

PLANNING COMMITTEE**Minutes of a meeting of the Planning Committee held on
Wednesday, 17th May 2017 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, J Loveridge, N C Lowery, L A Murray, P Scott, and C R Turley.

Also Present: Councillors S Bentley (for planning application TWC/2016/0952), S P Burrell (for planning application TWC/2016/1127 and TWC/2017/0122) and R T Kiernan (for planning application TWC/2016/0978 and TWC/2016/1180)

PC-079 Apologies for Absence

None

PC-080 Declarations of Interest

With regard to application TWC/2016/0952 Councillor N A Dugmore advised that he used to have involvement with the owners of Roden Hall, but had not been involved for several years and would therefore be taking part in discussion on that item

PC-081 Minutes

RESOLVED – that the minutes of the meeting of the Planning Committee held on 28 April 2017 be confirmed and signed by the Chairman.

PC-082 Deferred/Withdrawn Applications

None.

PC-083 Site Visits

RESOLVED – that a site visit takes place at 3.30pm on Wednesday, 28th June 2017 in respect of planning application TWC/2016/1182. (Now cancelled).

PC-084 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 update report.

- a) TWC/2016/0952 – Site of Roden Hall Care Home, Roden Lane, Roden, Telford, Shropshire

This was a full application for the construction of a 66 bed elderly frail and dementia care home with associated parking and landscaping in the grounds of Roden Hall Nursing Home. Although not part of this application, the applicants intended to move the existing occupants of Roden Hall into the new facility and convert the existing Hall into assisted living apartments.

The applicants had confirmed that a refurbishment of the Hall was unfeasible, and if the new facility was not approved, the Hall would be sold for alternative use.

Councillor R Wickson, Ercall Magna Parish Council, spoke against the application and raised concerns in respect of inadequate parking provision, as there will be an increase in staff numbers. The access to the site was by a one way system, with restricted visibility but a traffic calming system had not been proposed by the applicants. National policy had been ignored and the design was not in keeping with the village.

Councillor S Bentley, Ward Councillor, spoke against the application and raised concerns in respect of design, social inclusion, employment and that Roden was not a suitable location for development. Concerns were raised in respect of the impact on the existing residents, as building would take place for around 5 years. Concerns were raised into the care provided by the applicants.

Mrs E Aston, Local Resident, spoke against the application and stated that Roden was not the right location for this development. Roden was not a sustainable settlement, and there was an infrequent bus service. Waste water was at capacity in the area and there were a number of Tree Preservation Orders on the site. Concerns were raised that the residents would be isolated and lose their independence as the village lacked facilities. The service provided by the applicant at Roden Hall had been assessed as inadequate and it was noted that the Council have a duty of care for their residents.

Mr K Lawrence, Applicant's Agent, spoke in support of the application and stated that the applicants had liaised with the Local Authority and had amended the design to address the councils of the Parish Council. The applicants were willing to pay for footpath improvements. The application would safeguard the 42 residents of Roden Hall as the existing building was unsuitable in its current form. The applicants had a training and development company which looked to upskill workers.

The Planning Officer noted that the site was in a rural area where limited development was supported, however, this application was looking to enhance the existing provision, which was supported by the emerging local plan.

In terms of scale, the proposals were for a predominately two storey building to the rear of the 1.4 hectare site, currently unkempt land and car parking. There was a 6 metre slope to the back of the site which would further mitigate the scale of the proposals. The proposed building was 30m away from the nearest neighbour.

The proposals provided an additional eleven spaces above the required amount and dedicated spaces for deliveries and emergency vehicles would be provided. The access point to the side was wide and provided excellent visibility.

A condition had been recommended for a 90mm mains water supply to be installed, which would take pressure of the bore hole and had been assessed as a sufficient width for any further phases.

Some Members considered that the proposals were against policy and that the proposed development could not be considered as limited development. Concerns were raised that visitors and staff would have to drive to the site, which would place extra pressure on the surrounding roads. Concerns were expressed that there were

no guarantees that future phases would come forward and the existing Hall may be left derelict and there was a need to protect the building for the future.

Some members considered that the parking was inadequate, as specialist staff would also have to drive to the site and visitors would not be able to walk or use public transport to access the site. Some concerns were expressed regarding the design of the building, which was considered to not fit with the existing buildings. Some members expressed their concerns regarding the impact on residents during construction and queried if the existing building could have been upgraded.

Other Members considered that the proposals were a good news story and that this was an appropriate development in the area. Members considered the impact of the loss of the facility. Some members considered that the visibility from the access points was good and it was felt there was a shortage of care homes locally and nationally.

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

RESOLVED - That with respect to planning application TWC/2016/0952 that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning Permission subject to:

- a) **A Section 106 agreement to secure £15,000 towards footpath improvements in the immediate vicinity of the site and provision of a tactile crossing at the front of the site**
- b) **The conditions and informatives set out in the report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager)**

- b) TWC/2016/0978 – Land rear of 32 Bratton Road, Bratton, Telford, Shropshire

This was an outline application for 14 dwellings with access, scale and layout sought for approval. Members had undertaken a site visit earlier in the afternoon prior to the meeting. Access would be created following the demolition of a double garage at 32 Bratton Road.

Councillor R T Kiernan, Ward Councillor, spoke against the application and stated that these proposals would add an extra 30 plus vehicle movements per day to the surrounding roads. Bratton Road was narrow and difficult to pass, there was no bus service and the local school was full. This application was considered to be an invasion into the greenbelt and was back land development, which was against policy. The Planning Inspectorate had recently dismissed an appeal for development on Bratton Road, concluding that the proposals were a harmful intensification of a rural location.

Mr J Windsor, Local Resident, spoke against the application and stated that there was no reference to the Planning Inspectors decision in the report, this development was considered to be in the same context as the recently refused appeal site. Development in the area was based on ribbon development and this proposal would have a harmful effect on the character of the area. The proposals were against policy.

Mr C Huntley, Applicant's Agent, spoke in support of the application and stated that there were no highways, drainage or ecological issues outstanding. The site was not within the greenbelt and the density had been married to the local area. The land was of poor agricultural value and was in a sustainable location, within walking distances to local services. The applicant's believed that the proposals satisfied the three core roles in the National Planning Policy Framework and there were no outstanding planning considerations.

The Planning Officer confirmed that the site is not in the greenbelt, although it could be considered to be greenfield as it had not been previously developed. The site was within the urban boundary. The Planning Officer clarified that back land development referred to the sub division of existing gardens, 'garden grabbing' but this site was outside of a garden so was not considered to be back land. This development was in a different context to that which was dismissed by the Planning Inspectorate.

The plots were to be set a distance away from the existing properties, the nearest dwelling being 26m away, which exceeded the minimum standards. In respect of highways, Bratton Road was designed for two way traffic and no objections had been received from the Highways Officers. The access road had been designed to an adoptable standard.

Some Members considered that the site was a sizeable plot but raised concerns regarding the narrowness of the access road and questioned if the local infrastructure could cope with the additional traffic. Some Members raised concerns regarding refuse collection, which had not been clarified by the report.

Some Members agreed that the site was not back land and noted, that while the site was not ideal, it was acceptable on balance.

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

RESOLVED - That with respect to planning application TWC/2016/0978 that delegated authority to be granted 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 (terms to be agreed by the Development management Service Delivery Manager) relating to:**
 - i) **Affordable housing – off site contribution of £375,820 to be spent within the urban area of Telford**
 - ii) **Play space - £600 per two (or above) bed property improving / upgrading / maximising the nearest children's equipped play area at Squirrel Meadow, Bratton**
 - iii) **Education – Primary contribution of £51,418 with funds allocated to the expansion of Wrekin View**
- b) **The conditions and informatives set out in the report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager)**
- c) **TWC/2016/1127 – Land corner of Back Lane / Plantation Road, Tibberton, Newport, Shropshire**

This application sought approval of reserved matters, namely layout, scale, appearance and landscaping, for 25 dwellings. Outline planning permission had been granted in 2015 and this application had been deferred at the planning committee on the 5th April for further discussion with the applicant. An update report had been provided.

The Local Authority's Ecologist was satisfied with the proposals and an amended layout had been submitted which showed increased parking provision and a pavement on the site.

Councillor J Berry, Tibberton and Cherrington Parish Council, spoke against the application and stated that the site was currently farmland. The site was isolated from the village and the road leading to the site was a single track road. Concerns were raised regarding the density of the site.

Councillor S Burrell, Ward Council, spoke against the application and raised concerns regarding drainage, which were considered to be unsustainable. The proposed density was too great and Cllr Burrell asked for a reduction in the number of houses on the site. There was no mobile library to the village and there was no guarantee that the roads would be adopted.

Mr S Jaggs, Local Resident, spoke against the application and raised concerns regarding the ecological impact of the development. The existing brick building would be demolished and the proposed newt pond would be built in an unsuitable location. As no SUD scheme had been proposed, the applicant would need to ensure that water levels in the newt pond would be maintained. The proposed barn owl box was not in a suitable location and a suitable box for nesting birds should be provided.

Mr A Sheldon, Applicant's Agent, spoke in support of the application. This was a reserved matters application and the principle of development had already been established. 10 affordable units were proposed and areas of concern had been addressed. Severn Trent had no concerns regarding drainage of the site.

The Planning Officer advised that Tibberton had a varied pattern of development and the layout and density of the proposals were acceptable. Access had previously been approved and car parking provision had increase, highways had no objection to the scheme. There were no technical reasons to refuse the application.

Some members considered that the barn owl box should be relocated as any proposals should encourage breeding birds. Although a lower density would have been preferred by members, this had already been agreed at the outline stage. Members welcomed the provision of affordable housing. Members welcomed the design of the homes, which were traditional and varied.

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

RESOLVED - That with respect to planning application TWC/2016/1127 that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning permission subject to the conditions and informatives set out in the update report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager).

d) TWC/2016/1180 – Unit 2, Sutton Road, Admaston, Telford, Shropshire, TF5 0AY

This was a full application for a change of use from a Class A1 use (Post Office) to a hot food take away Class A5 use. The scheme also included the installation of a brick clad flue to the side of the unit. The proposed operating hours for the Fish and Chip shop were 12pm until 2.30pm and 4.30pm until 9.30pm Monday to Saturday, with no opening on Sundays and Bank Holidays.

Councillor R T Kiernan, Ward Councillor, spoke against the application and stated that many objections had been received from the local community. There has been no Chip Shop in Admaston for over 50 years and the shop would have to attract trade from outside the local area to remain viable. The proposals would have a negative impact on the surrounding area. Concerns were raised regarding insufficient parking and yellow lines would be ineffective. Concerns were raised regarding the impact on health and the removal of liquid waste from the site.

Mrs H Hunt, Local Resident, spoke against the application and stated that the application should be deferred for the committee to undertake a site visit. There was not a need for this development in the area and no further employment would be gained from the change of use from the existing use. The proposals would have a serious impact on the living conditions of neighbouring properties and there would be an increase in traffic. Concerns were raised regarding odours and the impact on the local area. CCTV would not prevent the corner being used as a youth hub and there were concerns regarding an increase in anti-social behaviour.

The Planning Officer confirmed that there had been a 9 month marketing exercise undertaken but no offers for the building had been found. Environmental Health had assessed the impact of the flue on the flats above the shops.

It was considered that there would be no increase in highways usage from the extant A1 use. It had been observed that occupiers and users of the other units were parking there long term, so a waiting limit had been proposed for the bays.

Some Members raised concerns regarding the smell and poor parking in the local area. Some Members considered that a Traffic Regulation Order would be ineffective and the proposals would exacerbate parking problems in the area. Concerns were expressed regarding litter and oversupply of hot food takeaways in the area.

Some Members stated that the situation had not changed since the Planning Inspectorate decision discussed in the Officer's report.

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

RESOLVED - That with respect to planning application TWC/2016/1180 be refused on the following grounds:

It is considered that the introduction of a hot food take away in this local shopping parade is likely to give rise to an unacceptable impact on the amenities of nearby residential properties by virtue of an increased level of activity, noise, nuisance and traffic disturbance. This would conflict with Core Strategy policy CS2, Telford & Wrekin Local Plan (Submission Version) Policy BE1 and with the objectives of the National Planning Policy Framework

e) TWC/2017/0122 – Land between 1 – 2 Newtown & 66 Shrewsbury Road, Edgmond, Newport, Shropshire

This was an application for the felling of 1 Ash tree which was protected under a Tree Preservation Order on a vacant parcel of land in Edgmond. The site had outline planning permission for the erection of 2 semi-detached dwellings. Consent had been granted for a crown reduction of the tree, which had not been carried out.

The applicant had submitted 4 reports with their application, which concluded the tree was decayed, structurally unstable and should be felled. The Local Authority's Tree Officer had not agreed with this view and the Council had commissioned their own expert report, which objected to the felling of the tree. The tree was a veteran tree which was not considered to be in imminent danger.

Councillor S Burrell, Ward Councillor, spoke in support of the application, and asked for a deferment in order for the applicant to seek legal advice, which may negate the need for the tree to be felled. The applicant had tried to obtain insurance for the site but concerns had been raised regarding the health of the tree.

Mr J Terry, Applicant's Agent, spoke in support of the application. Mr Terry had assessed the tree in 2016 and had immediately concluded the tree was dangerous, considering the proximity to the highway and the risk to road users and the future development. Five experts had agreed the tree was a danger, which was at odds with the Council's report. Another tree on site had already fallen, which had been believed to be the healthier of the two.

The Legal Advisor confirmed that the applicant was unable to use the Council commissioned report for insurance purposes but was in negotiations to obtain his own report from the expert. The Council may be liable for compensation for loss or damage if consent to fell the tree was refused, however, the applicant had been granted consent for work on the tree which had not been carried out.

The Tree Officer confirmed that the tree had grown for over 150 years without a management plan. The management of veteran trees had improved over the last 15 years and the tree had withstood recently storms. In response to a question, the Tree Officer confirmed that veteran Ash Trees were recommended to be retained as they may be genetically resistant to ash dieback. If Members were minded to grant consent to fell, the replacement tree could not be an Ash, as they were not on general sale.

Members considered that the Local Plan sought to retain veteran trees and that the tree had a clear presence in the local area. Members considered that Councillor Burrell's request for a deferment was a reasonable one and therefore

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

RESOLVED – That with respect to planning application TWC/2017/0122 be deferred as requested to enable the applicant to make further inquiries with regard to his insurance/legal position

f) TWC/2017/0153 – Site of The Wrens Nest, Wrens Nest Lane, Ketley, Telford, Shropshire

This was an outline application for the erection of 9 dwellings following the demolition of the Wrens Nest public house. The application sought permission for the principle of development only with all other matters reserved for later approval.

The site was within the urban area and opposite a small row of shops. Previous applications on this site had been refused, but they had sought to retain the pub. This was a conventional scheme, with each dwelling had an allocated driveway, with two off street parking spaces.

Highways had not raised objections, subject to conditions and a S.106 contribution. Concerns had been raised by the Parish Council in respect of increased traffic and lack of parking, as the pub allowed parents to use the car park to collect children from school. The indicative layout had included a children's playing facilities, however, the Parks and Open Spaces officer had requested a S.106 contribution to upgrade a nearby facility instead.

Councillor S Millward-Thomas, Ketley Parish Council, spoke against the application. The Parish Council had raised their concerns in respect of the loss of a community amenity. The area was particularly busy at the beginning and end of the school day and the proposals would increase this. The licensee allowed parents to use the car park by agreement and it was felt this should continue. Concerns were noted in respect of density, and the adjoining road was particularly busy.

Members considered that the proposals were a suitable use for the site but considered that some public parking should be provided. Members noted that the site was large and could accommodate a public parking area. The planning officer however reminded Members that any current parking arrangements were at the discretion of the owner and could be stopped at any time. Members however wanted this issue to be discussed with the applicant and therefore

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

RESOLVED – That with respect to planning application TWC/2017/0153 be deferred for further discussion with the applicant to investigate whether public parking could be incorporated into the proposed scheme of development

The meeting ended at 8.30 pm

Chairman:

Date: