

## PLANNING COMMITTEE

### Minutes of a meeting of the Planning Committee held on Wednesday 20 February 2019 at 6.00pm in The Telford Suite, Telford Whitehouse Hotel, Watling Street, Wellington, Telford

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

**In Attendance:** V Hulme (Development Management Service Delivery Manager), M Turner (Area Team Planning Manager), S Drury (Principal Development Planning Officer), K Craddock (Principal Planning Officer), M Rowley (Principal Highways Engineer), T Goffe (Highways Engineer), D Owen (Health Spaces Design Specialist), J Lyall (Legal Advisor), J Clarke (Democratic & Scrutiny Officer), T Carruthers (Business Support Officer)

**PC-063**      **Apologies for Absence**

None.

**PC-058**      **Declarations of Interest**

None.

**PC-064**      **Minutes**

**Resolved** – that the minutes of the meeting of the Planning Committee Meeting held on 30 January 2019 be confirmed as a true record and signed by the Chairman

**PC-065**      **Deferred/Withdrawn Applications**

None.

**PC-065**      **Site Visits**

None.

**PC- 066**      **Planning applications for determination**

- a) TWC/2018/0601 – Lawley Phases 5 & 9, Lawley, Telford, Shropshire

This was a reserved matters application for the erection of 362 no dwellings within Lawley Phases 5 & 9 and included access, appearance, landscaping layout and scale including additional information which was received regarding land stability, coal mining, preliminary ecological appraisal, layout revision, parking revision and affordable housing. This application was deferred at the meeting of the Planning Committee on 5 December 2018 to

consider a request for amendments to the application and for a site visit to take place.

A site visit took place on the afternoon prior to the meeting.

An update report was tabled at the meeting and gave details of additional neighbour representations and comments from the Healthy Spaces Specialist and the TWC Housing Team, together with the Applicant's response. Further information was also contained within the report regarding ground conditions and slope stability.

Councillor J Greenaway spoke against the application on behalf of Lawley and Overdale Parish Council. Although revised plans had been submitted and the access to the safer routes would remain open during construction she raised concerns regarding the fencing around the attenuation ponds and children's safety, management of the site and the retaining wall, loss of trees, impact on the highway and limiting HGV movements at the start and the end of the school day. It was requested that conditions were imposed regarding these concerns.

Councillor J Francis, Ward Councillor, welcomed the retention of the trees at Teawell close and the decrease in height of the retaining wall but raised concerns regarding the movement of soil and HGV movements at the start and end of the school day and asked that this be conditioned to ensure the safety of the children.

Mrs D McGrath, a Member of Public, acknowledged the retention of some trees but raised concerns regarding the loss of trees in the south east corner of the development which were there to prevent wind and storms impacting on Teawell Close. She raised concerns regarding the retaining wall, loss of green lane and woodland

Mr D Norris, Applicant's Agent, spoke in favour of the application which was an improved scheme. Although there was a loss of some trees, which were not protected, significant additional planting would take place. The development was crucial to the five year land supply and delivered contributions.

The Planning Officer presented the changes that had been made to the application since the application was deferred on 5<sup>th</sup> December 2018 and gave details regarding the tree belt and the new layout which had resulted in the loss of three planned open spaces. Although the loss of these was not ideal Members were asked to take a balanced approach in deciding whether the loss of these could be outweighed by the benefits of retaining the eastern tree belt. The retaining wall had been moved and reduced in height and length. Re-positioning the wall to retain the group of trees being removed in the south-eastern corner of the site would result in the loss of at least seven housing units and would compromise the viability. Significant levelling on the site would need to take place to create a developable platform. The proposed height and length of the retaining wall had been reduced, which had

improved the appearance, and planting would be used to soften the visual impact. There was no impact to the septic tanks which were in private property outside of the site. The Rights of Way would be protected during construction and a phasing plan would be put in place with a gated access across Wrekin Way to allow safe pedestrian crossing. Construction traffic would travel along West Centre Way and this would be included in the construction environmental management plan. Hooped railings would be used to protect the attenuation pond not post and rail fencing. BVT would take on the landscape management plan or would outsource this to an external company and this would be conditioned with bespoke wording provided by the Council's Healthy Spaces specialist. Affordable housing provision would be 12% and there would be a mix of tenure, as agreed by the Council's Housing Team. The loss of hedgerows were discussed on the site visit and landscaping would be conditioned.

The Highways Officer confirmed that the HGV restrictions would be conditioned through the construction environmental plans.

During the debate, some Members welcomed the revisions and the retention of some trees, woodlands areas and the reduction in the retaining wall, although were disappointed that some trees and the public open spaces would be lost. Concerns were raised regarding the landscape management plan, affordable housing, highways and maintenance of the retaining wall, lack of car parking spaces, green planting, loss of hedgerows, viability, density and design. Other Members felt that the construction environmental management plans needed to prevent mud on road, together with the prevention of dust and rubbish and that construction should not adversely affect the road network.

The Healthy Spaces Specialist advised that the Developer would be conditioned to supply a Landscape Management Plan which would include who would manage the public areas, how it would be managed and how it would be funded. The Planning Officer referred Members to paragraph 4.4 to the report which contained wording that would be used to inform this planning condition. A time-related trigger could be put in place to ensure that the condition for the Landscape Management Plan be submitted and approved prior to occupation of the first dwelling and this would be reasonable in planning terms.

The Planning Officer confirmed that none of the attenuation ponds had fencing in Lawley but it was considered appropriate to make an exception in this case and partially enclose the one in close proximity to the children's play area. The hedgerows were not protected but new planting was proposed across the site. Viability had been assessed and the reduced affordable housing provision being offered was deemed appropriate

The Highways Officer confirmed that the car parking met the standards and further work would be done to secure on-street parking and monitor safety. Improvements had been made to monitor sites on a daily basis to ensure conditions were being adhered to.

Upon being put to vote, it was by a majority.

**RESOLVED: that in respect of Planning Application TWC/2018/0601 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to**

- a) **Amended plans showing correct information relating to affordable housing and amendments to the balance of tenure mix and dwelling type, being received and approved by the LPA;**
- b) **Geotechnical information being received to enable the discharge of Condition 15 of TWC/2018/0828 in relation to Phases 5 and 9; and**
- c) **the conditions and the informatives set out in the report and the update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Delivery Manager)**

b) TWC/2018/0658 – Land rear of Charlton School, Off St Pauls Drive, Dothill, Telford, Shropshire

This application sought permission for the erection of 54no dwellings with associated landscaping and to include an amended site layout on land to the rear of Charlton School, off St Pauls Drive, Dothill. This application was deferred at Planning Committee on the 5 December 2018 to allow further consideration of a vehicular access/egress directly onto Whitchurch Drive.

An update report was tabled at the meeting and gave details of an amendment to the figure quoted in the original and deferred reports regarding Open Space/Recreation. This figure was quoted as being £75,804 which was incorrect. The correct figure was £30,000 which was calculated based on £600 per 2 bed (or more) dwellings.

Councillor L Jinks spoke against the application on behalf of Wellington Town Council who raised concerns regarding the access and was disappointed that a ghost right turn had been considered on this application and not a left in, left out junction. She raised further concerns regarding HGV accessing the site, highways and the volume of traffic.

Councillor K Tomlinson , Ward Councillor, spoke against the application and raised concerns regarding the access and the lack of further consultation with residents, width and bends in the roads which made it difficult to pass for emergency vehicles, removal of trees and the impact on wildlife and felt that a left in, left out access would be more appropriate.

Ms A Westbrook and Mr H Gray, members of the public, raised objections and concerns regarding the cost of the ghost right turn, the safety of residents,

access, feasibility, unnecessary loss of trees, passing of vehicles on a bendy road. They felt that this application was contrary to guidance and there had been a lack of consultation.

The Planning Officer informed Members that options had been considered and it was felt the most appropriate was a ghost right turn with a central lane. Due to the number of services within the road which would need to be diverted the cost would be around £325K. If the northern right hand corner of the site was redesigned it would lead to the loss of units and a reduction of the wildlife corridor. It may also cause the loss of two category B trees and some bungalows would need to be replaced by two storey dwellings. The width of St Pauls Drive was within technical guidelines and there was no justification to require provision of an alternative access. The development would bring much needed housing and there was no sufficient justification to refuse the application.

During the debate, some Members felt that there continued to be an unsuitable access and highways issues and that the alternative left in, left out junction had not been fully explored and raised concerns regarding the narrow road and felt that this application was contrary to policy and suggested that this application be deferred for further discussion. There were 19 specialist dwellings and only 54 dwellings in total which would not create too much extra traffic, HGV traffic could be conditioned to use the designated access and park within the site and if this went to appeal and approved there would not be the opportunity to condition the development.

The Legal Advisor affirmed to the Committee that the Council was obliged to determine the Application that was before it in accordance with the Council's Local Plan and National Policy.

The Highways Officer confirmed that a left in, left out turn would be misused and had not been considered as an option due to highway safety. Traffic management would be conditioned and controlled with no construction traffic through the estate roads and parking arrangements contained within the site in order to limit impact on the residents

The Development Management Service Delivery Manager informed Members that discussions had taken place with NuPlace and it was considered the ghost right turn was the most appropriate. Costings took place which came out at £325k due to the underground services. It was felt that on balance this would make the scheme unviable and this was a material consideration in the NPPF. The width of the road and access complied with the Manual for Streets and the proposed development was of acceptable standard with the volume of traffic that it would create and that a deferral would not bring anything further for consideration.

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

**RESOLVED** that in respect of Planning Application TWC/2018/0658 that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning Permission subject to:

- a) the applicant/landowners enter into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Management Service Delivery Manager with indexation relating to date of decision ) relating to:

Highways	£75,804
Primary Education	£99,937
Open Space/Recreation	£30,000
Affordable Housing	2 units (4%)
Specialist Accommodation	19 units (35%)

- c) the conditions set out in the report and update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager)
- d) TWC/2018/0801 – Land adjacent 18 Station Road, Ketley, Telford, Shropshire

This was an outline application for the erection of up to 6no. dwellings to include access with other matters reserved on land adjacent to 18 Station Road, Ketley. This application had been called in at the request of Ketley Parish Council.

Councillor S Millward-Thomas spoke against the application on behalf of Ketley Parish Council who raised objections and concerns regarding the adjacent AGA factory, traffic, highway, parking, nearby bus stop, removal of the layby, access, overdevelopment, detrimental impact, historical interest and the impact on the densely populated woodland and wildlife and felt that this was not the appropriate site for this development.

Councillor J Francis, Ward Councillor, spoke against the application and raised concerns regarding overdevelopment, parking and highways issues, the effect on the retail units and flats above and tenant's parking, access and approach on a narrow lane, removal of the layby and the impact on the regular bus service.

The Planning Officer reported that the current visibility on the access was affected by the layby and the removal of this would improve the safety of pedestrians and parking would continue to be provided at the rear of the businesses. The development did fall within the green network but the functionality would remain. Access, size and design of the dwellings would form part of the reserved matters application.

The Highways Officer informed Members that the access at the site was poor with limited visibility due to the layby parking. The footway would return to its full 2m with the access road being 5m in width and would be improved with a hard service and two vehicles would be able to pass. There would be 8

parking spaces for the businesses to the rear of the buildings which would be signed.

During the debate some Members, although supported the application in principle, raised concerns regarding access, restricted visibility, parking, removal of the layby, access for delivery vehicles, detrimental impact to local businesses, parking provision for visitors to dwellings and intensification.

The Planning Officer confirmed that the re-siting of the layby would not be possible as there was nowhere else it could go, but that this was not a highway consideration. The footway would be reinstated and the parking would be to the rear of the shops.

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

**RESOLVED: that in respect of Planning Application TWC/2018/0801 that delegated authority be granted to the Development Management Service Delivery Manager to grant outline Planning Permission subject to the conditions set out in the report and the update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Delivery Manager).**

**e) TWC/2018/0802 – Site of Hillside Farm, Woodside Road, Ketley, Telford, Shropshire**

This was an outline application for the erection of 4no dwellings on the site of Hillside Farm, Woodside Road, Ketley with all matters reserved. An amended description and plans had been received. This application had been called in by Ketley Parish Council.

An update report was tabled at the meeting which detailed comments from the Applicant in response to letters received during the consultation period. It also contained comments from the Arboricultural Officer.

Councillor S Millward-Thomas spoke against the application on behalf of Ketley Parish Council who objected due to this site being of historical and archaeological importance with underground access and tunnels to the incline plane and the remaining canal bed. Concerns were raised regarding the narrow single track access, proximity to the Meadows Primary School, pre-existing parking and highway issues, loss of green network, woodland and wildlife habitat and the removal of trees.

Councillor J Francis, Ward Councillor, spoke against the application and raised concerns regarding the site being of historic and archaeological interest together with the access to tunnels on parts of the incline plane and the canal bed and the access which was a narrow track surrounded by existing housing.

The Planning Officer confirmed to Members that this application was for outline permission only with all other matters reserved.

The Highways Officer informed Members that there were grass verges either side of the narrow lane and that upon the reserved matters application, it would be requested that the width of the track be increased and a tarmac access be supplied. A 5.5m width could be achieved which would allow two vehicles to pass. An alternative access would not be possible due to the impact on the incline.

During the debate some Members raised concerns about losing the 18<sup>th</sup> Century canal. Other Members welcomed the revision of the application and that the units would be considered at the reserved matters stage. Concerns were raised regarding the unadopted road which was landlocked, density, tunnels and mineworks, ground stability, access, overdevelopment and asked for an archaeological survey to be undertaken on the site

The Planning Officer confirmed that the archaeological survey would be part of the reserved matters application as part of the NPPF the Council needed assurance of the ground stability.

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

**RESOLVED: that in respect of Planning Application TWC/2018/0802 that delegated authority be granted to the Development Management Service Delivery Manager to grant outline Planning Permission subject to the conditions set out in the report and the update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Delivery Manager).**

**f) TWC/2018/1021 – Site of 13-23 (odds) Kingsland & 1-4, 6, 8, 14-20 (evens), 9-43 (odds) Princess Avenue, Arleston, Telford, Shropshire**

This application sought the demolition of 34no. existing dwellings and the erection of 45no. dwellings and the removal of one Tree Preservation Order tree, together with access, parking and association works at Kingsland and Princess Avenue, Arleston. This application was before Planning Committee as it contained a S106 Agreement to secure financial contributions.

During the debate, Members welcomed the application as this was a good news story with the demolition of poor housing with new housing 100% affordable housing being built to a good standard.

Upon being put to vote, it was by unanimously:

**RESOLVED: that in respect of Planning Application TWC/2018/1021 that delegated authority be granted to the Development Management Service Delivery Manager to grant full Planning Permission subject to:**

- a) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Management Service Delivery Manager) relating to**

- i) Open Space/Recreation £6,600
- ii) Affordable Housing

**the conditions and informatives set out in the report and update report along with the applicant/landowner entering into a Section 106 Legal Agreement securing financial contributions**

The meeting ended at 8.16 pm.

**Chairman:** .....

**Date:** .....