



Telford & Wrekin
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

PLANNING COMMITTEE

Date	Wednesday, 10 August 2016	Time	12.30pm
Venue	Meeting Room G2, Ground Floor Addenbrooke House, Ironmasters Way, Telford TF3 4NT		

Enquiries Regarding this Agenda:

Democratic Services	Jayne Clarke	(01952) 383205
Media Enquiries	Corporate Communications	(01952) 382406
Lead Officers	David Fletcher – Development Management Service Delivery Manager	(01952) 384133
	Katherine Kynaston – Assistant Director: Business, Development & Employment	(01952) 384012

Committee Membership: Councillors J C Minor (**Chairman**), C R Turley (**Vice Chairman**), N A Dugmore, I T W Fletcher, J Loveridge, N C Lowery, L A Murray and P Scott

Substitutes: Councillors K T Blundell, G H Cook, J A Francis, E J Greenaway, R T Kiernan, S J Reynolds, C F Smith and M J Smith

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes** Appendix A
To confirm the minutes of the meeting of the Planning Committee held on 20 July 2016.
4. **Tree Preservation Order** Appendix B
Borough of Telford & Wrekin (Woodthorne House, 1 Sutherland Avenue, Wellington, Telford TF1 3BL) Tree Preservation Order 2016

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PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 20 July 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, N C Lowery, L A Murray, P Scott, S J Reynolds (as substitute for J Loveridge), and C R Turley.

PC-015 Apologies for Absence

Councillor J Loveridge

PC-016 Minutes

RESOLVED – that the minutes of the meeting of the Planning Committee held on 8 June 2016 be confirmed and signed by the Chairman.

PC-017 Declarations of Interest

Councillor S Reynolds, regarding planning application TWC/2015/0194, stated that he had submitted comments previously on this application and that he would withdraw from the meeting during the determination thereof.

In respect of planning applications TWC/2013/0855 and TWC/2016/0316 Councillor P Scott advised that he was a member of Newport Town Council but had not been involved in any discussions on these applications.

In respect of planning application TWC2016/1094 Councillor C Turley advised that he was a member of The Nedge and Stirchley & Brookside Parish Council but had not been involved in any discussions on these applications.

PC-018 Deferred/Withdrawn Applications

The Development Management Service Delivery Manager informed the Committee that with respect to planning application TWC/2016/0162 that the Applicants had requested a deferral of the application to a future meeting in order for them to reconsider the financial aspects of the application.

RESOLVED – that determination of planning application TWC/2016/0162 be deferred to a future meeting of the Planning Committee.

PC-019 Site Visits

No site visits were requested.

PC-020 Planning Applications for Determination

Prior to the hearing of the Planning Applications for Determination, Mr P Edwards, the Council's Viability Officer, gave a brief presentation to Members regarding how viability was calculated on applications due to a high proportion of the Applications before the Committee at this meeting having viability assessments. Members were

advised that a more detailed presentation by the District Valuer Service (DVS) would be arranged in due course.

Members had received a schedule of planning applications to be determined by the Committee and fully considered each and the supplementary information tabled at the meeting regarding TWC/2013/0855, TWC/2015/0949, TWC/2016/0194 and TWC/2016/0316.

(a) TWC/2013/0855 – Land to the rear of Willow Tree Cottage, Station Road, Newport, Shropshire

This application was for the erection of 50 dwellings with associated parking, garages and access and had been deferred at the meeting held on 29th June 2016 in order for a site visit to take place. An update report had been tabled at the meeting which set out further consultation comments received since the publication of the report.

The Planning Officer referred Members to an error within the recommendation on the report whereby the Monitoring fee of £10,347.45 towards planning and financial monitoring of planning conditions should have been deleted.

Councillor E Carter, Ward Councillor for Newport South and East, spoke against the application and raised concerns regarding highway safety in relation to pedestrians crossing a busy road and the effect of additional housing schemes on an already very busy road and the reduction in affordable housing.

Cllr A Eade, Ward Councillor for Church Aston & Lilleshall, spoke against the application and requested a refusal or deferral. He raised concerns regarding the disproportionate level of development within Newport, the loss of green space, the proposed funding towards the play area should be spent within the development and he considered the traffic survey to be out of date and that the site wasn't viable.

Mr T Pocock spoke against the application on behalf of local residents who had raised concerns regarding the impact on local infrastructure, ecology and wildlife, the loss of green space, density and poor design, reduction in affordable homes, glare from street lights, houses and cars, the lack of privacy from overlooking properties and it was not in keeping with an edge of town development.

Mr A Sheldon, Applicant, made representations regarding the application with regard to the access and the roundabout, the acceptable highway scheme and the commuted sum of £66,000 for highway improvements, the 31m separation from existing premises and he considered that this was a much needed, high quality development.

The Planning Officer informed Members that this scheme did not require a roundabout and as no play facilities were being provided on site, other nearby facilities would be upgraded from the contributions. The separation distance between the back of existing properties and new properties was more than the standard "rule of thumb" acceptable planning distance of 22m.

The Highways Officer confirmed to Members that the transport assessment was not a necessity as this was not required by national guidance and was primarily used to determine levels of funding. A model had been looked at that took into account all

known future developments and looked at the worst case scenarios ten years into the future and had also taken into account the impact of traffic on the previously proposed filling station and supermarket.

During the ensuing debate some Members raised concerns regarding the access, highway safety and speed of traffic, the height difference which would impact on the privacy of the existing residents, reduction of affordable housing, the lack of green space and play facilities within the development and safe access and egress around the Hutchinson Way. It was suggested that a 20mph speed limit and pedestrian crossing places be introduced. Other Members supported the development and the new access arrangements.

The Highways Officer informed Members that the Council regularly monitored speed limits and he would raise the matter of speed limits on Station Road with the Neighbourhood Team. There was a consultation and legal process that had to be followed when amending speed limits and there needed to be support from the Police in order for this to move forward.

On being put to the vote, four Members voted for the recommendation to approve the application and four voted against. This being the case, the Chairman exercised his casting vote to approve the recommendation.

RESOLVED – that with respect to planning application TWC/2013/0855 that delegated authority be granted to the Development Management 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:**
 - **20% affordable dwellings**
 - **£66,320.92 for Highways works to A518 Station Road to Station Road east site (TWC/2011/0871) access and Station Road east site (TWC/2011/0871) access to Audley Avenue**
 - **Primary Education element (£67,333) for remodelling of Newport Junior School and Secondary Education element (£46,895) to Burton Borough**
 - **£29,400 towards offsite play to Wallshead Way Play area recreation and a commuted sum towards future maintenance to be agreed**
 - **All costs to be index linked (calculated from April 2014)**

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

The Chairman did, however, ask that Officers ensure that the speed review work referred to by the Highway Officer be undertaken prior to the approved development being completed.

(b) TWC/2015/0949 – Land east of The Blue Pig, Capewell Road, Trench, Telford

This application was for the erection of 18no. semi-detached and 3no. detached dwellings and widening of off-site localised road to create passing places and improvements. An update report had been tabled at the meeting containing additional comments from Council's Highways Officers. The public Right of Way was to be retained. Financial contributions of £600 per dwelling towards the Public Right of Way and £11,000 towards highway improvements had been agreed.

During the ensuing debate, some Members raised concerns regarding the speed limit, but welcomed the installation of the passing places. Other Members welcomed the development providing that all of the conditions were met. A question was raised regarding the £15,000 to replace the existing street lighting columns.

The Planning Officer confirmed that the £15,000 to replace the existing street lighting columns would be removed as it had not met the criteria following the CIL test.

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

RESOLVED – that with respect to planning application TWC/2015/0949 that planning permission be granted subject to:

- a) **The submission of a signed Memorandum of Understanding relating to financial contribution towards Public Open Space and Highway Improvement Works;**
- b) **The conditions and informatives set out in the report and the update report.**

(c) TWC/2016/0194 – Premier Stores, Unit 1, Calcott, Stirchley, Telford, Shropshire

This was an application for a part change of use of an existing retail unit (Use Class A1) to café and hot food takeaway (Use Class A3/A5). The scheme would involve minimal alterations and had suggested opening hours of 8am to 9pm. An update report was tabled at the meeting following receipt of eight letters of support for the application. Since the report was written a further 11 letters of support had been received.

Mrs J Eaton, Applicant's Agent, addressed the Committee regarding the mitigation of anti-social behaviour and the support received from local residents. The business would close at 9pm and would be roller shuttered at the end of each day.

The Planning Officer informed Members that the hot food takeaway would take up less than one third of the current business, the earlier closing time of 9pm should limit antisocial behaviour issues and a fume extraction system would be put in place.

During the ensuing discussion some members raised concerns regarding litter created by the takeaway and asked if a condition for the Applicant to be responsible for the litter be imposed, but supported the job creation and what the business would bring to the area. It was suggested that the Parish Council's "PET" Teams or Street Champions could be asked to monitor the area or that extra litter bins be provided.

The Legal Officer informed Members that a condition requiring the applicant to be responsible for the litter was not legally an option.

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

RESOLVED – that with respect to planning application TWC/2016/0194 that planning permission be granted subject to the conditions and informatives set out in the report and update report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager).

(d) TWC/2016/0316 – Land North of Sewage Treatment Works, Broomfield Road, Newport, Shropshire

This application was for a residential development for the erection of 33no affordable dwellings with balancing pond, associated engineering and road improvement works. An update Report was tabled at the meeting regarding information from the application around affordable housing and the S106 finance contributions. The application included 100% affordable housing, onsite parking with courtyard parking for the flats. The road would be widened to 4.5m and the bridleway incorporated into the new adopted road. Members were advised of the update and that affordable housing was to be secured through a planning condition and not a s106 legal agreement due to funding restrictions for the affordable housing.

Councillor T Nelson, Ward Councillor for Newport North and West, spoke against the application and raised concerns regarding highway safety and the increase of traffic, the tenures of the properties all being 100% affordable and the loss of the hedge along the canal which needed to be protected.

Mr J Jowitt, Applicant's Agent, addressed Members regarding affordable housing, consultation with residents, retention of the hedgerow, the addition of 3 passing places along the highway and improvements to the footpath and play area. During the ensuing debate, Members welcomed the 100% affordable housing, the safe access and improvements to the children's play area, and the retention of the public Right of Way. Some Members raised concerns regarding the canal which was a Site of Special Scientific Interest (SSSI) and the retention of the hedges.

Upon being put to the vote it was unanimously:-

RESOLVED – that with respect to planning application TWC/2016/0316 delegated authority be granted to the Development Management Service Delivery Manager subject to the following:

- a) **The applicant entering into a Section 106 Agreement with the Council relating to :**
 - **£12,500 plus indexation for the improvement of the equipped play area off Broomfield Road**
 - **All costs to be index linked from the date of planning committee**
- b) **The conditions and informatives set out in the report and update report (with authority to finalise the impose additional conditions to be delegated to the Delivery Management Service Delivery Manager)**

The meeting ended at 7.51pm

Chairman:

Date:

TELFORD & WREKIN COUNCIL**PLANNING COMMITTEE – 10 AUGUST 2016****TREE PRESERVATION ORDER 2016****REPORT OF THE ASSISTANT DIRECTOR: GOVERNANCE, PROCUREMENT & COMMISSIONING****1.0 PURPOSE**

- 1.1 To inform Members of the making of a provisional Tree Preservation Order (TPO) and to seek its confirmation.

2.0 RECOMMENDATIONS

It is recommended that Members resolve to confirm the following Order without modification:-

Borough of Telford & Wrekin (Woodthorne House, 1 Sutherland Avenue, Wellington, Telford TF1 3BL) Tree Preservation Order 2016

3.0 SUMMARY

- 3.1 On 10 February 2016 a provisional Tree Preservation Order was made in respect of nine trees: one cedar, two sequoia, one yew, one oak, two pine and two copper beech (identified as **T1-T9** on the appended map – **Appendix 1**) at Woodthorne House, 1 Sutherland Avenue, Wellington, Telford TF1 3BL.
- 3.2 On 12 February 2016 an objection to the Tree Preservation Order was received from residents at the neighbouring property, Kinsale, Sutherland Avenue Wellington
- 3.3 On 29 February 2016 an objection was received from the owner of the property at Woodthorne House, 1 Sutherland Avenue, Wellington. Following correspondence with the Arboricultural Officer, the owner's objection was withdrawn on 18 March 2016 and crowning and dead wooding of the trees has subsequently taken place.
- 3.4 The objection from the neighbours at Kinsale remains on the grounds that they consider the trees not to be indigenous to the area, they have been allowed to become overgrown over the years and were a poor choice of trees. The neighbours are of the opinion that the trees should be taken down and replaced with more suitable specimens.

4.0 PREVIOUS MINUTES

- 4.1 None.

5.0 INFORMATION

5.1 Details of Objection

Copies of the letters from the owner of Woodthorne House and a letter from the neighbours at Kinsale are attached to this report as **Appendix 2**.

5.2 Response of Arboricultural Officer

The Arboricultural Officer replied by indicating that

1. Crown cleaning could take place and deadwood could be removed from the tree without permission being required from the Council.
2. The two trees in question were not considered to be “unpredictable” as the Sequoia species was known to “never blow down” (as stated in Alan Mitchell – A Field guide to Trees of Britain and Northern Europe, 1st edition).

The Arboricultural Officer is still of the opinion that the TPO should be made as the removal of deadwood and crown thinning had already been undertaken.

Photographs of the Trees are attached to this report as **Appendix 3**:

- Photograph 1: shows the 2 trees adjacent to No 3, from Sutherland Avenue
Photograph 2: shows the Copper Beech included within the order, looking northward up Sutherland Avenue
Photograph 3: shows the Pine trees within the order, looking up from College Lane
Photograph 4: shows the 2 Copper Beech trees included within the order looking southward down Sutherland Avenue at the cross roads of Leegomery Road, College Lane and Roslyn Road
Photograph 5: shows the Sequoia and the Cedar trees adjacent to the neighbouring property. These trees have since been pruned via the application process.

6.0 EQUALITY & DIVERSITY

6.1 Not applicable.

7.0 ENVIRONMENTAL IMPACT

7.1 The amenity value of the trees outweighs any reasons given for their removal.

8.0 LEGAL COMMENT

8.1 A Tree Preservation Order is made under the powers conferred on the Borough of Telford & Wrekin by Sections 198, 201 and 203 of the Town and Country Planning Act 1990. A Local Planning Authority may preserve trees or woodlands if it thinks it is expedient in the interests of amenity to do so.

- 8.2 The Tree Preservation Order does not preclude necessary lopping or pruning. However, it would be necessary for the Council to consent before any such work was undertaken.
- 8.3 Should an application be received for consent to fell any protected tree(s), conditions could be imposed to secure the replanting of suitable replacement trees.
- 8.4 Before confirming an Order the Council must first consider any objections which have not been withdrawn.
- 8.5 Should an application be received for consent to fell any protected tree(s), conditions could be imposed to secure the replanting of suitable replacement trees.

9.0 LINKS WITH CORPORATE PRIORITIES

- 9.1 The making of Tree Preservation Orders is an important element in the Council's priority of ensuring a sustainable environment.

10.0 FINANCIAL IMPLICATIONS

- 10.1 There are no financial implications for the Council.

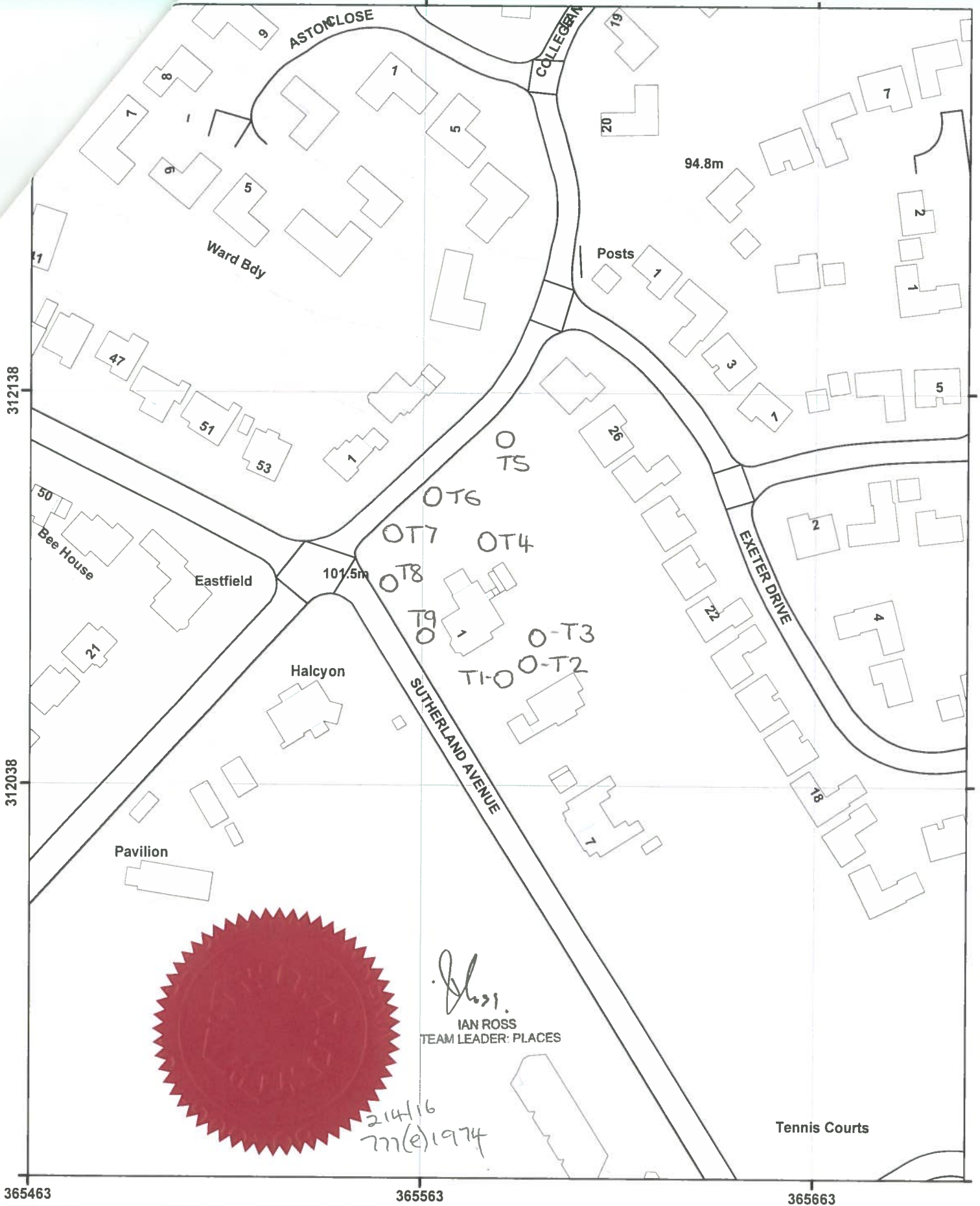
11.0 WARD IMPLICATIONS

College

12.0 BACKGROUND PAPERS

- 12.1 Borough of Telford & Wrekin (Woodthorne House, 1 Sutherland Avenue, Wellington, Telford TF1 3BL) Tree Preservation Order 2016

For further information, please contact Eileen Griffin – (Solicitor) on 01952 383255 or eileen.griffin@telford.gov.uk



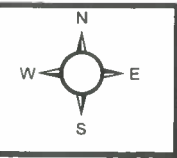

Telford & Wrekin
 COUNCIL
 Environmental Maintenance
 Granville House
 St Georges Road
 Telford
 TF2 7RA

Title: Trees within the grounds of;
Woodthorne House
1 Sutherland Avenue
Wellington
Telford
TF1 3BL

Scale:
1:1,250

Date:
 10.02.2016

Drawn By: M. Seabrook



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Kinsale
Sutherland Avenue
Wellington
Telford
Shropshire
TF1 3BL

12 February 2016

Deborah Moseley
Democratic Services Support Officer
Telford and Wrekin Council
Addenbrooke House
Ironmasters Way
Telford
TF3 4NT

Dear Ms Moseley,

I write in reply to your letter dated 10 February, 2016 concerning a tree preservation order at Woodthorne, 1 Sutherland Avenue, Wellington, Telford (ref TPO 151). We live next door at number 3 and the trees in question overhang over drive.

My car is currently in the garage being repaired after a large bough fell from one of the trees, covered by the order, onto it. I feel lucky that it didn't fall on one of my family. The repair is not covered by insurance, being considered an act of God.

The trees shade the house where we live and are in my opinion far too tall and overgrown. I have also moved my son into a bedroom on the opposite side of the house for fear of one of the trees blowing over in high winds. They give us major cause for concern when high winds are forecast, leading to loss of sleep and further worry.

My wife's car has been badly damaged by the sap which drips from the trees, leading us to have to replace it and further losing out financially.

We are wary of parking vehicles further up the drive, away from the sap dripping trees, as another tree on the road outside our gate is leaning precariously at an angle of 45 degrees and I worry that it could fall onto a passerby or vehicle parked on our drive.

Please will you contact me to come to the property to discuss the trees so that you have a better understanding of the problems we are encountering and the worry we are experiencing in relation to these trees.

It seems to me that a decision has been made to put in place a TPO without any consultation whatsoever with us. We are very keen to see the trees removed and have asked Wrekin College to do so.

I look forward to discussing the problems further, at the property, with you and anybody else who you feel necessary.

Yours sincerely,



Martin and Karen Stott



29th February 2016

Dear Sir

TPO 151 – Woodthorne House, 1 Sutherland Avenue, Wellington TF1 3BL

We would like to exercise our rights under Regulation 6 of the Town and Country Planning (Tree Preservation) Regulations to object to a selection of those tree preservation orders you have now placed under tree preservation order 151, dated 10.02.2016.

We have acted in good faith and asked for your advice on the removal of two of the above mentioned trees; furthermore we had employed the services of a reputable tree specialist to assess this work.

We did not come to this decision lightly; it was made in the interests of safety to relevant people and the protection of property. Over time a number of large branches have fallen from these two trees and more recently they have caused damage to a neighbour's car. In addition, the occupant and his young family now feel at risk living in their home with such large and unpredictable trees so close to the building.

We fully appreciate that the preservation of trees is very important and your decisions are not made lightly, though I am very surprised and disappointed in your reaction to our initial request for some advice on these particular trees. We had no intention of removing any of the other trees from this address; only the two that we had genuine safety concerns about. In addition, we have a proven history of seeking your advice and try to maintain a good relationship with the local authority tree officer when it comes to the management of the trees on our school grounds.

In conclusion, we feel it was unnecessary to place nine tree preservation orders on this particular address. We have sought your advice to remove two trees and we would like you to reconsider your decision; we only wish to remove two trees for safety reasons which will not affect the remainder of the site.

I look forward to hearing from you in the very near future.

Yours faithfully

Philip Rowles

Deputy Bursar Operations

Clarke, Jayne (Democratic Services)

Subject: FW: Tree Preservation Order - Woodthorne House, 1 Sutherland Avenue, Wellington, Telford TF1 3BL

From: Martin Stott [<mailto:headmaster@oldhall.co.uk>]

Sent: 01 August 2016 12:29

To: Clarke, Jayne (Democratic Services)

Cc: prowles@wrekincollege.com

Subject: Re: Tree Preservation Order - Woodthorne House, 1 Sutherland Avenue, Wellington, Telford TF1 3BL

Dear Ms Clarke,

I am pleased that the trees have been 'thinned out' but I still think that they should be taken down and replaced with something more appropriate to the space and location. Therefore my objection to a TPO being placed on these trees stands. These particular trees are not indigenous to our area, have been allowed to overgrow over the years and, in my opinion, were a poor choice in the first place.

They pose future problems and risk for both properties and their inhabitants and I fear will continue to present problems in the future with sap dripping on to parked vehicles on my path and risk during high winds.

I would respectfully ask that a compromise be agreed which would allow for the trees to be taken down and replaced by something more appropriate.

Regards,
Martin Stott

Sent from my iPad

Martin C. Stott
Headmaster
The Old Hall School
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TF1 3LB
T: 01952 223117









