

PLANNING COMMITTEE

**Minutes of a meeting of the Planning Committee held on
Wednesday, 5 September at 6.00pm in Meeting Rooms G3/G4,
Addenbrooke House, Ironmasters Way, Telford TF3 4NT**

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

PC-020 Apologies for Absence

Councillor J Loveridge

PC-021 Declarations of Interest

Cllr N C Lowery declared an interest in planning application TWC/2018/0067 and indicated that she would address the Committee as Ward Councillor and then withdraw from the meeting during determination thereof.

Cllr C R Turley declared an interest in planning application TWC/2018/0067 due being a trustee of Severn Gorge Countryside Trust and his membership of the Ironbridge Gorge World Heritage Site Steering Group and indicated that he would withdraw from the meeting during determination thereof.

PC-022 Minutes

RESOLVED – that the minutes of the meeting of the Planning Committee held on 15 August 2018 be confirmed and signed by the Chair.

PC-023 Deferred/Withdrawn Applications

None.

PC-024 Site Visits

None.

PC-025 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 application TWC/2018/0185.

(a) TWC/2018/0067 - Land rear of garages to 35-39 Reynolds Wharf,
Coalport, Telford, Shropshire

This was a retrospective application seeking full planning permission for the replacement of existing wooden spindle rails with glass screens to existing decking,

with additional steps to the river bank, installation of two large garden parasols and replacement gates at land to the rear of 35-39 Reynolds Wharf, Coalport.

Councillor N C Lowery, Ward Member, had requested that the application be determined by the Planning Committee. Councillor Lowery addressed the Committee in opposition to the application which she believed was contrary to policy, and commented on the scale and orientation of the steps and the height, design and materials of the gate. She was of the view that Reynolds Wharf had not been envisioned as a 'gated community' and the nature of the development had been changed as a result. Councillor Lowery sought deferral for further liaison with the applicant on scale, materials, and design to ensure compliance with policy.

Following her address to the Committee and in accordance with her declaration of interest, Councillor N C Lowery, left the room during determination of the application. Councillor C R Turley also left the room in accordance with his declaration of interest.

Ms J Turner-Bragg, representing the Applicant, spoke in support of the application setting out the context of the overall development and the reasoning for the installation of the gate due to increased footfall. She noted that the claimed right of way did not appear on the definitive map, commented on the visibility of the glass screens, and the presence of other sets of steps, parasols and gates along the riverbank.

The Legal Advisor provided advice to the Committee regarding the implications of granting the application in terms of the claimed right of way. If Members were minded to grant the application, he recommended an additional condition which would seek to ensure that the case for the claimed route was not prejudiced as, in the event that the claimed route was subsequently proved to exist, the landowner could seek to extinguish it by arguing that planning permission to erect the gate had been granted. To guard against this potential argument the legal advisor recommended a condition which would ensure that, in the event of the right of way being found to exist, any obstruction would have to be removed to allow public use. He noted that, as part of the claim, a number of individuals had stated they had been using the route for a number of years and advised that if a right of way was subsequently established, if members wanted to protect it, the route should not be obstructed by a gate.

Some Members had visited the site and noted that the steps, gate and parasols were not visible from the opposite riverbank and, whilst there was some discussion about the need to protect the character of the World Heritage Site, some Members did not consider that this particular application posed any detriment. Members noted the position with regard to the claimed right of way and accepted the legal advice to impose a further condition.

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

RESOLVED – that with respect to planning application TWC/2018/0067 the Development Management Service Delivery Manager be authorised to grant planning permission subject to the conditions and informatives as set out in

the report and an additional condition that in the event of the claimed right of way being found to exist that any obstruction to the right of way be removed (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

Councillors N C Lowery and C R Turley returned to the room.

(b) TWC/2018/0185 - Land corner of Colliers Way/Rock Road, The Rock, Telford, Shropshire

This application sought full planning permission for the erection of a bar/restaurant (AA Use Class) together with associated car parking, access, landscaping and infrastructure on land to the south of Rock Road, Old Park, Telford. An update report was tabled at the meeting summarising additional representations received after publication of the main report.

The application had been deferred at the meeting of the Committee on 15 August 2018 to allow further neighbour and community re-consultation to take place following the receipt of additional supporting information received during the course of the application.

Cllr E J Greenaway, representing Lawley and Overdale Parish Council, spoke in opposition to the application on the grounds of design, opening hours, location of the car park and additional vehicle movements. She expressed the Parish Council's view that the cumulative effect of development in the area had not been taken into account in the highways assessment and that the Committee should defer the application for a site visit.

The Applicant's Agent, Mr P Millar, addressed the Committee in terms of the company's operational practices including management practices, noise and odours, safe site access and behaviour management. He explained the reasons for the choice of site due to the need for a purpose built unit and referred to the creation of employment opportunities.

The Planning Officer referred Members to sections of the report relating to the principle of development, particularly sequential testing and development on part of the Green Network; ecology; design; highways issues including parking; operational issues; trees; creation of employment opportunities; and confirmed that there were no technical issues that could not be mitigated by condition. As a result of questioning, the Planning Officer also confirmed that following re-consultation, the Coal Authority had withdrawn their objection subject to condition and that the sequential test, deemed satisfactory by the Policy Team, had considered available sites within the town centre but these had been discounted due to the applicant's specific requirement for a suitable site to build their own development, rather than development at an existing pre-built outlet.

The Development Team Group Manager explained how the Highways Officers response had been reached. The use of the Telford Transport Model assessment, particularly with regard to anticipated vehicle movements in the area, was explained

and the view that the trip rates generated by the proposed development could be accommodated by the local highway network was reiterated.

Whilst some Members had sympathy with the views put forward by the Parish Council regarding to the cumulative impact on the highway and odours, and queried whether the sequential testing had been sufficiently robust, other members welcomed the development in terms of the amenity that would be offered, accepted the traffic modelling data, and considered that the site not only offered the opportunity to purpose build the restaurant, but was also sufficiently far enough away from residential development to avoid nuisance from noise or odours.

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

RESOLVED – that with respect to planning application TWC/2018/0185 the Development Management Service Delivery Manager be authorised to grant planning permission subject to the conditions as set out in the report and as requested by The Coal Authority (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

The meeting ended at 7.08pm

Chair:

Date: