

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 24 October at 6.00pm in The Telford Suite, Telford Whitehouse Hotel, Watling Street, Wellington, Telford

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

PC-032 Apologies for Absence

Councillor N A Dugmore.

PC-033 Declarations of Interest

In respect of planning Application TWC/2018/0560 Councillor P Scott had been named as an objector to the application. Although Councillor Scott felt that his objections had now been dealt with he would withdraw from the meeting during the determination thereof.

In respect of planning application TWC/2018/0804, Councillor E J Greenaway advised that she was a member of Lawley & Overdale Parish Council but had not been involved in any discussions on this application.

PC-034 Minutes

RESOLVED – that the minutes of the meeting of the Planning Committee held on 26 September 2018 be confirmed and signed by the Chair.

PC-035 Deferred/Withdrawn Applications

TWC/2017/0916 – Land adjacent to Bettisfield, Longford Rd, Newport is deferred for the following reasons:

- (i) At the request of Ward Member (Cllr Andrew Eade) who called this application into Committee, and wanted to speak but is unable to do so due to a prior engagement, and
- (ii) To allow the preparation of a S106 legal agreement to tie the occupation of the annex to that of the main dwelling, and
- (iii) To allow a site visit to be undertaken on Wednesday 14th November 2018.

PC-036 Site Visits

RESOLVED – that site visits take place on Wednesday, 14 November 2018 as follows:

2.00pm - TWC/2018/0658 – Site of the former Blessed Robert Johnson School

2.45pm - TWC/2017/0916 – Land at Bettisfield, Longford Road, Newport

3.30pm - TPO 171 - Dunwich, Spring Village, Horsehay, Telford, TF4 2LX – Tree

Preservation Order

PC-037 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 planning applications TWC/2018/0283, TWC/2018/0600 and TWC/2018/0804.

(a) TWC/2018/0283 – Tine Grange, Charlton, Telford, TF6 5EU

This application was for the erection of a single storey outbuilding to be used as ancillary accommodation and the erection of a single storey extension to the existing dwelling. An update report was tabled at the meeting which gave details of two further conditions added which removed the permitted development rights and required that the roof lights be fixed. Officers outlined that during the course of the application that amended plans had been received omitting a proposed garage, the removal of the windows in the elevation facing the neighbouring stable yard, and the handing of the bedroom and en-suite.

This application had been called in by Councillor J Seymour and a site visit had taken place on the afternoon prior to the meeting.

Councillor J Seymour, Ward Member, spoke on behalf of the owners of Broadacres who had no objection to the ancillary extension in principle but raised concerns regarding the effects it would have on the rightful use as a small holding, the noise and smells from horses, sheep and chickens, there was no protection for the neighbouring property if a complaint was to be raised with environmental health, the lack of separation distance of 8m and that caselaw stated that this distance should be 25m, there had been no environmental health assessment as they were not a statutory consultee and foul drainage and water supply. Councillor Seymour requested a deferment until these issues had been addressed.

Ms A Mundell, a member of the public, addressed Members that she had no objection to the application in principle but that she had a registered smallholding next to the proposed development. She raised concerns that the separation distance of 30m from the animal sheds to the closest residence would be reduced and concerns regarding the impact on her smallholding. She referred to information from Planning Appeal decisions and the British Horse Society Legal Department which indicate that the separation distance should be 25m. Noise and smells were a material consideration and she felt that this application was contrary to the NPPF and Policy BE1 and she asked Members to defer the application until such time as environmental health assessments had been undertaken.

Mrs R Harrison, Applicant, spoke in favour of the application and gave an explanation of the reasons for the development which would become a home for her elderly parents and that Mrs Harrison couldn't relocate due to her children's education. She did not have any concerns regarding the noise and smells, but had previously raised concerns about 13 cockerels below the bedroom window, but this has been satisfactorily rectified and that she had a good relationship with her

neighbours. Amendments to the development had been made in order to address the concerns regarding noise and smells.

During the debate, some Members had no objections to the application in principle but raised concerns regarding the impact on the neighbouring smallholding in regard to the 8m separation distance and if an environmental health-related complaint was made by the occupier of the proposed development in the future. One Member suggested that if an application had been made for agricultural use next to a residence this would automatically be refused. It was suggested that the application be deferred until further investigations regarding the environmental health impact and drainage be undertaken. Other Members felt that living in the countryside you would be subject to smells and noise and would be happy to support the application.

The Planning Officer informed Members that from the numbers of animals it would be considered a low level of harm from noise and odour and that a professional report would not necessarily capture the data. Officers were satisfied that the application was in accordance with Policy BE1 of the Telford and Wrekin Local Plan.

The Legal Advisor advised Members that they must consider that they have sufficient information to make an informed planning decision on the issue of detrimental impact and that, if they thought that they did not have enough information regarding detrimental impact to the neighbouring property they must ask for further clarification. He also clarified that one of the adjoining smallholder's concerns related to a potential future situation where the occupier of the proposed development made an environmental health-related complaint about agricultural uses taking place next door which could effect the operation of the smallholding.

Councillor N C Lowery proposed, seconded by Councillor E J Greenaway, that that application be deferred for one cycle in order that environmental health impact assessments be obtained but, on being put to the vote, this was not agreed.

Some Members felt that this application should be refused as it was contrary to Policy BE1 as residential accommodation would be detrimental to the existing use of the neighbouring land.

The Planning Officer informed Members that there were two additional conditions proposed, contained within the update report.

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

RESOLVED – that in respect of Planning Application TWC/2018/0283 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 Council (terms to be agreed by the Development Management Service Delivery Manager) to secure the building as ancillary accommodation and for it not to be let or sold as a separate unit of accommodation**

b) The conditions set out in the report and the update report (with authority to finalise conditions to be delegated to the Development Management Service Delivery Manager).

(b) TWC/2018/0538 – Rushmoor Paddock, Rushmoor Lane, Bratton, Telford

This was part-retrospective application for the creation of a new access and to temporarily site a caravan for a period of up to 3 years on Rushmoor Paddock, Rushmoor Lane, Bratton, Telford.

This application had been called in by Councillor J Seymour.

Councillor J Seymour, Ward Councillor, spoke against the application and raised concerns regarding the thoroughbred breeding establishment, the access (although this would be safer in the new location), temporary accommodation was not required due to other methods of monitoring the animals, the caravan would take up grazing land reducing the amount for the horses, the number of horses on the site which would increase and the siting of temporary accommodation could establish a precedent for future development.

Councillor N Evans spoke on behalf of Wrockwardine Parish Council and endorsed the comments of Councillor Seymour. She explained to Members that monitoring of the horses could be undertaken via a mobile phone app and CCTV which would alleviate the need for the staff to be on site for 24 hour cover and that most employees would not sleep at their place of work and that this application was against policy and unnecessary.

Mr J Elgin, a member of the public, spoke against the application with regard to the supply of water, the thoroughbred business which he had previously not supported, there would be a specialist who undertook the foaling so there was no need for the caravan, the new timber building had received retrospective consent and a temporary bed within this building could accommodate staff.

Mr A Sheldon, Applicant's Agent, spoke in favour of the application. Planning permission had recently been granted and the access had been approved as part of the approval. The business continued to expand and the caravan was necessary to secure the health of the horses over 24 hours all year round. Video surveillance was not sufficient and the caravan was on a temporary basis, accepted by officers and in accordance with Policy.

During the ensuing debate, some Members felt that the use of technology in this case would be inappropriate as the horses were valuable and that the access had been dealt with under a previous permission. Other Members, although they agreed in principle, but felt that the siting of the caravan was unnecessary.

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

RESOLVED - that in respect of Planning Application TWC/2018/0538 that delegated authority be granted to the Development Management Service

Delivery Manager to grant Planning Permission for the creation of a new access and the temporary siting of a caravan subject to the conditions and informatives set out in the report (with authority to finalise conditions to be delegated to the Development Management Service Delivery Manager).

c) TWC/2018/0560 – 5 Chetwynd End, Newport TF10 7JJ

Councillor P Scott left the room during the presentation of the following application and did not vote thereon.

This application was for a change of use from a dwelling (Use Class C3) into offices (Use Class B1(a)) at 5 Chetwynd End, Newport, Shropshire.

This application had been called in by Newport Town Council.

Councillor T Nelson, Ward Councillor, spoke against the application due to concerns regarding parking and the congestion that would be caused by this property being converted to business use. Parking was at a premium within Newport and Chetwynd End was a Green Lane with restricted parking and a one-way system was now in place. Local public car parks were overwhelmed and the Neighbourhood Plan supported new development that had sufficient car parking and that this application was contrary to that policy due to the lack of parking.

Ms H Mitchell, Applicant, spoke in favour of the application. She had decided to relocate her business to Newport as it was her home town and this would bring in jobs to the local community which would support local economy. Some of the staff lived in the Town and would be able to walk to work. In order to prevent issues with parking she had firstly offered the use of her residential spaces at No. 3, but this had been met with objection from neighbours so this offer had since been withdrawn. It had never been her intention to use both No.s 3 and 5 Chetwynd for her business. The staff would have it written into their contracts that they would not park at the office and would use public car parks.

During the ensuing debate, some Members felt that this was a difficult application as they supported business enterprise and the creation of new jobs but that the business had no on-site parking. This application could be supported in principle but it was contrary to policy due to the lack of parking. Other Members welcomed business into the Town and felt that there was sufficient car parking within Newport and that there was a bus stop opposite the business. Some Members further raised concerns as to whether staff would use public transport and that the guarantees from the applicant relating to her business/staff car use could not be secured due to the permission being specific to the building. Other Members felt that this was a good application providing jobs for people living in the Town, who could either park for free all day in the nearby carparks, may cycle or walk to work and this would help reduce pollution.

The Planning Officer explained to Members that the position of the site had been taken into consideration together with the proximity of public car parking and that the NPPF promoted the use of sustainable transport.

RESOLVED – that in respect of Planning Application TWC/2018/0560 that delegated authority be granted to the Development Management Service Delivery Manager to grant full Planning Permission subject to 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).

d) TWC/2018/0600 – Land East of Queensway - HLC, Queensway, Hortonwood, Telford

This application was for variation of conditions 7 and 8 of Planning Permission TWC/2017/0905 to allow a variation of working hours between 0800 and 1930 hours on weekdays and 0800 and 1300 hours on Saturdays with no working or activities on Sundays or Public Holidays at land east of Queensway HLC, Queensway, Hortonwood, Telford.

An update report was tabled at the meeting which gave details of a response to the amended proposal from Hadley & Leegomery Parish Council and some further public representation, together with a response from the Applicant.

The Planning Officer informed Members that this was Phase 4 of the Hortonwood West Development site for two industrial buildings consisting of 15 individual start-up units and the extended hours were requested to improve the marketability of the business premises.

During the ensuing debate, some Members felt disappointed that the objectors had not registered to speak on the application and raised concerns regarding extending the working hours and if this would be sufficient going forward or if further applications to extend would be received. Further concerns were raised regarding the impact on the local community as the current contractors were not adhering to their current hours of working. Other Members felt that the increased hours would make the businesses more viable and felt that extending to 19:30 hours was reasonable as some businesses do run 24/7 and noted that the Parish Council had accepted the conditions for small and medium enterprises in the update report. A question was raised as to whether the planting of the bund would commence this year.

The Planning Officer confirmed that the units were currently still being built and it was the building contractors that were on site. The extended hours were being requested in order to market the units and there was currently no end user. The planting of the bund to the north of Units 2A and 2B would take place and a plan had been circulated. The planting would take place during the next tree planting season (September – March). Noise assessments would be undertaken once the end user was identified and it would then be assessed and determined if deemed suitable.

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

RESOLVED – that in respect of Planning Application TWC/2018/0600 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 report and the update report (with authority to finalise conditions to be delegated to the Development Management Service Delivery Manager).

e) TWC/2018/0804 – Land west of Hollinshead Way, Old Park, Telford

This application was for the importation of clean soil to surcharge the ground and improve ground strength on land west of Hollinshead Way, Old Park, Telford.

An update report was tabled at the meeting which contained details of additional representation received since the report was published.

During the ensuing debate, some Members raised concerns regarding the hours of work being 7am to 7pm and asked if the Thomas Telford School had been consulted, the suitability of the access points, the clearway along Old Park Way, wheel washes on the egress from the site. Other Members felt that the access was suitable and they supported the conditions to prevent mud on the road.

The Highways Officer explained that there would be wheel washes on site. The clearway would also be managed.

The Planning Officer informed Members that lorries would be conditioned to avoid deliveries during school start and finish times and requiring submission and approval of Parking, Traffic and Routing Management Plans. There would be an improved HGV access with dropped kerbs either side of a hardstanding on the existing field.

RESOLVED – that in respect of Planning Application TWC/2018/0804 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the following:

- a) **No further representations being received during what remains of the consultation period which raise material considerations which are, in the opinion of the Development Management Service Delivery Manager after consultation with the Chair of Planning Committee, of such significance that the application should be reported back to the Planning Committee for re-consideration and determination**

- b) **The conditions and informatives set out in the report and the update report (with authority to finalise conditions to be delegated to the Development Management Service Delivery Manager).**

The meeting ended at 7.33pm

Chair:

Date: