved in any discussions on these applications.

PC-010 Deferred/Withdrawn Applications

None.

PC-011 Site Visits

RESOLVED – that the following applications be deferred for Site Visits on Wednesday, 20th July 2016

TWC/2013/0855 – 4.00pm – Willow Tree Cottage, Station Road, Newport, Shropshire

PC-012 Planning Applications for Determination

Members had received a schedule of planning applications to be determined by the Committee and fully considered each and the supplementary information tabled at the meeting regarding TWC/2013/0855 and TWC/2016/0165.

(a) TWC/2016/0121 – Site of Tessant House, Dark Lane, Church Aston, Newport, Shropshire

The Chair informed the Members that as applications TWC/2016/0121 and TWC/2016/0124 were on the same site and were similar in nature that the two applications would be presented together but voted on individually.

TWC/2016/0121 was a full application for the erection of 1no. energy efficient dormer bungalow with a detached double garage.

TWC/2016/0124 was an outline application or the erection of 1no. detached dwelling to include access with all matters reserved.

Both applications had been deferred on the 27th April 2016 following the publication of the Muxton Lane and Haygate Road appeal decisions. The applications were further deferred at the meeting held on 8th June 2016 in order for a site visit to take place on the afternoon prior to the meeting.

Councillor A Eade, Ward Councillor for Church Aston and Lilleshall, spoke in favour of the application and considered that recent developments near to the site had set a precedent for building and that this small development would prevent any further larger developments. The site was not in open countryside, was a brownfield site and on previously developed land and had unique development and personal circumstances.

Mr A Williams, Applicant's Agent, spoke in favour of the application which he considered had no material impact on the surrounding area, were infill plots not outside of the built-up area, on previously developed land, did not encroach into open countryside and were not contrary to the Council's policies in light of the recent Inspector decisions.

The Planning Officer confirmed that the site was not brownfield but was previously developed land after having consulted and reading out the definition in the NPPF.

During the ensuing debate Members considered the design, scale and aesthetics of the development were acceptable, that this was a sustainable development within the garden grounds of an existing dwelling and hence not in open countryside and were concerned that a decision to refuse the application would not be easily defensible if this came to appeal. Members were also concerned that a precedent for development was being set. However, it was emphasised that these sites were distinguishable from adjoining land in that they were all contained within an area of clear and apparent garden land. With these particular circumstances in mind and being concerned about preserving the adjoining land, Members made it clear that no development should take place to the south of this area. A proposal was put forward that delegated authority be granted to the Development Management Service Delivery Manager to grant permission for both applications subject to appropriate conditions.

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

RESOLVED – that with respect to planning application TWC/2016/0121 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to such conditions and informatives as the Development Management Service Delivery Manager considers appropriate (with authority to finalise reasons for approval to be deleted to the Development Management Service Delivery Manager).

- (b) TWC/2016/0124 – Site of Tessant House, Dark Lane, Church Aston, Newport, Shropshire

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

RESOLVED – that with respect to planning application TWC/2016/0121 that delegated authority be granted to the Development Management Service Delivery Manager to grant outline planning permission subject to such conditions and informatives as the Development Management Service Delivery Manager considers appropriate (with authority to finalise reasons for approval to be deleted to the Development Management Service Delivery Manager).

- (c) TWC/2016/0125 – Land at the junction of Moss Road/Rookery Road, Wrockwardine Wood, Telford, Shropshire

This application was for the erection of 21no. apartments and 3no. dwellings and was deferred at the meeting on the 8 June 2016 for a site visit which took place in the afternoon prior to the meeting. Planning approval (TWC/2013/0448) had previously been granted and consent was still valid until 2016.

Councillor S Reynolds spoke against the application on behalf of the Wrockwardine Wood and Trench Parish Council who raised concerns regarding the scale and mass of the development which was out of keeping with the surrounding area, overdevelopment of the site, car parking, the access and egress, sewers, surface water and drainage and mining issues. They considered that the application which had already been approved was a more appropriate scheme.

Councillor V Fletcher, Ward Councillor, spoke against the application which was an increase of 12 dwellings to 24 dwellings and now incorporated 32 car spaces. This was considered to be overdevelopment of the site, out of keeping with the surrounding area, on a main road and backed onto an industrial area and she considered that the schemes already approved and valid until September 2016 were more appropriate developments.

The Planning Officer informed Members that there was currently consent for 17 dwellings on the previously approved applications and that the increase was due to economic viability of the site. The position of the access had been moved and that the application was now considered acceptable to officers.

During the ensuing debate some Members raised concerns regarding density and over-development of the site, the protection of the monkey puzzle tree, the planting affecting the visibility splay, lack of parking spaces, economic cost and viability.

Some Members also commented that the site needed to be developed as the site had become an eyesore and that this application was more favourable than the previously approved applications.

However, upon being put to the vote, it was by a majority:-

RESOLVED – that in respect of planning application TWC/2016/0125 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to:

- a) The applicant entering into a S106 agreement with the Local Planning Authority for the provision of £12,000 towards the enhancement of the play area off Gower Street/Fireclay Drive;**
- b) The conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager) set out in the report.**

(d) TWC/2016/0150 – Land adjacent 12 Tibberton, Newport, Shropshire

This application was a full planning application for the erection of 2no. detached dwellings with associated garages and access.

Councillor N Eyles spoke against the application on behalf of Tibberton and Cherrington Parish Council who raised concerns that the development did not comply with the Council's policies and was not an infill plot, highways, character of the village, the loss of grade 3 agricultural land and encroached into open countryside and the lack of demand for this size of property.

Mr P Duggan a local resident spoke against the development and raised concerns that this was against Council policy, adversely affected the Grade II listed buildings, the height, size and style of the development which was in the open countryside and not an infill plot.

Mr K Whittaker, Applicant, addressed Members that he had worked with officers in order to agree an acceptable proposal which was compliant with Council policy, was an infill plot which did not extend into the countryside and was on previously developed brownfield land.

During the ensuing debate some Members commented that the development was in keeping with the local area and the development did not adversely affect the Grade II listed buildings and was on a infill plot. Other Members suggested that the development would be enhanced if the 3 bay garage was moved further back on the plan in line with the proposed dwellings. It was proposed that delegated authority be given to the Development Management Service Delivery Manager to grant planning permission subject to the conditions raised and negotiations regarding the positioning of the garages to bring them more in line with the proposed buildings.

Upon being put to the vote it was unanimously:-

RESOLVED - that in respect of planning application TWC/2016/0150 that delegated authority be granted to the development Management Service Delivery Manager to grant planning permission subject to the receipt of amended plans showing the garages repositioned further back into the site and the conditions and informatives set out in the report.

(e) TWC/2016/0165 – Former Madeley Court School, Lane off Parkway, Madeley, Telford

This was an application for full planning permission for the erection of 53.no dwellings and associated garages, parking and landscape on the former Madeley Court School, Madeley.

An update report was tabled at the meeting.

During the ensuing debate some Members agreed that this development would enhance the site once building had been completed and that more rental properties were needed within the area, access to the site was satisfactory and the traffic on the highway was not considered to be an issue. Although the development was low in density, Members were disappointed that there was no affordable housing on this site and that NUPLACE were not setting a good example in this respect. The development was on previously developed land and the scale was appropriate although it was considered that more could have been done to enhance the design and architecture of the development.

It was agreed that the Development Management Service Delivery Manager would feed back Members' comments to the applicant in respect of the lack of affordable housing provision and the basic dwelling design.

Upon being put to the vote it was by a majority:-

RESOLVED - that in respect of planning application TWC/2016/0165 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to:

- a) the applicant submitting a signed Memorandum of Understanding relating to:
 - i) Highway contributions of £6,000 towards street lighting upgrade along Court Street
- b) the conditions and informatives set out in the report and the update report (with authority to finalise the conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager)

(f) TWC/2016/0423 – 7 Oxford Street, Oakengates, Telford TF2 6AA

This full planning application was for the removal of condition 5 on the Planning Permission TWC/2014/0004 to allow the sale of hot food for consumption off the premises by collection and home delivery.

Mr J Weng, Applicant, explained to Members that he wished to re-open the restaurant, which was currently closed, in order to create a hot food takeaway which the neighbouring Indian Restaurant was allowed to operate. This would create local jobs and bring business back to Oakengates.

During the ensuing debate, Members commented that as the Council was a business winning Council it should support this application and local businesses and not restrict free enterprise and competition and that they could not see any reason to refuse the application.

Upon being put to the vote it was unanimously:-

RESOLVED – that in respect of planning application TWC/2016/0423 that **Condition 5 should be removed and that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to such conditions and informatives as the Development Management Service Delivery Manager considers appropriate (with authority to finalise reasons for approval to be deleted to the Development Management Service Delivery Manager).**

PC-013 **Urgency Resolution – Section 100b(4), Local Government Act 1972**

The Chair made the following statement:

“I am of the opinion that the following item of business should be dealt with as a matter of urgency at this meeting in order to avoid any unnecessary delay”.

PC-014 **Lawley Strategic Urban Extension Design Code Addendum**

The Planning Officer presented the report of the Lawley Strategic Urban Extension Design Code Addendum.

The Design Codes set out clear design instruction for the new development and had been used to guide the developers in drawing up detailed proposals for the Reserved Matters Applications that have been submitted across the Lawley Sustainable Urban Extension since 2004. It was a necessity to ensure that the Design Codes were up to date and reflected the changing circumstances, including updates in planning policy and new legislation and to take account of the more challenging topography for the remaining phases of the development. A public consultation took place in May 2014 and areas for improvement were identified which included general design concerns, standards, parking and clear delineation of street profile. In addition there had been a series of workshops with developers and

officers and MADE had chaired the review process. The document had been designed to update the Design Code and not replace the original codes.

During the ensuing debate some Members raised concerns that they had not received the whole Design Code and the Addendum to consider but only a summary update and raised concerns that some of the developments may be contrary to Council policy and concerns regarding the parking courts. Other Members considered that the Code would enhance further developments. Members were given time to read the office report in detail.

Upon being put to the vote it was, by a majority:-

RESOLVED – that the Design Code Addendum be endorsed.

The meeting ended at 8.11pm

Chairman:

Date: