

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 14th December 2016 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.

PC-037 Apologies for Absence

None.

PC-038 Minutes

RESOLVED – that the minutes of the meeting of the Planning Committee held on 23rd November 2016 be confirmed and signed by the Chairman.

PC-039 Declarations of Interest

In respect of planning application TWC/2015/0556 Councillor N A Dugmore advised that he was a member of Donnington and Muxton Parish Council and Ward Member for Muxton but had not been involved in any discussion on this application.

PC-040 Site Visits

No site visits were recommended by Officers.

Following a debate, it was proposed and seconded by Members that a site visit take place on planning application TWC/2016/0785 Land East & South East of Shelldar Bungalow /Covings/The Old Stables, Back Lane, Tibberton, Newport, Shropshire and it was unanimously:-

RESOLVED – that a site visit takes place at 3.00pm on Wednesday, 11 January 2016 in respect of TWC/2016/0785.

PC-041 Planning Applications for Determination

Members had received a schedule of planning applications to be determined by the Committee and fully considered each.

- (a) TWC/2015/0556 - Land East/South East of Granville Drive, off Muxton Lane, Muxton, Telford, Shropshire

The Planning Officer addressed Members regarding the two applications for housing development at Muxton Lane made by Gladmans and their impending appeals and the current legal position. The report was an update for members since the Council had written their Statement of Case. Officers now advise that the Council would no longer defend reasons three as it was difficult to determine viability and the quantity of dwellings on a site on an outline planning application. The Council were continuing with their defence of reasons one and two which included that the site lay in open countryside outside the built up area of Telford, as defined on the Wrekin Local Plan Proposal Map, where new development was to be controlled, the development of this site on Muxton Lane would result in an undesirable encroachment into the surrounding countryside and was detrimental to visual amenity and that this would cause irreversible significant and demonstrable harm.

Officers also confirmed their stance on several policies. CS1 was partially out of date being based on revoked figures, but its spatial element was still relevant. Wrekin Local Plan Policy H9 was no longer being relied upon but Policy CS7 was still relevant, and Policy OL11 would not be used, as it did not refer to trees. The Examination in Public of the Telford & Wrekin Local Plan had been postponed until the 30th January 2017, so there may be a need for any relevant issues to be fed into any updated Statement of Case or Proofs of Evidence.

During the ensuing debate, Members raised concerns regarding losing two of the four objections, and the weight of Policy CS7 in light of the Haygate Road legal challenge.

The Legal Officer confirmed if the Council continued with the reason three and four that they could be liable for costs as viability and dwelling numbers could change at the reserved matters stage and ecology issues could be conditioned.

The Development Management Service Delivery Manager informed Members that an update would be brought to the January 2017 meeting in order to clarify the position with regards to CS7 following the completion of the Public Inquiry on Newport which was currently running over into its third week and the outcome of the recent Haygate Road High Court challenge.

RESOLVED - that with respect to planning application TWC/2015/0556 that
Members:

a) Note the Council's position on Wrekin Local Plan Policies H9 and OL11 and Core Strategy Policy CS1;

b) Endorse Officers' decision not to proceed with reasons 3 and 4 but to defend refusal reasons 1 and 2, namely:-

- 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.**

(b) TWC/2015/1079 - Agricultural Buildings adjacent Sambrook Hall Farm, Sambrook Newport, Shropshire

This was a full application for conversion of Shippon and Granary Barns to form two dwellings, with conversion of Cart Shed to form associated garage and storage area within agricultural buildings adjacent to Sambrook Hall Farm.

Councillor S Burrell, Ward Councillor for Edgmond and Ercall Magna spoke on behalf of local residents who raised concerns and requested that some modifications be made in that: the neighbour's garden was not directly overlooked, the first floor windows were fixed, that the garage be prevented from any future conversion and no further sub-division of the development be made, the construction to begin within 12 months and that the proposed change to the priority on the junction did not take place due to concerns regarding increased traffic speed.

Mr David Haston, Applicant's Agent, spoke in favour of the development to bring the redundant historical building back into beneficial use. The development had been advertised commercially without success. Objections had been received on a previous application which was for four dwellings but this application was an amended scheme for two dwellings together with garage and store and no objections had been received on the amended scheme. Section 106 funds had been requested towards the layout of the junction if the application was granted.

The Planning Officer informed members that this was an amended application for 2 dwellings which had resolved some of the outstanding issues. The site was located within Sambrook which was not one of the rural settlements within policy CS7 but due to the buildings having local interest and being of some architectural merit, saved Policy H18 permitted the conversion as reasonable attempts to secure suitable business re-use had been unsuccessful. There were no objections from highways, drainage and ecology. Subject to approval, a S106 agreement in the sum of £3,000 had been requested in order to re-prioritise the junction.

During the ensuing debate some members raised concerns regarding the re-prioritising of the junction and the increased speed of traffic through the village, the narrow roads and lack of visibility but were pleased to note that the permitted development rights had been removed and that the redundant agricultural buildings was being brought back into use and being architecturally and sympathetically developed. A question was raised as to if the junction remained as it was whether the S106 Agreement monies could be used to improve pedestrian safety through the village.

The Legal Officer advised that the Section 106 monies were ring-fenced to the highway works.

The Development Management Service Delivery Manager informed Members that the intention was to put a stop line at the junction in order that the traffic came to a halt but that he would ask the Highway Engineers to look at the junction again in consultation with the Ward Member and the Parish Council, but this would be a separate process, as the reprioritisation of the junction could be carried out regardless of whether there was an application.

On being put to the vote it was unanimously:-

RESOLVED - that with respect to Planning Application TWC/2015/1079 that delegated authority be granted to the Development Managements Service Delivery Manager to grant Planning Permission subject to the following:

- a) the applicant/landowners 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) Highways – contribution of £3,000 towards changing the priority of the junction to the immediate left of the main access located at the western side of the site, being required in order to gain the necessary visibility splay being substandard at present, and in turn to improve motorist's safety at the junction
- b) the conditions (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager) set out in the report with the following amendments to ensure that cart shed can't be used as a dwelling and that removed permitted development rights include no extra windows.
- (c) TWC/2016/0785 - Land East & South East of Shelldar Bungalow/Covings/The Old Stables, Back Lane, Tibberton, Newport, Shropshire

This was an outline application for residential development of up to 14no dwellings, associated infrastructure and access, with all other matters reserved.

The Planning Officer informed Members that Tibberton was one of the three settlements where rural residential development would be focussed and the site was contained within the main quadrangle of the village and not in open countryside. A Section 106 Agreement would be required for the following: £500 per dwelling towards a Traffic & Speed Management Scheme on the B5062, £750 per dwelling towards provision of a footpath link between the site and Maslan Crescent via the playing field. Education contributions of £70,249 (£36,525 towards remodelling work at Tibberton Primary School and £21,125 towards the music block works at the Burton Borough Secondary School and £12,599 towards transportation) and £600 per dwelling towards improving play and recreation facilities in Tibberton playing field.

Councillor S Burrell, Ward Councillor for Edmond and Ercall Magna, raised concerns regarding an extra 70 additional homes which would impact on the small settlement which had limited local services and bus service, a full primary school lack of employment, single track roads and considered there had been a lack of consultation with service providers and drainage, in particular Severn Trent

Councillor J Berry, spoke on behalf of Tibberton and Cherrington Parish Council and raised concerns regarding the density, the need for Duke of Sutherland style of houses, lack of need for affordable, the effect on the Local Lettings Plan. He considered that the plot was not infill and under Policy H10 that a small development must be in keeping with the local surroundings.

Mr N Eyles, Local Resident, spoke on behalf of local residents, who were concerned regarding the access road, driveways which were not designed for a regular flow of traffic, increased traffic, lack of visibility, the pinch point and this being unsafe to reverse, lack of footpath and the increased likelihood of accidents.

Mr M Burrow, Applicant, addressed Members regarding the access which had been agreed with Highway Officers as acceptable along Back Lane for cars and refuse vehicles. S106 monies were proposed for an off-street public footpath across the playing fields, Severn Trent had been consulted but no comments were made. Affordable housing had been supported by the Housing Officer.

Councillor S Burrell asked the Chair for permission to circulate a letter to Members from Severn Trent. The Members were given time to consider the information tabled at the meeting.

During the ensuing debate some Councillors commented that the information tabled was some 4 years old. Other Members considered that Back Lane was unsuitable for any further housing due to those applications that currently had permission or were under construction. Further concerns were raised regarding the narrowness of the lane and the access to the bungalows. The Planning Officer confirmed that Severn Trent Water had indeed been consulted, but no comments had been received.

It was moved and seconded that application TWC/2016/0785 be deferred for a site visit to take place prior to the next meeting.

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

RESOLVED – that with respect to Planning Application TWC/2016/0785 that this application be deferred to the next meeting of the Planning Committee in order for a site visit to take place.

PC-042 Tree Preservation Order

The Committee considered the report of the Assistant Director: Governance, Procurement & Commissioning seeking confirmation of a provisional Tree Preservation Order Maple Tree at; 9 and 11, Castle Road, Dawley, Telford TF4 3EU. The report detailed an objection received from the owner of the property expressing concerns regarding the roots near to his garage, to avoid damaged to vehicles using the lane and to enable him to be able to put up a new fence to improve privacy and a rebuttal by the Tree and Woodland s Officer.

The Legal Adviser outlined the process and the Tree and Woodland Officer explained the background to the making of the Provisional Order and informed Members that the tree was of amenity value and a specimen worthy of retention. Although no work was required on the tree at this time, an application form to submit for tree works was forwarded to the owner. There were alternative methods of construction for a fence without the need to cut the tree and the roots of the tree affecting the garage doors were out of the root plate of the tree. The Legal Advisor advised Members that the focus in this case should be on amenity and confirm that the property owner could apply for consent to lop, prune or fell the tree at any time.

Members noted the concerns of the objection together with the reports submitted and balanced this against the opinion of the Council's Tree and Woodlands Officer. Members unanimously concluded that it was worth preserving for its visual amenity.

RESOLVED – that Borough of Telford & Wrekin (Maple Tree at; 9 and 11, Castle Road, Dawley, Telford TF4 3EU Tree Preservation Order 2016 be confirmed.

The meeting ended at 7.11pm

Chairman:

Date: