

## PLANNING COMMITTEE

# A

### Minutes of a meeting of the Planning Committee held on Wednesday, 13 June 2018 at 6.00pm at Charlton School, Apley Avenue, Wellington, Telford TF1 3PN

**Present:** Councillors C F Smith (Chair), G H Cook (as substitute for J Loveridge), N A Dugmore, I T W Fletcher, N C Lowery, S J Reynolds, K S Sahota (as substitute for C R Turley), M J Smith (as substitute for L A Murray) and W L Tomlinson (as substitute for P J Scott)

#### **PC-001      Apologies for Absence**

Councillor J Loveridge, L A Murray, P J Scott and C R Turley.

#### **PC-002      Declarations of Interest**

None.

#### **PC-003      Minutes**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 23 May 2018 be confirmed and signed by the Chairman.

#### **PC-004      Deferred/Withdrawn Applications**

None.

#### **PC-005      Site Visits**

None.

#### **PC-006      Planning Application for Determination**

##### a) TWC/2016/0667 – Doseley Works, Doseley, Telford, Shropshire TF4 3BX

This application was for a variation to condition 31 of TWC/2012/0650 which read “only 75% of the proposed number of dwellings can be built and served off St Luke’s Road, until a second site access (onto Lightmoor Way) has been secured and provided. The 75% of the site shall include the open space areas up to and include the Quarry Pool. A site visit had taken place in the afternoon prior to the Committee Meeting taking place. An update report was tabled at the meeting and referred to an additional objection from a member of the public regarding the secondary access and the impact on the highway.

Councillor D Hopkins spoke against the application on behalf of Dawley Hamlets Parish Council and local residents who were opposed to this very unpopular application. He raised concerns regarding access, lack of footpaths, highway safety, parked vehicles, safety of pedestrians and the speed of traffic.

Councillor J Greenaway, Ward Member, spoke against this application and raised concerns regarding pedestrian safety, lack of dropped kerbs, narrow paths which were unsuitable for prams and disability vehicles, a 90 degree bend and the loss of the local bus service which would leave the community isolated with no public

transport and unsuitable walking and cycling provision. A second access would ensure a sustainable development and would comply with Policy B1 of the Local Plan and the NPPF.

Councillor R Mehta, Ward Councillor, spoke against the application and raised concerns regarding the strain on the residents, the safety of pedestrians and visitors to the area and felt that situation was a hazard waiting to happen and in this respect felt that a second exit was imperative.

Mr P Smith, the Applicant, spoke in favour of the application and informed Members of the difficult negotiations which were taking place with Bournville Village Trust (BVT) with regards to securing a north access for the remaining 115 plots and asked Members to consider varying Condition 31 to enable this to take place.

The Planning Officer informed Members that there were no technical highway objections to the outline application and Condition 31 was not imposed on highway safety grounds. To refuse the application on highway safety grounds would therefore fail the tests set out in the NPPF. The second access was necessary to ensure the development was sustainable and linked to amenities in Lightmoor Village such as school, shops and play facilities. The development needed good quality connectivity and access to those facilities. A failure to provide access to those facilities would result in a development contrary to Policies BE1 and SP4 of the T&WLP and the requirements of the NPPF. If Members were minded to approve the application and remove Condition 31, there would be nothing formally requiring the provision of the second access.

During the ensuing debate some Members raised concerns regarding varying Condition 31 as they considered the condition to be reasonable and enforceable. Other Members raised concerns regarding the lack of a second access and this being contrary to Policy BE1 and SP4, sustainable connectivity and isolation from community amenities/facilities such as school, play areas, community rooms, football pitches and shops.

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

**RESOLVED – that in respect of Planning Application TWC/2016/0667 that this application be refused and the wording of the relevant condition (Condition 31) remains as originally imposed in Planning Permission reference TWC/2012/0650.**

- b) TWC/2016/1152 – Site of Parkland House, The Car Auction Ltd & Land north of Audley Avenue Industrial Estate, Audley Avenue, Newport Shropshire

This was an outline application for the erection of up to 61 dwellings with all matters reserved on the site of the former car auction and Parkland House at Audley Avenue, Newport. This application was before the Committee due to a Section 106 agreement to secure affordable housing and financial contributions towards education and healthy spaces. A site visit had taken place in the afternoon prior to the meeting.

An update report was tabled at the meeting which provided Newport Town Council's latest consultant response following the reduction in numbers of dwelling from 68 to

61. As the Town Council met on the 23<sup>rd</sup> May 2018 which pre-dated receipt of the latest plan their comments are based on a previous iteration but generally reflect a more positive response.

The Planning Officer outlined that a S106 agreement would be entered into to secure 35% affordable housing, £33,000 to increase capacity of existing children's play area at Shukers Field, Newport and £201,803 contributions towards changing room facilities projects at Burton Borough Secondary and Newport Primary School.

During the ensuing debate, some Members raised concerns regard the neighbouring reclamation site (Lineal Construction Limited) and in particular the dwellings numbered 17-27 which backed on to the site, the lack of tree screening or fencing, the stockpiled earth mound, the plant machinery, and environmental issues. Other Members supported the re-use of the site and the reduction in the number of units but raised concerns regarding the noise and impact on the residential properties and the lack of mitigation measures or acoustic barriers. Further Members' concerns raised were the smell of diesel, mitigations measures businesses may have to put in place, the light and if the overall number of houses were suitable for the site. A suggestion came forward that this application be deferred in order that these issues could be further explored.

The Planning Officer informed Member that a noise report had been undertaken which stated that a 2m high close board acoustic fence would provide sufficient noise mitigation. He suggested that if Members were minded they could ask Environmental Health to look at the issues raised on the site. A conversation had taken place with the owner of Lineal Construction Limited who had confirmed that the "breaking" only takes place once every month to 6 weeks and that this was controlled by a Waste Disposal Licence.

It was proposed and seconded that this application be deferred in order to address the issues raised regarding noise, visual amenity and environmental issues from the neighbouring reclamation site.

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

**RESOLVED – that in respect of Planning Application TWC/2016/1152 that this item be deferred to address issues raised regarding the noise, visual amenity and environmental issues from the neighbouring reclamation site.**

c) TWC/2017/0406 – Land rear of Cedar Lodge, Waters Upton, Telford, Shropshire

This was a full application for the erection of 8 no. dwellings (including 3 no. affordable units) with the creation of a new access. This application was deferred at Planning Committee on 28<sup>th</sup> February in order for the issues regarding the access to be explored. An update report was tabled at the meeting and referred to parking, the adoption of the highway, shared access and affordable housing.

The Planning Officer informed Members that Plot 4 of the application had been reduced from a 4 bedroom dwelling to 3 bedrooms. Parking spaces had been amended so that the number of bedrooms was the same as the number of parking spaces per property. Passing places had now been provided and were shown on the updated plan, together with a communal bin store. Agricultural vehicles would pass the development infrequently, approximately one vehicle every two days.

Refuse vehicles were not duty bound to drive down an unadopted highway. There was provision for 3 affordable units on this site.

Councillor L Baker-Oliver spoke against the application on behalf of Waters Upton Parish Council who raised concerns regarding the Applicant's/Agent's handling of the Planning Application, lack of ability to amend the application, late amendments to parking spaces and the provision of a bin store, degrading of the highway surface, passing agricultural vehicles and the ill-conceived, poorly presented development which was contrary to planning policy.

Councillor S Bentley, Ward Councillor, spoke against the application raising concerns that the Committee's concerns raised on 28 February were still relevant and not satisfactorily dealt with, late tabling of amended plans, lack of consultation, overlooking, agricultural traffic movements, estate being subject to probate, beyond the physical settlement and in open countryside, local lettings policy and current vacancies and was contrary to the NPPF, the Local Plan and Waters Upton Neighbourhood Plan.

Mr C Huntley, Applicant's Agent spoke in favour of the sustainable development which was in the centre of Waters Upton a primary rural settlement. The carriageway width was 4.2-4.8m which was an adoptable standard. There was clear visibility. Parking had been amended and there was a provision of affordable housing, the first of its type in Telford and Wrekin. The plot was infill and would form a focal area within the village.

The Highways Officer explained to Members that there were no defensible reasons to refuse this application on highway grounds. The roads would not be to an adoptable standard due to the lack of a turning area. Refuse vehicles would need to 30-40m to reverse to reach the turning area and due to the sharp radii agricultural vehicles would overrun the footway to pass opposing or parked traffic.

During the ensuing debate, some Members, were pleased to see some changes to the development, but were disappointed that the changes had not gone back out for consultation and the roads would not be of an adoptable standard. Further concerns raised related to use by agricultural vehicles, vehicular turning area and radii, lack of passing places and sustainability. Other Members felt that as nearby houses were "under construction" that this application was an infill plot.

The Planning Officer informed Members that this site was a small infill and the report has afforded full weight to the Waters Upton Neighbourhood Plan.

The apT - Planning Delivery Group Manager confirmed to Members that the applicant was in control of the area of land and grass creed could be used for agricultural vehicles.

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

**RESOLVED – that in respect of Planning Application TWC/2017/0406 that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning Permission subject to the following:**

- a) **The applicant entering in to a Section 106 Agreement with the Council relating to:**

**37.5% provision of affordable housing (3 dwellings) made available for affordable rent (through a Registered Provider). All lettings should be made through 'Homes Direct' with priority for initial lettings and future relets be given to people in housing need who are long term residents of, or who have a strong local connection with, the parish of Waters Upton.**

**b) the conditions and informative set out in the report and update report (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):**

d) TWC/2017/1018 – Land adjacent 4 Tunnel Cottages, Aqueduct Lane, Stirchley, Telford, Shropshire

This was an outline application for the erection of up to 2 no. dwellings with all matters reserved and had been called in by Stirchley and Brookside Parish Council. A site visit had taken place in the afternoon prior to the meeting.

Councillor R Breeze spoke against the application on behalf of the Stirchley and Brookside Parish Council who raised concerns regarding the large number of objections from local residents, highway safety, overdevelopment, visibility, car parking, access, ecology, lack of pavements and lighting and the main access was via the Silkin Way which was open to cyclists, dog walkers, pedestrians and horesriders.

Councillor A England, adjoining Ward Member for Brookside, spoke against the application on behalf of his residents and raised concerns regarding the effect on local residents, blind bend, traffic survey, highway and pedestrian safety, traffic flow and congestion, drainage and water supply and the effect on the fauna and flora. He considered that this was a ribbon development and was inappropriate.

The Highways Officer informed Members that this application was an amended scheme with the access centrally placed which was more acceptable. There were no technical issues with regard to drainage and although the access near to the junction was not ideal officers were satisfied with the scheme. The hedge at the front of the development did not form part of the green guarantee.

During the ensuing debate, some Members felt that the principle of development had already been set but raised concerns regarding the speed of vehicles, the positioning of the dwellings and the impact on privacy.

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

**RESOLVED – that in respect of Planning Application TWC/2017/1018 that outline consent is granted subject to the conditions set out in the report (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management).**

e) TWC/2018/0288 – Land rear of Edgmond Foods, Unit 6-10 Audley Avenue Industrial Estate, Audley Avenue, Newport, Shropshire

This application was for the variation of Condition 9 of Planning Permission TWC/2017/0341 relating to the submission of air quality information at Land rear of Edgmond Foods, Units 6-10 Audley Avenue Industrial Estate, Audley Avenue,

Newport, Shropshire. This application had been called in by Councillor A Eade, Ward Councillor.

The Planning Officer informed Members that this application was to vary Condition 9 of this planning permission for a Petrol Filling Station (PFS) for which Environmental Health had submitted extra information. This related to traffic omission, construction dust and the monitoring of air pollution in the vicinity of the site both pre and post development for 36 months. Some re-wording of paragraph 8.1 to the report had taken place and all other conditions would be amended accordingly. Councillor A Eade had called in the application prior to the Agenda being published and prior to sight of the amendment and had no objection to the recommendation.

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

**RESOLVED – that in respect of Planning Application TWC/2018/0288 that planning permission is granted subject to:**

**a) Varying condition 9 to read**

**“Development shall occur in accordance with the Construction Environmental Management Plan by Fox Construction (30th March 2018). All works which form part of the plan shall be implemented throughout the construction phase of the development unless otherwise approved in writing by the Local Planning Authority” and**

**b) other relevant conditions from TWC/2017/0341, (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management)**

The meeting ended at 7.48pm

**Chairman:** .....

**Date:** .....