

BOROUGH OF TELFORD & WREKIN

Minutes of a meeting of the Borough of Telford & Wrekin held on Thursday, 25 November, 2010 at 6.30 p.m. at the Civic Offices, Telford.

PRESENT:

Councillors I.T.W. Fletcher (Speaker & Mayor), D.G. Allen, D.W.D. Ashley, R.K. Austin, R. Aveley, S. Bentley, S.P. Burrell, E.J. Carter, D.R. Chaplin, R.G. Chaplin, E.A. Clare, N.A. Dugmore, J.A. Dixon, A.J. Eade (Leader), V.A. Fletcher, J.A. Francis, G.M. Green, E.J. Greenaway, R.E. Groom, Y.C. Hicks, T.J. Hope, M.B. Hosken, G.P. Hossell, S.M. Kelly, R.T. Kiernan, A. Lawrence, L. Lomax, A.A. Mackenzie, C.N. Mason, A.D. McClements, A.A. Meredith, J.C. Minor, C.P.R. Mollett, R.A. Overton, F.R. Picken, H. Rhodes, K.S. Sahota, J.M. Seymour, C.F. Smith, M.J. Smith, A.J. Stanton, E.M. Swift, W.L. Tomlinson, V. Tonks, R.M. Tyler, H.J. Unwin, D.R.W. White, H.J. Williams, A.G.P. Williams and D.G. Wright.

49. STAFF SERGEANT KIM HUGHES

Councillor I.T.W. Fletcher, Speaker of the Council, told Members that he would be writing to Staff Sergeant Kim Hughes (Royal Logistics Corps) on behalf of the Council to express thanks for the work that he had done. Staff Sergeant Hughes, a Telford based soldier, had been awarded the George Cross by the Queen in June for outstanding ordnance disposal work in Afghanistan. Members were unanimous in their approval of the request.

RESOLVED – that Councillor I.T.W. Fletcher write to Sergeant Hughes on behalf of the Council thanking him for his courage and recognising his outstanding professionalism and dedication to duty.

50. PRAYERS

The Reverend Paula Smith, Vicar for St. Matthews Church, Donnington, led Members in prayer.

51. MINUTES OF THE COUNCIL

RESOLVED – that the minutes of the meeting of the Borough Council held on 7 October, 2010, be confirmed and signed by the Speaker.

52. APOLOGIES FOR ABSENCE

Councillors G. Ashcroft, P.A.E. Homer and K.L. Tomlinson.

53. DECLARATIONS OF INTEREST

Councillors H.J. Williams and K.T. Blundell declared a personal interest in agenda item 13, Notice of Motion on MOD Donnington.

Councillor A.A. Mackenzie declared a personal and prejudicial interest in agenda item 8, Appendix D, 2010/11 Financial Monitoring.

54. ANNOUNCEMENTS

(a) Mayoral Engagements

The Mayor briefly updated Members on his recent engagements. He thanked Councillor J.A. Francis, Deputy Mayor, who had attended a number of engagements whilst he had been on leave. He particularly drew attention to his recent visits to the Connexions for Youth Duke of Edinburgh awards at Shortwood school and to the Children and Young People in Care 'Hotshots' awards at The Place, Oakengates.

(b) Presentations/Awards

The Mayor presented the 'Best Corporate Parent' award to Peter Fletcher (Corporate Parenting Service Delivery Manager) on behalf of the Corporate Parenting Team which had won the prestigious Best Corporate Parent Award. Their successful application was centred on the 'Step Up with Shakespeare' project which the team had been running in collaboration with the Creative Arts Team and the Royal Shakespeare Company over the past twelve months. Peter Fletcher paid tribute to the contributions of Lisa Spink (Project Director), Julie Jones (former Culture Zone manager) and Jenny Cockcroft (Kids in Care co-ordinator).

55. REPORT OF LEADER

Councillor A.J. Eade, Leader of the Council, told Members that he had recently met again with Adam Cairns (Chief Executive) and Dr. John Davies (Chairman) of the Shrewsbury and Telford Hospital Trust. The meeting had centred around the consultation on the future configuration of services for Shropshire. He told Members that he would oppose any potential downgrading of Accident & Emergency at the Princess Royal Hospital and that any proposals should ensure an equitable spread of services between the two existing hospital sites. Consultation would continue until March 2011. The Leader planned to convene further meetings of the Health Monitoring Committee in order to take an overview of the consultation process.

The Southwater development was now underway, complementing the ongoing work to regenerate the Borough Towns. In addition, a report detailing a proposed multi-million pound investment in the regeneration of Oakengates was due to be considered by the Cabinet.

56. CABINET DECISIONS MADE SINCE THE LAST MEETING OF THE COUNCIL

Members received the report on the Cabinet decisions made since the last meeting of the Council on 7 October, 2010.

A question was raised on item 2.2.2 of the Cabinet Matters report, which dealt with subsidised bus routes. Councillor A. Lawrence, Cabinet Member: Environment & Rural Area, told Members that the consultation timetable had been at the discretion of Arriva Buses. Work had been done to get as much consultation as possible but it would have been preferable if the consultation timetable had been longer.

A question was raised regarding capital projects and their affordability in the light of the current economic conditions. Councillor S.M. Kelly, Cabinet Member: Efficient, Community Focussed Council, told Members that there was some short borrowing but that this would reduce significantly in the mid to longer term.

Councillor A.A. Mackenzie left the room prior to discussion of the following item.

57. RECOMMENDATION FROM CABINET

2010/11 Financial Monitoring

Councillor S.M. Kelly presented the report of the Head of Finance which was attached as Appendix D. He told Members that the report, received by Cabinet in November, showed overall revenue spending projected to be within approved budgets. The report also provided an update on capital programme spending.

RESOLVED – that the changes to the capital programme, as shown in section 1 of the report, be approved.

(Councillor A.A. Mackenzie returned to the room.)

58. REVIEW OF STATEMENT OF LICENSING POLICY – LICENSING ACT 2003

Councillor R. Aveley, Chairman of Licensing Committee, presented the report (Appendix E) of the Service Delivery Manager – Public Protection. The report sought approval of the revised Statement of Licensing Policy for the Borough of Telford & Wrekin under the Licensing Act 2003.

RESOLVED – that the Revised Statement of Licensing Policy for the Borough of Telford & Wrekin, under the Licensing Act 2003 be approved.

59. RECOMMENDATIONS FROM BOARDS & COMMITTEES

i) Executive Arrangements

The Speaker presented the report (attached at Appendix F) of the Head of Governance which sought approval for the adoption of the Leader and Cabinet Model for the Council's Executive Arrangements following the May 2011 Borough elections. The recommendations contained within the report

had been approved by the Council Constitution Committee on 9 November 2010.

RESOLVED – that the Leader and Cabinet model be formally adopted for the Council’s Executive Arrangements with effect from 8 May 2011, following the May 2011 Borough elections.

60. MINUTES OF BOARDS AND COMMITTEES

Council noted the resolved minutes of the Plans Board for 15 September, 6 and 27 October, of the Licensing Committee of 29 September and 13 October, of the Standards Board of 16 September, of the Active Lifestyles, Leisure & Culture Scrutiny Committee of 8 and 27 September, of the Adult Care & Support Scrutiny Committee of 9 September, of the Community Focussed & Efficient Council Scrutiny Committee of 9 September, of the Children & Young People Scrutiny Committee of 13 September, of the Environment & Rural Area Scrutiny Committee of 15 September, of the Housing, Regeneration & Prosperity Scrutiny Committee of 22 September and 4 October and of the Community Protection & Cohesion Scrutiny Committee of 12 October 2010.

61. QUESTIONS

The following Questions were asked in accordance with Council Procedure Rule 10:

a) Councillor C.F. Smith had submitted the following question:

“Earlier this financial year the Cabinet Member for Roads answered a question on the temporary repair to Wombridge Road. Over £5k had been spent since April 2009. Does the cabinet member believe that a proper repair and renewal job for Wombridge Road would have been a better way to spend this money as well as providing better value for money for this Council?”

Councillor A. Lawrence, Cabinet Member: Environment & Rural Area, replied that “The Council had spent around £5k from the revenue maintenance budget on repairs to Wombridge Road to keep it in a safe condition, and we will continue to make any necessary repairs to ensure the road is safe until a full resurfacing scheme can be undertaken. The road’s condition is such that a major patching and resurfacing scheme is required to significantly improve the overall condition. The road has been surveyed and we are considering it for next financial year’s draft programme subject to funding being available, the estimated cost of a repair scheme is around £122k. “

In response, Councillor Smith observed that lines had been painted around existing potholes on that stretch of road. He asked when the road would be repaired.

Councillor Lawrence said that, subject to budget constraints, this would be a priority as part of next year’s work plan.

b) Councillor C.F. Smith had submitted the following question:

“What has been the cost of replacing all the street signs throughout the Borough?”

Councillor A. Lawrence, Cabinet Member: Environment & Rural Area, replied that “In 2010/11 we are anticipating that we will have spent around £330k on replacing signs in the borough of which around £107k will have been on replacing 778 street nameplates. Many of the street name plates replaced are those that have been reported to us by local residents as being missing or in poor condition. The remaining £223k is being spent on improving and replacing directional signage in the borough, which has been identified as needing improvement across the borough; this has recently been supported by local residents responding to a National Highway and Transport survey which identified the condition and cleanliness of road signs as an issue.”

In response, Councillor Smith asked what happened to old signs when they were replaced as he was concerned that the Council got full value for the scrap metal value of these signs.

Councillor Lawrence stated that he assumed these signs were disposed of by the contractor but that he would check and provide a response for Councillor Smith.

c) Councillor C.F. Smith had submitted the following question:

“What was the cost of the Pothole Repair Campaign of the past year?”

Councillor A. Lawrence, Cabinet Member: Environment & Rural Area, replied “That following the worst winter conditions for 30 years the hugely successful Pothole Buster campaign cost a total of £120k for materials, plant and labour, which covered the repair of in the region of 11,500 potholes. The drive for the campaign was for all Members, Parishes and the community to report potholes any time, any place, anywhere and was extremely well received. The cost of the campaign through the press, radio, posters and vehicle signage amounted to £4,600 and some radio adverts ran for a four week period. The potential cost of insurance claims avoided because of this swift council action and comprehensive pot hole busting would have more than covered the cost of the campaign.”

In response, Councillor Smith asked whether a programme was in place for the repair of potholes, particularly in the event that we had another hard winter.

Councillor Lawrence replied that the Council’s pothole repair programme would be adapted to cater for a hard winter.

d) Councillor K.S. Sahota had submitted the following question:

“Does the Leader think that this Council can justify spending £13,000 on three 4 page advertisements since July 2010 in the Telford Journal and a further £4,500 in September when it has decided not to spend £1,800 on a Tree to celebrate Christmas with the residents of our Borough?”

Councillor A.J. Eade, Leader of the Council, stated that the previous administration had spent around £130,000 in 2006/7 on advertising and on an A-Z of services brochure. The same objective had been achieved by spending a fraction of the cost under the current administration. Total expenditure in this area was £80,000 less under the current administration.

e) Councillor K.S. Sahota had submitted the following question:

“At the last Council meeting the Leader announced that, in order to reduce expenditure on Members’ Allowances, he intended to write to the Local Government Boundary Commission for England requesting a review of ward boundaries in Telford & Wrekin and a reduction in the number of councillors by 25%.

Assuming the Leader is aware of:

(a) the criteria for such a review

and,

(b) how much weight any savings in Members’ Allowances would play in such a review

Could he explain why he did not simply propose a reduction in the Members’ Allowances with immediate effect at the time the Scheme was approved?”

Councillor A.J. Eade, Leader of the Council, stated that the review would not just be to reduce allowances. He believed that such a review, with the creation of larger, single member Borough wards, would also provide the following benefits:

- Clearer accountability
- Be in the interests of convenient and effective local government
- Be more efficient and reduce administration
- Provide better and clearer representation for electors throughout the Borough
- Strengthen the role of the elected Member

f) Councillor R.K. Austin had submitted the following question:

“Can the Leader confirm that there will be no moves by the Administration of T&WC to join up with Shropshire Council, following recent Press speculation about joining them both up as one?”

Councillor A.J. Eade, Leader of the Council, stated that there were no plans to join with Shropshire Council. He pointed to the low level of Council tax in the Borough; there was no intention to do anything that would raise Council tax levels for the people of the Borough.

62. NOTICE OF MOTION

- (a) Councillor R.K. Austin, in accordance with Council Procedure Rule 11, moved the following Motion:

“This Council recognises, with pride, the tremendous work of our 2,000 plus civilian workforce at Donnington MOD base and the vital contribution that they make to the security of our nation, the support of our troops and the economic welfare of our local community.

This Council therefore notes with concern the contents of the Government Strategic Defence Review which puts the jobs of our Donnington MOD workforce under threat.

We are strongly opposed to any move to take work away from MOD Donnington and will support the campaign to secure the jobs of our local workforce. We therefore call on the government to keep this vital defence work in the public sector.”

The Motion was seconded by Councillor A.D. McClements.

Councillor R.K. Austin, proposing the motion, told Members that the Strategic Defence Review meant that it was likely that there would be redundancies at MOD Donnington. 2,000 people were employed there and it was important to protect these jobs which were an important stimulus to the local economy. He told Members that it was important to ensure that this service remained in good hands in order to ensure those serving in Afghanistan received the best level of support.

Councillor A.D. McClements, seconding the motion, urged Members to support the workforce at MOD Donnington. She told Members that the Strategic Defence Review had damaged morale. Services faced externalisation and workers faced an uncertain future. The review took no account of the impact on local communities or the potential damage to the local economy.

A number of Members spoke in support of the motion, citing the professionalism and efficiency of the workforce.

Councillor A.J. Eade, Leader of the Council, proposed an amendment to the last sentence of the proposed motion, deleting the words ‘public sector’ and replacing them with the word ‘Borough’. The amendment was seconded by Councillor J.M. Seymour.

He paid tribute to the work done at MOD Donnington, fully supported the retention of sustainable jobs and would work with anyone to keep facilities at MOD Donnington.

Councillor R.K. Austin, in closing the debate, warned against the privatisation of the service. The safety and security of the nation and its troops was of primary importance. Following a brief exchange Councillor R.K. Austin told the Speaker that he was concerned about personal attacks being made against him. He requested that this point be recorded in the minutes.

A recorded vote was requested on the amendment to the motion and the votes were as follows:

For: 24

Councillors: D.G. Allen, R. Aveley, S.P. Burrell, E.J. Carter, D.R. Chaplin, R.G. Chaplin, N.A. Dugmore, A.J. Eade, J.A. Dixon, I.T.W. Fletcher, V.A. Fletcher, J.A. Francis, E.J. Greenaway, T.J. Hope, M.B. Hosken, G.P. Hossell, S.M. Kelly, R.T. Kiernan, A. Lawrence, A.A. Meredith, C.R.P. Mollett, J.M. Seymour, R.M. Tyler and D.G. Wright.

Against: 19

Councillors: R.K. Austin, K.T. Blundell, E.A. Clare, G.M. Green, R.E. Groom, Y.C. Hicks, L. Lomax, A.A. Mackenzie, C.N. Mason, A.D. McClements, J.C. Minor, R.A. Overton, F.R. Picken, H. Rhodes, K.S. Sahota, C.F. Smith, M.J. Smith, W.L. Tomlinson and D.R.W. White.

Abstentions: 7

Councillors: D.W.D. Ashley, S. Bentley, A. Stanton, V. Tonks, H.J. Unwin, A.G.P. Williams, H.J. Williams.

The amended motion thus read:

“This Council recognises, with pride, the tremendous work of our 2,000 plus civilian workforce at Donnington MOD base and the vital contribution that they make to the security of our nation, the support of our troops and the economic welfare of our local community.

This Council therefore notes with concern the contents of the Government Strategic Defence Review which puts the jobs of our Donnington MOD workforce under threat.

We are strongly opposed to any move to take work away from MOD Donnington and will support the campaign to secure the jobs of our local workforce. We therefore call on the government to keep this vital defence work in the Borough”

Councillor R.E. Groom further proposed that the Motion be amended by adding the words ‘the public sector’ and ‘within the Borough of Telford & Wrekin’ to the last sentence ..

The amendment was seconded by Councillor C.F. Smith.

The amended motion thus read:

“This Council recognises, with pride, the tremendous work of our 2,000 plus civilian workforce at Donnington MOD base and the vital contribution that they make to the security of our nation, the support of our troops and the economic welfare of our local community.

This Council therefore notes with concern the contents of the Government Strategic Defence Review which puts the jobs of our Donnington MOD workforce under threat.

We are strongly opposed to any move to take work away from MOD Donnington and will support the campaign to secure the jobs of our local workforce. We therefore call on the government to keep this vital defence work in the public sector and within the Borough of Telford & Wrekin.”

A recorded vote was called for and the amendment was put to the vote:

For: 25

Councillors:

D.G.Allen,D.W.D.Ashley,R.K.Austin,K.T.Blundell,E.A.Clare,G.M.Green,R.E.Groom,Y.C.Hicks, G.P.Hossell,L.Lomax,A.A.Mackenzie,C.N.Mason,A.D.McClements,J.C.Minor,R.A.Overton, F.R.Picken,H.Rhodes,K.S.Sahota,C.F.Smith,M.J.Smith,W.L.Tomlinson,V.Tonks, D.R.W. White,,A.G.P Williams and H.J.Williams.

Against: 23

Councillors:

R. Aveley, S. Bentley, S.P. Burrell, E.J. Carter, D.R. Chaplin, R.G. Chaplin, N.A. Dugmore, A.J. Eade, M.B. Hosken, S.M. Kelly, R.T. Kiernan, A. Lawrence, A.A. Meredith, C.R.P. Mollett, J.M. Seymour, R.M. Tyler and D.G. Wright.

Abstentions: 2

Councillors: A. Stanton and H.J. Unwin,

Following a brief debate on the substantive motion a recorded vote was requested. The vote was as follows:

For: 26

Councillors:

D.G.Allen,D.W.D.Ashley,R.K.Austin,K.T.Blundell,E.A.Clare,G.M.Green,R.E.Groom,Y.E.Hicks, G.P.Hossell,L.Lomax,A.A.Mackenzie,C.N.Mason,A.D.McClements,J.C.Minor,R.A.Overton, F.R.Picken,H.Rhodes,K.S.Sahota,A.Stanton,C.F.Smith,M.J.Smith,W.L.Tomlinson,V.Tonks, D.R.W. White, A.G.P Williams and H.J. Williams.

Against: 22

Councillors:

R. Aveley, S.P. Burrell, E.J. Carter, D.R. Chaplin, R.G. Chaplin, N.A. Dugmore, A.J. Eade, J.A. Dixon, I.T.W. Fletcher, V.A. Fletcher, J.A. Francis, E.J. Greenaway, T.J. Hope, M.B. Hosken, S.M. Kelly, R.T. Kiernan, A. Lawrence, A.A. Meredith, C.R.P. Mollett, J.M. Seymour, R.M. Tyler and D.G. Wright.

Abstentions: 2

Councillors: S. Bentley and H.J. Unwin,

RESOLVED – that the Motion be approved

The meeting ended at 8.55 p.m.

Speaker:

Date:

MAYORAL ENGAGEMENTS
18th NOVEMBER 2010 – 27th JANUARY 2011

November	19th	M	Attended the Fairtrade Event at Civic Offices
		M	Switched on the Christmas Lights in Dawley
	20th	M	Officially Opened Victoria Park, Newport
	21st	M	Attended at the Help for Heroes Auction Night at The Place, Oakengates
	22nd	M	Attended the 20 Year Celebratory Dinner at The Dhaka Restaurant, Tan Bank, Wellington
	24th	M	Attended the “Hit the Mark – Young People’s Expectations” Launch Event at the Learning and Conference Centre, Priorslee
	25th	M	Attended a Tour of Harper Adams Food Academy at Harper Adams College, Newport
	26th	M	Attended the Farewell Service to the Archdeacon of Salop, John Hall, at the Council Chamber, Shirehall and then at St Chad’s Shrewsbury
		DM	Switched on the Christmas Lights in Oakengates
	27th	M	Attended the Bridgnorth Council Charity Barn Dance at Castle Hall, West Castle Street, Bridgnorth
	28th	M	Attended the Army Benevolent Fund Shropshire Curry Lunch at The Officer’s Mess, Donnington
	30th	M	Attended the STAY Celebrations and Goodbye to Wesley House at Meeting Point House, Telford
		M	Attended the Arthritis Support Group Christmas Draw at St George’s Sports and Social Club
December	1st	M	Attended the World Aids Day Candlelight Vigil at Meeting Point House
	2nd	M	Attended the Civic Carol Service at The Place, Oakengates

- 3rd** **M** Attended Stafford Borough Council Christmas Cracker Ball at Staffordshire County Showground Stafford
- 4th** **M** Attended St Peter's Church, Priorslee, Fundraising Event
- M** Attended the Shrewsbury Town Council Christmas Ball at The Albrighton Hall Hotel, Shrewsbury
- 5th** **M** Attended the Great Dawley Parish Council Senior Citizens Christmas Party at The Park Inn, Telford
- 6th** **M** Switched on Christmas Lights at Hollinswood Neighbourhood Centre
- 8th** **M** Attended the Hollinswood and Randlay Parish Council Christmas Lunch at the Park Inn, Telford
- 10th** **M** Attended the Telford and Wrekin Arthritis Support Group Christmas Party at Grays Hotel, Telford
- 11th** **M** Opened the Randlay Community Centre Christmas Fayre
- M** Attended the performance of "Jack and the Beanstalk" at The Place Oakengates
- 12th** **M** Started the "Santa Fun Run" at Telford Town Park Arena
- M** Attended at the Festival of Carols at St Peter's Church, Priorslee
- M** Attended the Dinner at the Pondicherry Restaurant, Ironbridge followed by the 4 final frames of the World Championship Snooker Final at Telford International Centre, Telford
- 15th** **M** Attended the Shropshire Fire and Rescue Annual Festival of Carols at Holy Trinity Church, Meole Brace, Shrewsbury
- 16th** **M** Attended the Civic Reception and performance of "Peter Pan" at Wolverhampton Civic Offices and The Grand Theatre, Wolverhampton
- 17th** **M** Visited the Tweedale and Oakengates

Sorting Offices

- | | | | | |
|----------------|--|------------------------|----------|---|
| | | 18th | M | Attended the Help for Heroes Charity Concert at Christ Church, Wellington |
| | | 20th | M | Prize Draw for Mayor's Charity Raffle at Civic Offices, Telford |
| January | | 13th | M | Attended the West Mercia Police "Faith in Policing" – Launch of the Christian Police Association at Hindlip Hall, Worcester |
| | | 15th | M | Attended the Open Art Exhibition and Prize Giving at The Place, Oakengates |

TELFORD & WREKIN COUNCIL

COUNCIL – 27 JANUARY, 2011

REPORT OF CABINET – FOR INFORMATION ONLY

MATTERS DETERMINED BY THE CABINET

1.0 INTRODUCTION

This report provides sets out those matters determined by the Cabinet at its meetings on 23 November & 7 December, 2010 and 11 January, 2011.

2.0 CABINET BUSINESS

Matters that have been determined by Cabinet are listed below:

2.1 23 November, 2010

2.1.1 Use of Shropshire Chamber Portal for Advertising Contract Opportunities of less than £50,000

2.1.2 Representation on Outside Bodies – Local Access Forum

2.2 7 December, 2010

2.2.1 Direct Payments Policy

2.2.2 Provision of Intermediate Care Beds (exempt)

2.2.3 Contract for Bailiff Services/Debt Recovery (exempt)

2.2.4 Oakengates Regeneration (exempt)

2.3 11 January, 2011

2.3.1 Service & Financial Planning – 2011/12-2013/14

2.3.2 School Organisation: Borough Towns Initiative – Sports & Learning Communities and Update re: School Attaining Academy Status

2.3.4 Marches Enterprise Partnership

2.3.5 Delivering the Local Investment Plan 2010-13

2.3.6 Framework Agreement for Printed Matter and Related Goods & Services (exempt)

3.0 DELEGATION OF POWERS GRANTED BY THE CABINET

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Direct Payments Policy	Director of Adult Social Services in consultation with the Cabinet Member for Adult Care & Support	To approve a final version of the Policy following a short consultation through Advocacy Organisations

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
<p>Provision of Intermediate Care Beds</p>	<p>Head of Care & Support, following consultation with the Cabinet Member for Adult Care and Support.</p>	<p>and Partnership Boards</p> <p>To enter into the contractual agreement</p> <p>Authority for the Common Seal of the Council to be affixed to the resulting contractual documentation as, in the opinion of the Head of Governance, is appropriate under Part 4 of the Constitution</p>
<p>School Organisation – Borough Towns Initiative – Sports & Learning Community and Update re School Attaining Academy Status</p>	<p>Head of School Improvement in consultation with the Cabinet Member for Children & Young People</p> <p>Head of Family and Community Services in consultation with the Cabinet Member for Children & Young People</p> <p>Head of Property & ICT in consultation with the Head of Family and Community Services</p> <p>Head of Governance</p>	<p>To submit an Expression of Interest for the establishing a University Technical College (UTC) in Stirchley.</p> <p>To approve the Final Business Case for the Madeley Academy sixth form, being delivered as part of the BTISLC Programme for submission to PfS</p> <p>To negotiate the terms of, and enter into, a 125 year lease for land and buildings with two schools (Priorslee Primary and Newport Girls High School) acquiring Academy status</p> <p>To execute all necessary agreements and documentation relating to recommendations above</p>
<p>Delivering the Local Investment Plan</p>	<p>Strategic Housing & Development Plans Manager, following consultation with the Cabinet Member for Housing, Regeneration & Prosperity and the Cabinet Member for Adult Care & Support</p> <p>Head of Property & ICT to negotiate following consultation with the Cabinet Member for Housing, Prosperity & Regeneration.</p> <p>Head of Governance</p>	<p>To undertake and/or authorise all steps to give effect to and implement the Housing Strategy and Local Investment Plan</p> <p>To enter into such land and property transactions as give effect to and implement the Housing Strategy and Local Investment Plan</p> <p>To execute such documents as are necessary or</p>

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
		appropriate to give effect to the recommendations in the report
Framework Agreement for Printed Matter and Related Goods & Services (exempt)	Head of Property & ICT	To conclude a framework agreement for the supply of printing, graphic design and related services as set out in 4.2.1 of the report following completion of an EU tender process
Marches Local Enterprise Partnership	Corporate Director following consultation with the Cabinet Member for Housing Regeneration and Prosperity Head of Economy and Skills	To approve and submit and/or support bids for funding to the Regional Growth Fund To undertake all steps to progress development of the Marches Local Enterprise Partnership
LEGAL COMMENT FINANCIAL COMMENT LINKS WITH CORPORATE PRIORITIES RISKS AND OPPORTUNITIES ENVIRONMENTAL IMPACT EQUALITY & DIVERSITY WARD IMPLICATIONS	As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council	

TELFORD & WREKIN COUNCIL

COUNCIL – 27 JANUARY 2011

SETTING OF THE COUNCIL TAX BASE FOR 2011/12

REPORT OF THE HEAD OF FINANCE

1.0 SUMMARY

- 1.1 To determine the Council Tax Base for General and Special Fund purposes for the financial year 2011/12.

2.0 RECOMMENDATIONS

- 2.1 **That the calculation of the tax base for 2011/12 as at paragraph 6.6 and Appendix 1 be approved.**
- 2.2 **In accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated for Telford and Wrekin Council Tax base for 2011/12 for its Special Fund Area shall be as per the appropriate parish amounts detailed in Appendix 1 for the parishes listed in 6.7.**

3.0 PREVIOUS MINUTES

- 3.1 Council meeting 28 January 2010 (Minute No. 78)

4.0 COUNCIL TAX BASE

- 4.1 In order to determine the appropriate Council Tax levels for the area, it is necessary for the Council to determine the tax base for its area or part of its area. The budget requirements of the various precepting authorities are divided by this figure to arrive at the Band D equivalent level of Council Tax.
- 4.2 The tax base for 2011/12 must be set by full Council between 1 December 2010 and 31 January 2011 as prescribed by the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as amended. The figures used for tax base allow for the continuation of the resolutions in respect of reducing the discounts for empty properties and second homes agreed previously.

5.0 COUNCIL TAX BASE INFORMATION

- 5.1 As members will be aware, the Council Tax is a banded capital value based property tax.

5.2 The main features of the tax are:-

- Each domestic property is allocated to one of 8 bands depending on its capital value which has been set by the Valuation Office Agency.
- Section 5 of the Local Government Finance Act 1992 sets out the range of property values within each band. Associated Regulations determine the relationship between the tax rates for each band.
- A 25 % discount from the full charge is available for single adult households. Certain categories of resident are disregarded in deciding the number of adult residents. These include students, student nurses, youth training trainees, the severely mentally impaired etc. Qualifying criteria must be met before discounts or disregards are allowed.
- A reduction equivalent to one council tax band is available where a resident of a dwelling is disabled and certain facilities are required for meeting the needs of that disabled person. For Band A properties the reduction is equivalent to 1/9th of the Band D Charge so the charge for such a Band A dwelling is 5/9ths rather than 6/9ths for a Band A property.
- Council Tax Benefit of up to 100% of the full charge is available for those on low incomes.
- The grant system is intended to take account of differences in the needs and taxable capacity of each area.

5.3 The Council Tax Bands range from A to H and the details are as follows:-

Band	House Value (as at April 1991 prices)	Band D Proportion	Telford & Wrekin Properties Spread	% Increase/ Decrease for 10/11
	£	%	%	%
A	Under 40,000	66.7	37.65	-0.11
B	40,001 – 52,000	77.8	26.27	-0.03
C	52,001 – 68,000	88.9	14.51	+0.08
D	68,001 – 88,000	100.0	10.91	+0.03
E	88,001 – 120,000	122.2	6.28	+0.01
F	120,001 – 160,000	144.4	2.88	+0.03
G	160,001 – 320,000	166.7	1.43	-0.01
H	Over 320,000	200.0	0.07	+0.00

5.4 Property Base

There are 68,661 properties in the valuation list for the Telford & Wrekin area. This compares with a figure of 68,096 in the list at the same time last year. There has been an increase of 565 properties, which equates to an increase of 0.8%. Overall there has been a decrease in the proportion of Band A, B and G properties and an increase in Band C, D, E and F properties, with the largest increase in Band C.

5.5 Council Tax Base

To arrive at the Council Tax Base, it is necessary to undertake the following calculation in respect of each tax band:

Total number of chargeable dwellings
(Less) Dwellings subject to discounts
=
Total equivalent number of properties
x
Ratio to Band D
=
Relevant Amount (Band D Equivalent)

The relevant amounts for each tax band are then aggregated to arrive at the total for the area.

Finally, an estimated Collection Rate needs to be applied to the resultant figure. This has to be common to the whole area and has to provide for amendments to the Council Tax Banding List, appeals against banding, additional discounts and losses on collection. It is suggested that a figure of 99% be used as has been the case since 2003/04. Clearly every effort is taken to pursue all council tax due to the authority.

5.6 General Fund Tax Base

This is the estimated council tax base for the whole of the area and will be used by Telford & Wrekin to calculate its General Fund Council Tax levy and also by West Mercia Police Authority and the Shropshire and Wrekin Fire & Rescue Authority to calculate the levy in respect of their precepts.

The tax base for this purpose for 2011/12 is 51,469.4. Using an estimated collection rate of 99%, the tax base becomes **50,954.7**. The detailed build up to this figure by parish is shown in Appendix 1.

5.7 Special Fund Tax Base

This is the estimated council tax base for the Special Fund area, i.e. those areas where Telford & Wrekin Council provides services which, in other areas, are provided by Town & Parish Councils. These areas are Dawley Hamlets, Great Dawley, Hollinswood & Randlay, Lawley & Overdale, Madeley, Oakengates, St Georges & Priorslee, Stirchley &

Brookside, The Gorge, Wellington and Wrockwardine & Trench. The Council Tax Base for each can be found in Appendix 1.

For 2011/12 it will be necessary to have two levels of special fund tax. The first tax will be levied on all the parishes in the Special Fund area. The second tax will be levied on those parishes who have opted not to take over responsibility for street lighting in their area.

The Special Fund Council Tax will be set taking into account the services provided by each individual parish and taking account of the tax base for each parish.

6.0 COMMUNITY IMPACT

6.1 Setting the council tax base is a legal requirement and is needed to calculate council tax levels for 2011/12 as part of operating a community focussed efficient council and is linked to all priorities.

7.0 FINANCIAL/VALUE FOR MONEY IMPACT

7.1 Used in determining the Council Tax to be charged in 2011/12.

8.0 LEGAL COMMENT

8.1 The Council has a statutory obligation to set the Council Tax Base by 31 January 2011 to enable the level of Council Tax to be then set within the statutory timescales.

8.2 As part of this calculation the Council must also estimate the aggregate sums of the amounts which are likely to be paid during the relevant financial year as described in this report and including any likely reductions available due to second or empty homes and any exemptions claimed. Council has previously approved discounts in respect of second and empty properties which are still in place.

8.3 In summary the Council has the power and the duty to set the Council Tax Base in the way described in this report.

9.0 RISKS AND OPPORTUNITIES

9.1 The opportunities and risks associated with the report have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified..

10.0 WARD IMPLICATIONS

10.1 Borough wide.

11.0 BACKGROUND PAPERS

11.1 Local Government Act 2003
CLG Calculation of Council Tax Base Return (CTB1) October 2010
The Council Tax (Prescribed Classes of Dwellings)(England) Regulations
2003

Report prepared by
Bernie Morris, Finance Manager (01952) 383702
Ken Clarke, Head of Finance (01952) 383100.

The
Local Government
Boundary Commission
for England

Cllr Andrew J Eade
Leader of the Council
Telford and Wrekin Council
22 Sleep Cottage
Crudgington
TELFORD
TF6 6HR



14 December 2010

Dear Councillor Eade

Local Government Boundary Commission for England: future review programme

As you maybe aware, the new Local Government Boundary Commission for England was established in April 2010. Our key roles are to conduct electoral and structural reviews of local government in England, as well as reviewing the external boundaries of local authorities (known as principal area boundary reviews or PABRs).

As a new organisation, we have taken the opportunity to undertake a review of our policies and procedures and are currently consulting on our general approaches to both electoral reviews and PABRs. You may already have heard of our consultation or seen the consultation papers, but the documents maybe accessed via the following web link:

<http://www.lgbce.org.uk/guidance-policy-and-publications/major-consultation-of-english-local-authorities>

My reason for writing to you at this time is twofold. First, to invite you to respond to the consultations. It is important that we receive the views of the local government community on our intended approach to reviews. Secondly, we would like to gauge your authority's interest in the Commission undertaking an electoral review or PABR of your authority. Given the nature of our work, we need to plan our work programme for the coming years very carefully. We need to balance both the need to review authorities where electoral inequality between wards is high, against any requests from authorities that we commence reviews for other reasons.

Generally, we conduct electoral reviews where electoral imbalances across wards have grown since the last periodic electoral review process took place across England between 1996 and 2004. I understand from the May 2010 electoral figures that you may have high levels of electoral inequality, with either 30% of wards more than 10% from the average or one ward over 30% from the average.

The Local Government Boundary Commission for England, 3rd Floor Layden House, 76-86 Turnmill Street, London EC1M 5LG

Tel: 08703 810153; Fax: 020 7298 6788; reviews@lgbce.org.uk; www.lgbce.org.uk

Many local authorities are considering innovative ways of maintaining high quality services at a time of reduced funding. The LGBCE has unique powers to assist councils in achieving some of those aims such as correcting minor boundary anomalies that can hinder effective service delivery to whole council mergers and altering the number of councillors representing the council. Clearly, this approach will not be right for every authority, but the Commission would be interested to hear from authorities who are considering these kinds of options. Further to this, it is important that we have an early indication of the likely demand for reviews in order that we can balance our work priorities accordingly.

I appreciate that the current economic situation in local government is difficult and that your Council's immediate priorities may lie elsewhere. However, it is clear that a number of councils across England are of the view that an electoral review or principal area boundary review can help, in the medium to long term, to make the necessary savings that councils up and down the country will be required to make over the coming years.

Furthermore, the Commission remains committed to reviewing those authorities where electoral imbalances have grown significantly in recent years. While potentially diversifying the types of reviews we may undertake, the need to provide fair and democratic electoral arrangements remains our priority. We would therefore welcome the information requested at your earliest opportunity in order that we can prioritise review areas effectively.

Any correspondence should be sent to the following address:

Consultation Response
The Local Government Boundary Commission for England
Layden House
76-86 Tummill Street
London
EC1M 5LG

Should you have any questions on this or the wider work of the Commission please do not hesitate to contact Archie Gall (Director of Reviews) at archiegall@lgbce.org.uk (Tel: 020 7664 8509)

Yours sincerely,



Max Caller CBE

Chair of the Local Government Boundary Commission for England.

Copied to: Mr Victor Brownlees, Chief Executive & Director of Children's Services

TELFORD & WREKIN COUNCIL

FULL COUNCIL – 27TH JANUARY 2011

BOROUGH ELECTORAL REVIEW – SINGLE MEMBER WARDS

REPORT OF THE HEAD OF GOVERNANCE

1. PURPOSE

- 1.1 To seek the Council's support for the submission of an application, under Section 57 of the Local Democracy, Economic Development and Construction Act (2009), to the Local Government Boundary Commission for England (LGBCE) requesting that an Electoral Review be undertaken to consider the creation single member wards for the Borough of Telford & Wrekin.

2.0 RECOMMENDATIONS

- 2.1 **That an application be submitted to the Local Government Boundary Commission for England (LGBCE) requesting that an Electoral Review be undertaken to consider, wherever possible, the creation of single member Borough wards;**
- 2.2 **That a politically balanced Boundary Review Committee be established at the Annual Meeting on the 23rd May 2011 in order to develop and agree proposals for consideration by Full Council.**

3.0 SUMMARY

- 3.1 The Leader of the Council informed Members of his intention to write to the LGBCE, requesting a Borough Boundary Review at the 7 October Full Council meeting. He was proposing a reduction in the number of Borough councillors and the creation of, wherever possible, single member Borough wards. This request would be based on the basis of equality of representation across the Borough and convenient and effective local government. The Leader's initial view was that larger single member wards would strengthen the role of the elected member and provide a number of benefits: increased efficiency and reduced administration, cost savings on members' allowances, clearer accountability and clearer representation for the electors of the Borough. The recommendations of such a review would hopefully be implemented in time for the May 2015 local elections.
- 3.2 LGBCE has a threshold laid out within its general policies for triggering an electoral review. This is where electoral imbalances across wards have grown since the last periodic electoral review process took place, with either 30% of wards more than 10% from the average or one ward over 30% from the

average. Telford & Wrekin currently has 9 wards (27%) more than 10% from the average and one ward over 30% from the average. The recommendations of the last review were published in 2002.

- 3.3 LGBCE may conduct a review at the request of any authority which, as is the case with Telford & Wrekin, elects the whole Council every 4 years, and has resolved to move to a uniform pattern of single member wards or divisions across the authority. LGBCE, in conducting any such review, are required to consider the desirability of securing single member wards, assessing whether it is appropriate – taking in to account the statutory need to achieve good levels of electoral equality, reflect community identities and interests and provide for effective and convenient local government – that each ward should be represented by one councillor. There is nothing to prevent LGBCE from making other recommendations than single member wards.
- 3.4 LGBCE has, since the Leader first made his announcement written to the authority inviting it to consider its position in order to help it with its internal work planning. A copy of that letter is attached at Appendix A.
- 3.5 On receipt of an application from the authority the LGBCE will first of all decide whether to grant the Council’s request. If the request is granted the timetable for the review process is typically in four distinct stages.

Stage	Details	Approximate Length
Council Size Consultation	A short consultation on the total number of councillors to be elected	10 weeks
One	Consultation stage on electoral arrangements	12 weeks
Two	LGBCE’s deliberation based on submissions received	10-14 weeks
Three	Publication of draft recommendations and consultation on those recommendations	12 weeks
Four	LGBCE deliberation based on comments received on draft recommendations – formulation and publication of final recommendations	10-14 weeks

- 3.5 It is suggested that, should the request be approved, a politically balanced Boundary Committee be established in order to develop proposals, oversee the consultation process and make proposals for final consideration by Council.

4.0 PREVIOUS MINUTES

Council, 7 October 2010, Minute 40

5.0 INFORMATION

5.1 Background

5.2 The Local Government Boundary Commission for England (LGBCE) is an independent body set up by Parliament. Its main role is to conduct electoral reviews of local authorities in England, recommending whether changes should be made to electoral arrangements.

5.3 For the Borough Council the term Electoral arrangements means:

- Total number of councillors
- The number and boundaries of wards
- The number of councillors to be returned for any ward
- The name of any ward

5.4 The electoral arrangements of this Council are laid down in The Borough of Telford and Wrekin (Electoral Changes) Order 2002. The Order provides for 33 borough wards, allocating two councillors to 13 of the wards and three councillors to four wards. The remaining 16 wards are single-member wards, and the total number of councillors on the Council is presently 54.

5.5 The LGBCE also has the power to make consequential changes to the electoral arrangements of a Parish Council, where those arrangements are affected by changes to the electoral arrangements of the Borough. The Parishes, along with the Parish wards are the building blocks for the review of the Borough wards. There are 28 Parishes in the Borough, 26 with Councils which elect a total of 284 councillors. Every parish ward must lie wholly within a Borough ward and every unwarded parish must lie wholly within a Borough ward.

5.6 For Parish Councils the term Electoral Arrangements means:

- Grouping Parishes under a common council
- Total number of councillors on the parish council
- Whether to divide the parish in to parish wards
- The boundaries of the wards
- The number of councillors to be returned for each parish ward
- The name of any parish ward

5.7 The LGBCE generally conduct electoral reviews where electoral imbalances across wards have grown since the last periodic electoral review process took place, with either 30% of wards more than 10% from the average or one ward over 30% from the average. The current average for the authority is 2,248 electors per Borough ward. 9 of the 33 Borough wards are more than 10%

from the average (Brookside, Church Aston & Lilleshall, Dothill, Ercall, Hadley and Leegomery, Haygate, Horsehay & Lightmoor, Lawley & Overdale and Wrockwardine Wood & Trench) and one Borough ward (Horsehay & Lightmoor) is 30% from the average.

5.8 Equality & Diversity

There are no immediate equal opportunities implications in this Review.

5.9 Environmental Impact

There are no implications.

5.10 Legal Comment

Under section 57 of the Local Democracy, Economic Development and Construction Act 2009 the Council can request that a review of electoral arrangements be undertaken in accordance with section 56 (2)(a) and Schedule 2 to the same Act.

5.11 Links with Corporate Priorities

This report links to the Community Priorities for the creation of safe, strong and cohesive communities and for an efficient, community focussed Council.

5.12 Opportunities and Risks

The opportunities and risks associated with any changes to ward boundaries have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

5.13 Financial Implications

5.13.1 There are no direct costs associated with LGBCE conducting an Electoral Review, however it is likely that support will be required for the review from officers within Democratic Services. It is anticipated that costs relating to any form of consultation process as part of the review will be minimal. The cost of officer time involved in the review and costs of the consultation process will be contained within existing budgets.

5.13.2 There are significant ongoing savings to the Council should the LGBCE recommend that the number of wards are reduced by around 25%. From 54 to 40 councillors representing single member wards. The saving in the basic allowance for 14 members is £110k based on the 2010/11 members allowance rates. This figure could increase as high as £135k taking into account other associated costs and allowances such as National Insurance, pension contributions, member development, mobile phones, subsistence and mileage. There will also be administrative savings within Democratic Services from supporting a fewer number of members and from the administration of elections as a result of having fewer wards.

6.0 **WARD IMPLICATIONS**

Borough wide.

7.0 **BACKGROUND PAPERS**

The Local Government Boundary Commission for England – Electoral Reviews: technical guidance (April 2010).

Report prepared by Phil Griffiths, Democratic Services Manager, Democratic Services - Tel: 01952 383210

TELFORD & WREKIN COUNCIL

COUNCIL – 27 JANUARY 2011

FAIRTRADE STATUS : PROGRESS REPORT

REPORT OF THE HEAD OF ENVIRONMENTAL SERVICES

1.0 SUMMARY OF MAIN PROPOSALS

- 1.0 This report provides an update on last year's activities of the Fairtrade Group on behalf of Telford & Wrekin Council and summarises the Group's plans for the coming year.

2.0 RECOMMENDATION

- 2.1 That Council note the progress that has been achieved.**

3.0 PREVIOUS MINUTES

- 3.1 Council - 27 April 2005 (Minute No. 91)
3.2 Council - 6 March 2008 (Minute No. 79)
3.3 Council – 28 January 2010 (Minute No. 80)

4.0 INFORMATION

- 4.1 Following the pattern of previous years, this report provides an update on work that has been undertaken to promote Fairtrade in the Borough of Telford & Wrekin in support of the resolution adopted by Council on 27th April, 2005.

On 27 April 2005¹ the Council passed a motion that the Authority wholly supported the principles of Fair Trading. Fairtrade status was granted to the Shropshire Coalition by the Fairtrade Foundation in 2007. The Council renewed the commitment again on 6 March 2008².

¹ Meeting of the Borough of Telford & Wrekin – 27 April 2005:

“That this Borough of Telford and Wrekin wholly support the principles of fair trading throughout the world and that we in the Borough of Telford and Wrekin will seek to promote this worthy cause both from within the Council and that we will encourage local businesses, commercial outlets and other Public Agencies to support this initiative.”

² Meeting of the Borough of Telford & Wrekin – 6 March 2008:

“Telford & Wrekin Council resolves to continue its support of the principles of its Fairtrade status granted on 13 July 2007 by, wherever possible, supplying Fairtrade

4.2 Progress since January 2010

The Fairtrade Group has undertaken the following activities to promote Fairtrade:

- Fairtrade stalls held within the Civic Offices on the 1st March (during Fairtrade Fortnight), 22nd July and the 19th November 2010 when the Mayor officially attended the pre-Christmas Fairtrade Stall.
- A Fairtrade page has been developed for the Council's intranet.
- The Council's internet featured the Fairtrade logo during Fairtrade Fortnight.
- A Fairtrade page on the council's internet is in preparation.
- The Fairtrade Flagship employer – Ironbridge Gorge Museum continues to support the cause.
- Shrewsbury Fair Trade offer support to the Group in promoting Fairtrade through offering to supply goods on sale or return to a wide range of community organisations throughout Telford & Wrekin.
- The Meadows Primary School has become a Fairtrade School.
- The School is the first to achieve this in the Borough of Telford & Wrekin.
- Priorslee Primery School have also attained Fairtrade Status.
- Redhill Primary School is also hoping to complete an application for Fairtrade School status soon. Redhill Primary School recently won the award for the best junior entry from People and Planet in their national Wear Fair fashion show competition.
- A Sustainable Schools Conference, featuring Fairtrade, was held for Telford & Wrekin Schools in February 2010.

4.3 Next Year's Priorities

In summary, the principal actions for 2011/12 are to:

- Continue to raise awareness of Fairtrade issues amongst staff;
- Continue to arrange Fairtrade Christmas and Fairtrade Fortnight activities;
- Establish a Fairtrade webpage on the Council's website.
- To develop the website to enable Schools to register events they have undertaken in regards to Fairtrade.
- To raise awareness of Fairtrade throughout the Borough by way of Press releases and Insight magazine during Fairtrade Fortnight.

5.0 **IMPLICATIONS**

products within the Council premises and schools, purchasing supplies from Fairtrade sourced producers, encouraging local employers to utilise Fairtrade products in their businesses, promoting and encouraging Fairtrade principles and raising awareness of Fairtrade goods in Council publications."

5.1 Corporate Priorities

The policy is in line with the Environment and Rural Area Priority Plan and Sub Priority 1: Protect and Enhance the Green Network and Promote a Sustainable Community for Local People

5.2 Financial

This report seeks only to provide an update on the progress made to date and outline priorities for 2011/12. Any financial implications will be covered from existing resources. JAC 221210

5.3 Legal

There are considerations to be made when 'social issues' such as the use of Fairtrade products are incorporated into public sector purchasing, but the EU Procurement Rules do not apply to situations where staff or members of the public buy goods direct from the contractor.

5.4 Other Impacts, Risks & Opportunities

By not demonstrating commitment and leadership in this and other areas of sustainability issues the Council risks damage to its reputation

5.5 Ward Issues

None

**Report prepared by Harjot Rayet, Environmental Policy Officer,
Telephone: 01952 384219**

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 17th November, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors N.A. Dugmore (Chairman), J.A. Francis, D.R. Chaplin, R.T. Kiernan, F.R. Picken, H. Rhodes, M.J. Smith and K.L. Tomlinson (substitute for Councillor G.M. Green)

ALSO PRESENT: Councillor A.J. Eade (for planning application TWC/2010/0428), Councillor S. Bentley (for planning application TWC/2010/0420) and Councillor A.A. Meredith (for planning application TWC/2010/0046)

PB-51 MINUTES

RESOLVED – that the minutes of the Plans Board held on the 27th October, 2010 be confirmed and signed by the Chairman.

PB-52 APOLOGY FOR ABSENCE

Councillor G.M. Green

PB-53 DECLARATIONS OF INTEREST

None.

PB-54 DEFERRED/WITHDRAWN APPLICATIONS

RESOLVED – that planning applications TWC/2010/0046 and TWC/2010/0428 be deferred to allow Site Visits to be made.

PB-55 SITE VISITS

RESOLVED – that the following Site Visits take place on Wednesday, 8 December, 2010:

TWC/2010/0046 – 3.00 p.m.

TWC/2010/0428 – 3.20 p.m.

PB-56 PLANNING APPLICATIONS FOR DETERMINATION

(Councillor F.R. Picken left the room during the presentation of the following application and, having returned to the room, did not vote thereon.)

(a) TWC/2010/0006 - The Talbot Centre, Hillside East, Lilleshall, Shropshire

This application was for the erection of floodlights to illuminate two hard surface tennis courts at the Lilleshall tennis courts. The original scheme had proposed 4 x 10m. high floodlights but concerns had been expressed by both residents and the Council's Street Lighting Engineer, who considered that, even if the lighting shields

were installed correctly, there would still be the likelihood of unavoidable light trespass to properties within 20m. of the site. Therefore, an amended scheme for 6 x 8m floodlights with lower powered luminaires had been submitted. These would be located at the four corners of the tennis courts and at the mid-point of the two ends, which was understood to be in compliance with the Lawn Tennis Association's (LTA) guidance for floodlighting. The amended scheme would help to reduce the potential impact of any light spillage on the two neighbouring properties and conditions would be imposed to ensure that the lights were fitted with effective shields to concentrate the light onto the playing surfaces at all times. The Council's Ecologist had no objections but had recommended a number of measures to mitigate the light spillage that could affect bat foraging routes.

Two letters of objection had been received from local residents relating to the original scheme, one of whom had reiterated his objections to the amended scheme. Lilleshall, Donnington & Muxton Parish Council had no objections to the amended scheme but had recommended that the lighting columns be of a colour that blended in with the surrounding landscape.

This facility, which was used extensively, was one of the premier clubs in Shropshire and the floodlights were required to enable it to develop further by holding matches and coaching during the hours of darkness. The club was hoping to obtain a grant from the LTA to fund 75% of the total cost of the lights.

At this stage the tennis club anticipated that the installation of the floodlights would result in several late afternoon/early evening coaching sessions with only occasional usage later in the evenings possibly for two or three nights a week in the summer, although this could change, but for only one night a week until 8.00 p.m. for the rest of the year. The courts were also available for use by non-members when not required by the tennis club. Therefore, even if the courts were to be used most evenings of the week, it was considered that there would be no appreciable increase in the amount of any noise and disturbance to local residents. Furthermore, the net community benefits accruing from this installation would outweigh any adverse effects that might occasionally be experienced by immediate neighbours.

The Parish Council had stated that notices had been erected around the tennis courts prohibiting their use at those times when tennis was not being played and since then no complaints had been received about anti-social behaviour. As a further safeguard to protect the residential amenities of local residents, a planning condition would be imposed stating that the floodlights should be switched off between 10.00 p.m. and 8.00 a.m.

Mrs. Pauline Coffey, Secretary of the Lawn Tennis Club spoke in support of the application, which would enable both the hours of use for members and for the general public to be extended with the minimum of impact from light pollution on residential amenities.

Members welcomed the application, which would provide community benefits and meet the Council's health and fitness priorities.

RESOLVED – that with respect to planning application TWC/2010/006 planning permission be granted subject to the conditions as set out in the report.

- (b) TWC/2010/0046 - Tudor Rose Cottage, 4 Chetwynd End, Newport, Shropshire

RESOLVED – that determination of planning application TWC/2010/0046 be deferred to allow a Site Visit to be made.

- (c) TWC/2010/0304 - Land adjacent to 27, Hadley Park Road, Hadley, Telford, Shropshire

This was a retrospective application to create a new 10 spaces car park for the Guru Nanak Sikh Temple for visitors during large events. Hadley & Leegomery Parish Council had requested that the application be determined by the Plans Board. The Temple was situated in a predominantly residential area and accessed via a cul-de-sac with double yellow lines on both sides of the carriageway, off Hadley Park Road. It was on a regular bus route and within 300m of Hadley District Centre and a five minute walk from four public car parks. Members noted that planning application TWC/2010/0305 for the extension of the existing car park to the rear of the Temple was also on the agenda.

The Local Planning Authority (LPA) had informally advised the applicants that the proposed change of use of the site would be considered appropriate. During a site visit in relation to this application the Case Officer had observed that the car park was being constructed and had advised the applicants and their contractors to cease work, that any work which had been undertaken was at their own risk, and that commencement of work was not a guarantee that planning permission would be granted.

Four letters of objection and additional information had been received during the consultation period, as summarised in the report. Hadley & Leegomery Parish Council had objected to the application for the highway and planning history reasons set out in the report. However, the Council's Highway Engineer had no objections to the proposal on condition that 2.4m x 43m visibility splays were provided before the car park was brought in to use.

The Temple was open from 6:00 a.m.- 9:00 p.m. for prayers and community uses with prayers being held continuously on Fridays and weekends. The applicants had stated that the existing congregation comprised 150-200 worshippers, who used the Temple for various purposes throughout the day. Additional car parking facilities were required to accommodate between 200-300 mourners at funerals and visitors to weddings and funerals. On average there were two funerals and four weddings per year. The applicants had stated that both regular worshippers and visitors did not wish to use the nearby public car parks due to personal safety fears and visitors from further afield used satellite navigation to locate the Temple and did not, therefore, know the location of the public car parks. Although the Temple had its own existing car park for some 23 cars and the use of the 20 spaces (maximum) on the adjoining Nursery car park after 4.00 p.m. and at weekends, the applicants considered that this did not provide the necessary space required.

The application site was located in the public realm with a road frontage and it was, therefore, considered that the change of use would not detrimentally impact upon the character and appearance of the area. Given the size of the car park and the level of ambient noise on Hadley Park Road, it was considered that the change of use would not significantly impact upon residential amenity.

West Mercia Police had confirmed that there were no reported parking problems and had suggested that the nearby public car parks could be utilised when required. Whilst the LPA appreciated that the Sikh Temple Management Committee had submitted the application to alleviate parking problems, it considered that a more sustainable option would be the greater use of the nearby public car parks in Hadley Centre and, possibly, to improve signage and visitor awareness of their proximity to the Temple.

The existing grass and trees on the site had been removed although the pre-application advice had been that a Survey would be required to assess the impact of the proposed development on the trees. Therefore, it was unfortunate that this area of soft landscaping had been lost with little regard to the local biodiversity of the area. Therefore, the applicant would be expected to re-instate the damaged grass highway verge to and an appropriate condition would be attached to any approval.

Despite these issues, on balance the change of use was considered acceptable as it would not result in a significantly adverse impact upon the character and appearance of the area, the streetscene or the residential amenity of the adjacent residential properties. The development was, therefore, considered compliant with Policies UD2 of the Wrekin Local Plan, Policy CS15 of the Core Strategy and national guidance contained in PPS1 and PPG24.

The update report tabled at the meeting made reference to the concerns expressed by the Parish Council with regard to the planning history of the site. While planning permission for the change of use from a dwelling to a church at 35a Hadley Park Road had been refused in March 1986 inter alia because of the adverse impact on the residential amenities due to the increase in traffic, the increase resulting from the current application was considered acceptable as the traffic movements generated by 10 additional parking spaces would be considerably less than that from a new church and the access was in a different location. The update confirmed that the visibility splay requested by the Highway's Engineer could be achieved.

Councillor M.J. Smith, Ward Councillor for Hadley & Leegomery, supported the application, which would prevent the site from, potentially, becoming an eyesore.

RESOLVED – that with regard to planning application TWC/2010/0304 planning permission be granted subject to the conditions as set out in the report.

(d) TWC/2010/0305 – 109, 110 Parkdale, Hadley, Telford, Shropshire

This was a retrospective application for an extension to the existing car park at the rear of the Guru Nanak Sikh Temple on garden land previously belonging to nos. 109 and 110 Parkdale. The extension would provide additional off-street parking for

visitors to the Temple during large events. The application had been deferred at the previous meeting of the Board to allow Members to undertake a Site Visit.

The Local Planning Authority (LPA) had given informal planning advice that the proposed change of use of the gardens to car parking would be inappropriate but during a site visit the Case Officer had observed that the car parking was already being constructed and had advised the applicants as set out under planning application TWC/2010/0304.

One letter of objection had been received as summarised in the report. Neither Hadley & Leegomery Parish Council nor the Council's Highways Engineer had any objections.

The information relating to the usage of the Temple and the additional car parking facilities required for visitors attending wedding and funerals was as set out in planning application TWC/2010/0304 above.

The irregular shaped extension was bounded by 2.0m high timber panel fencing with concrete posts and gravel boards and gravel board fencing, membrane and hardcore had also been laid. However, the submitted drawings showed timber panel fencing to all of the boundaries and not the mixture of fencing which had actually been erected on the site. The existing mature gardens had been cleared and the trees felled.

The siting of a car park in the rear gardens of residential dwellings was considered unacceptable as it would have a detrimental impact on the character and appearance of the residential amenity as well as on the residential amenities of the occupiers of the adjacent dwellings. Therefore, the additional traffic movements arising from large events at the Temple, potentially all day and night at weekends, was considered unacceptable. In addition, the car park failed to reinforce local distinctiveness, relate positively to its context or positively influence the appearance of the local environment.

Officers considered that, as the additional car parking was only required for large events which would not be held on a regular basis, the proposal, the loss of garden land, and the adverse effect on residential amenity was not justified. In addition, West Mercia Police had confirmed that they had received no reports of parking problems in Hadley Park Road within the last six months and no neighbour representations in respect of on-street parking had been received in response to this planning application. In addition, the LPA was not convinced that only 32 additional spaces would satisfactorily address the presence of up to 300 visitors even with car sharing.

The application form stated that there were no trees on the site but the drawing accompanying the application had indicated that there were, as confirmed by recent photographs. The pre-application advice had included the need for a Survey to be undertaken to assess the impact of the proposed development on the trees and it was, therefore, unfortunate that garden land had been lost with little regard to the local biodiversity of the area.

Councillor M.J. Smith said that the Site Visit had shown the need for additional car parking to solve the issue of on-street parking. As one of the Ward Councillors for Hadley & Leegomery, he was not aware of any noise issues arising from the use of the existing car park. Other councillors who knew the locality commented on the need for additional car parking for the Temple.

RESOLVED – that with regard to planning application TWC/2010/0305 planning permission be granted subject to the resolution of the provision of visibility splays and the conditions as set out in the report.

(e) TWC/2010/0420 - Sytch Lane, Waters Upton, Shropshire

This application from Severn Trent Water (STW) sought planning permission for the change of use of existing agricultural/ grazing land to a sewage pumping station with associated access on to Sytch Lane, hardstanding (turning head), kiosks, fencing and landscaping. The site, which comprised an area of agricultural land adjacent to established residential properties off Sytch Lane to the north of Waters Upton, was bounded by substantial hedge screening to the highway boundary together with timber and wire fencing. There was currently no vehicular access, only a farm gate at the entrance of the adjacent land. The nearest residential properties were located approximately 20m. to the north and 50m. to the south, with further properties in East View being located opposite the site to the west. The application, which Waters Upton Parish Council had requested be determined by the Plans Board, had been deferred from the previous meeting to allow Members to make a site visit.

Waters Upton Parish Council had objected to the development and 17 letters of objection, including duplicates, had been received from local residents, as summarised in the report. The Council's Highways Engineer had requested that visibility splays be provided and following discussions with the applicant's agent it had been agreed that these should be 2m x 30m and located to the south of the access.

STW had statutory responsibilities for the provision of water and sewerage services and proposed improvements to pumping stations, including that at Sytch Lane, as described in the report. The new pumping stations were required to provide adequate sewerage services in the local area. As a statutory sewerage undertaker, STW had permitted development rights for much of the underground works but planning permission was required for the change of use of the land, the kiosk, access, hardstanding and fencing.

The kiosks would be glass reinforced plastic boxes set on concrete plinths of a design, materials and finish in keeping with other STW kiosks in the area and approved in other parts of Telford. The main kiosk would measure 2200mm x 600mm with a height of 2300mm with the smaller adjacent kiosk measuring 500mm x 500mm with height of 1750mm and would be coloured holly green to help blend the development with its rural setting. The access, measuring nearly 35m. in length, would be tarmaced at the entrance to the site and the remaining area surfaced in concrete. The proposed post and rail fencing would measure 1.2m. in height. The applicants' agent had advised that the lighting column indicated on the plans would be used only when emergency maintenance was required. It would measure a

maximum of 3m. in height and would be orientated so that the light illuminated the chambers and wet wells and did not lead to dispersal of light to adjoining properties. The details were still being prepared and the additional information would, therefore, need to be conditioned. However given its position and orientation towards the site the lighting column should not impact on adjoining amenity.

The existing site was relatively well screened along the boundary to the highway and, whilst much of the existing hedge would be removed to provide new access and visibility splays, replacement planting to the front on a new line set back from the highway, and rear of the site was proposed. It was also considered that the boundaries adjacent to residential properties should be screened to minimise the impact of the development in the area and a condition would be imposed accordingly. The proposed kiosks would be set back from the highway and would not be prominent from the highway.

In response to the neighbour concerns relating to large residential development in Waters Upton, whilst it was listed in Policy CS7 as one of the key settlements, officers clarified that Sytch Lane was not currently allocated for new housing. Local residents had also raised concerns about the impact of the development on amenity from traffic generation, noise, odour and upon the character of the area. Whilst it was acknowledged that the proposed pumping station would lead to the loss of a small area of agricultural land, it would not generate a significant increase in vehicle movements. The design and materials and the associated landscaping would minimise its impact in the semi-rural location and there would be no significant impact on the amenity of nearby residential properties. Given the scale, design and materials of the proposed development, the proposal was considered acceptable.

Severn Trent Water's agents had responded to the Parish Council's concerns in detail as set out in the report. In conclusion, whilst officers noted these concerns and those of local residents', the proposed pumping station was considered acceptable in this location by virtue of the proposal's scale, design, form and materials and would not be overly prominent in the area with suitable landscaping. Furthermore, the proposal would not have a detrimental impact on adjoining residential amenities.

Since preparation of the officer's report, the Environment Agency had commented that, whilst they had not requested the proposal, they considered that the scheme would provide a more sustainable, long term water treatment option with benefits to both the water quality and the wider local water environment.

Following the deferral of the application at the previous Plans Board, officers had re-consulted local residents and notified them of the site visit and the date of this meeting. One neighbour had submitted further information to Members regarding local residents' concerns and suggesting an alternative site in Waters Upton, as summarised in the update report tabled at the meeting. STW had responded to the issues raised, as set out in the update report, and had provided photographs showing an example of the proposed development as recently built in Clee Hill, near Ludlow. No specification of the proposed lighting column had been submitted but STW had confirmed that it would not exceed 3m in height.

For the clarification of the Board, the update report gave further information on Part 16 of the General Permitted Development Order 1995 as it applied to this site and outlining that it was only the development above ground level which required consent..

Cllr C. Purves, on behalf of Waters Upton Parish Council spoke against the application and referred to the degree of local opposition. He also made reference to an alternative site which local residents considered more appropriate than that put forward by STW. These views were supported by Mr. Kevin Whittle, a local resident, who had provided additional information for the Members, as tabled. Councillor Stephen Bentley, Ward Member for Ercall Magna, spoke against the application and asked that determination of the application be deferred to allow STW to undertake further investigations on the suitability of the proposed site.

Alan Hardwick of Fisher German, the applicant's agent, spoke in support of the application. In response to the points raised by the previous speakers, he said that the Environment Agency had confirmed that the proposed scheme was the most sustainable solution to providing a sampling point, which was the main reason for installing this Sewage Pumping Station.

Councillors R.T. Kiernan and H. Rhodes asked if any alternative sites had been considered and the Planning Officer responded that, while the Council had not done so, STW had, but full information on an alternative site had not been made available. The Chairman suggested that, in view of the local concerns being expressed, determination of the application be deferred and STW be requested to provide this information to justify its choice of the application site. This was supported by the Head of Housing & Planning, who stated that an evaluation of any alternative sites would allow the Board to have all the available information on which to make its decision.

RESOLVED – that planning application TWC/2010/0420 be deferred to enable officers to seek additional information on the location of the Sewage Pumping Station.

(f) TWC/2010/0423 - 1 Ellerdine, Telford, Shropshire, TF6 6RP

This application sought planning permission for the demolition of the existing dwelling and the erection of a detached two-storey replacement. The existing dwelling had previously been altered and extended and there was planning permission for further extensions. Ercall Magna Parish Council had requested that both applications be considered by the Plans Board.

Ercall Magna Parish Council had no objection to one dwelling on the site with access from the road. The Council's Highways Engineer had no objection to the proposal subject to appropriate conditions.

The proposal was for a two-storey replacement dwelling in the same location as the existing property, utilising the recently approved vehicular access at the north of the site. The dwelling, which would have four large bedrooms and 3 bathrooms on the first floor, would be orientated so that the frontage faced north-east towards the new

detached garage and access. A similar submission for a replacement dwelling had been withdrawn as it was deemed to be too large and pre-application discussions had taken place on the required revisions to the scale and design. The proposal was in accordance with these discussions.

Given the revisions in national and local planning policies, there were no policy constraints to a replacement dwelling as opposed to the creation of a new dwelling in the rural area. Therefore, the principle of a replacement dwelling was considered acceptable subject to the relevant design policies. The replacement dwelling would be required to be of a similar footprint to the existing building and the recently approved extensions and alterations.

The existing dwelling and approved extensions had a footprint of 157.4sq.m and measured 6.95m to ridge height. This proposal had the same footprint but a ridge height 0.15m higher than the existing dwelling and 1.0m. higher than the ridge height of the garage. This was considered acceptable as it would give the dwelling dominance over the existing substantial detached garage building. The design of the dwelling was modern and similar to the approved extensions but with wider symmetrical gables and a single central window at first floor but with wider ground floor windows. Therefore, it was considered that the design and appearance would be improved if the ground floor windows matched the proportions of the first floor windows and amended plans would be requested accordingly. It was intended that the building will be constructed in materials to match the recently constructed garage.

The proposed replacement dwelling would not adversely impact on adjoining residential amenity given the separation distance of approximately 50m. from nearby properties or the orientation of the property. Existing screening would be retained and the property would not appear overly prominent in the area, being set back from the highway. The scale and design of the replacement dwelling was in keeping with the existing development on the site and the surrounding area and would improve the existing character and appearance by replacing the ad hoc arrangement of extensions constructed in a variety of materials. On balance, whilst the gables were wider than those approved on the 2008 plans for extensions to the existing property, the replacement dwelling was considered to be of an acceptable scale and design. Given that the replacement dwelling matched the footprint of the extended property and the applicant had been advised that this was the maximum that would be allowed, officers considered that permitted development rights should be removed to control the scale, mass and form of the replacement dwelling in the rural area.

Councillor C. Purves, on behalf of Ercall Magna Parish Council and David Humphreys, the applicant's agent, spoke in support of the application. David Humphreys said that the proposed new build would provide a more symmetrical dwelling than would the previously approved extensions to the existing dwelling. The new build would be energy efficient and of a design in keeping with the area.

The update report tabled at the meeting informed the Board that, following discussions with the applicant's agent, amended plans had been received showing a reduction in the size of the ground floor windows on the front elevation in line with

the suggestion contained within the main report. Officers considered that the design and appearance of the proposed dwelling would be enhanced by this amendment.

RESOLVED – that planning application YWC/2010/0423 be granted planning permission subject to the submission of amended plans and to the conditions as set out in the report.

(g) TWC/2010/0428 - Longford Cottage, Longford Road, Newport, Shropshire

RESOLVED – that determination of planning application TWC/2010/0428 be deferred to allow a Site Visit to be made.

(h) TWC/2010/0502 - Land Off Park Road, Dawley Bank, Telford. Shropshire

This was an outline application by Telford & Wrekin Council for 100% affordable housing on a site of approximately 0.8ha currently used as grazing land, with all matters reserved for later consideration. The indicative site layout demonstrated that 6 x 2 bedroom houses, 12 x 3 bedroom houses and 2 x 4 bedroom houses with a maximum height of two storeys could be accommodated together with at least 200% provision of on-plot parking and garaging. A zoning plan identified the maximum areas for built development, green spaces and details for roadways and planting.

The development was part of a larger joint venture between Telford & Wrekin Council and the Homes & Communities Agency (HCA) to increase affordable housing provision in the borough. Sites were being made available at nil land value to facilitate such schemes with the net gain being sought for the borough. Whilst all of the HCA sites currently had outline planning consent, those from Telford & Wrekin Council required outline consent to ensure that the developers or Registered Social Landlords could progress the programme of works to ensure deliverability of the project.

Lawley & Overdale Parish Council had commented as set out in the main report and one letter of objection had been received from the adjacent factory relating to parking issues. The update report tabled at the meeting outlined the additional comments received from the Parish Council in respect of the birds on the site. In response the Planning Officer informed the Board that the applicants had carried out an ecological study which had shown that there were no protected species present but had made recommendations for action to ensure that the proposal would have no adverse impact on wildlife in the area. The update report also responded to the concerns expressed by the objector and informed Members that the application site was not currently used for parking by the factory and, as there would be sufficient parking provision within the proposed development, there would be no adverse impact on its parking area.

The site was designated as 'white' land in the local plan and, therefore, was acceptable for development in principle, subject to issues of highways, drainage, ground conditions design, etc. being agreed. In addition, a previous, lapsed approval for development of part of the site with 12 residential properties had established the principle of residential development. The Council's Highways Officer

had no objection in principle to the development and access, subject to appropriate conditions.

As this application was for outline planning permission only, the principles of design could be considered, as set out in the Design and Access Statement. It was considered that the configuration of the development zones would allow for a variety of affordable housing types, of a maximum of two storeys in height to reflect the character and appearance of existing residential properties within the area. In addition, the location of the development zones would ensure that there was sufficient separation between the proposed and existing properties to preserve the amenities of occupiers of these properties. The proposal, therefore, accorded with Policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

Given the proximity of the site to existing industrial uses at adjacent properties, a noise survey was required to consider the impact of the proposed development, as set out in the report but appropriate conditions could be imposed to ensure an adequate level of protection. In accordance with PPG24 guidance, acoustic barriers were not considered appropriate, but the buildings would be expected to have solid facades in terms of method of construction and double glazing to mitigate any noise impact.

The zoning plan indicated an area of open space with details of use to be confirmed at the reserved matters stage but the principle of retaining open space was acceptable. The existing trees, which were situated around the edge of the site, were of importance in both ecological and visual terms and their retention was considered essential, which would be secured through conditions. Therefore, the development was in accordance with Policy CS11 of the Core Strategy and Policy OL11 of the Wrekin Local Plan

A development of this scale would impact upon the existing community facilities, and, normally, there would be a requirement for contributions for play facilities/open space and education. But, as the proposal was for 100% affordable housing, a contribution was not being sought in this instance as it was considered that the overall benefit of increased affordable housing provision was sufficient planning gain. The update report made further reference to this point and informed the Board that, whilst a scheme of this size did not warrant the creation of formal play space within the site, an area of open spaces for informal play/use was proposed and it was not considered that the lack of formal facilities would have an adverse impact upon adjacent occupiers in terms of anti-social behaviour or damage to buildings. To ensure that the development would deliver 100% affordable housing, the update report stated that the Council, as landowner, would be required to agree that the site would be bound by an appropriate obligation.

RESOLVED – that with regard to planning application TWC/2010/0502 the Head of Housing & Planning be authorised to grant outline planning permission subject to the Council as landowner agreeing that the land would be bound by obligations in respect of the provision of 100% affordable housing, and to the conditions as set out in the main report.

(i) TWC/2010/0520 - 1 Ellerdine, Telford, Shropshire,

The application sought retrospective planning permission for the conversion of the large detached garage on the site into residential accommodation; the applicant and family having been resident in the converted garage since the beginning of July 2010. It was the applicant's intention to live in the building until the construction of the replacement dwelling (TWC/2010/0423) had been completed, subject to receipt of planning permission. Ercall Magna Parish Council had requested that the application be determined by the Plans Board, and had submitted objections to the proposal.

The proposal related to a recently built large detached garage measuring approximately 100 sq.m. with ancillary living accommodation at first floor. It comprised three bays to the front and additional garaging/ storage to the rear and had been converted by replacing the garage doors with French doors/windows. The ground floor comprised a lounge and playroom to the front and a kitchen/dining area to the rear. Each room had been fully equipped with permanent in-built fixtures and fittings although the applicant had advised that the fitted kitchen would be re-installed in the proposed dwelling. The first floor comprised three bedrooms and a bathroom. Planning permission for the garage had been granted in 2009 (W2009/0759) and, for clarification the report set out conditions 6 and 7 of that planning approval, as follows:

6. *The ground floor of the garage building shall not be used for any purpose other than those incidental to the enjoyment of a dwelling house but not as living accommodation.*
7. *The development hereby permitted shall only be used as an integral part and incidental to the enjoyment of the existing dwelling and shall not at any time be occupied as separate residential accommodation.*

Following occupancy of the garage both the applicant and his agent had been advised by the Planning Enforcement Officer that this was in breach of these conditions. In addition, if planning permission was granted for a replacement dwelling (TWC/2010/0423) once the existing dwelling was demolished and until the new dwelling was habitable, only the converted garage would be in situ. Accordingly, it would then be a separate unit of accommodation and not ancillary to the dwelling house and thus contrary to the extant approval.

The application form submitted did not specify that the conversion of the garage would be for a temporary period whilst the updated Design & Access Statement stated that the proposal was for retrospective 'Temporary Garage Conversion' during work to either build the extension to the existing dwelling (W2008/1331) or to replace the main dwelling. The application was, therefore, being considered as a temporary dwelling. No timeframe for how long the construction of the dwelling or the extension would take to complete and for the residential use of the garage had been submitted by the applicant.

The principal alterations proposed to the garage were the replacement of the 5 doors with French windows and the addition of a partition wall to create a lounge and a playroom. Within the rear workshop/storage area a fitted kitchen had been installed

and 3 plasma screens had been installed within the walls of each of the ground floor rooms. At first floor level additional partition walls had been installed to create 3 bedrooms. This conversion had the appearance of being permanent in its layout, fixtures and fittings, with the applicant having incurred significant expense. Subsequently, officers considered that the application should also be considered having regard to policies relating to the principle of new dwellings in the rural area, particularly Policy CS7 of the Core Strategy which stated that development within the rural area should be limited to meet the needs of the area and be focussed on the three key settlements of High Ercall, Tibberton and Waters Upton. In addition, it did not constitute an infill plot within a built-up frontage of the village in accordance with H10 of the Wrekin Local Plan. The garage already constituted built form within the residential curtilage and, therefore, the development did not extend the village into the open countryside but the conversion of the garage to a residential dwelling would create an additional residential unit in the rural area, outside the key settlements and further exceeding rural housing numbers. Consequently the creation of a new dwelling in this location was contrary to Policies CS1, CS7 and H10 and was, therefore, unacceptable.

Whilst the built form of the garage had not significantly changed, the external appearance had been altered with a predominance of glazing to the openings, as determined by its new unauthorised use as a residential unit. Whilst the design was acceptable as the scale, form and proportions were unchanged, the principle of the conversion was not acceptable and the garage could no longer be utilised for its intended purpose.

Given that the development would be contrary to both national and local planning policies, the proposal could not be supported on a permanent basis and temporary planning permission could not be supported as it would be unreasonable to condition temporary permission and request that the building was reverted to garaging at the end of the temporary period given the permanent nature of the conversion. The conversion of the garage to residential use had been undertaken at the applicant's own risk as the Local Planning Authority had advised that the development breached conditions on planning permission W2009/0759.

Councillor C. Purves on behalf of Ercall Magna Parish Council said that concerns had been raised that the applicant was attempting to secure two properties on the one site given the standard of work and the fittings that had been installed in the garage.

The applicant's agent, David Humphreys, responded that there had been no attempt to have two dwellings on the one site, as any confusion with regard to the site address had been due to an administrative error by the Local Planning Authority, for which it had apologised. He stressed that the conversion of the garage was only intended to be temporary during construction of the now approved new build. The fittings installed in the garage would be reinstalled in that dwelling. His client was willing to accept a S106 obligation to restrict the future use of the garage.

Councillor D.G. Chaplin drew the Board's attention to conditions 6 and 7 of planning permission W2009/0759 which restricted the use of the garage as ancillary

accommodation only. This was supported by the Chairman and Councillor K.L. Tomlinson.

RESOLVED – that with regard to planning application TWC/2010/0520 planning permission be refused for the following reasons:

1. The proposed conversion of the detached garage to a new residential property in Ellerdine was considered unacceptable as the site lay outside the identified settlements of High Ercall, Waters Upton and Tibberton where new residential development in the rural area was expected to be sited. The development would not constitute an exceptional circumstance, in terms of providing an agricultural or forestry workers dwelling or affordable housing, and the provision of a new dwelling away from the identified settlements would conflict with the purposes of the adopted Core Strategy. Accordingly the development was contrary to Local Development Framework Core Strategy Policies CS1 and CS7, Wrekin Local Plan Policy H10 and national guidance contained in PPS1, PPS3 and PPS7.

The meeting ended at 7.20 p.m.

Chairman:

Date:

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 8th December, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors N.A. Dugmore (Chairman), J.A. Francis, V.A. Fletcher (substitute for Councillor D.R. Chaplin), G.M. Green, R.T. Kiernan, F.R. Picken, H. Rhodes and M.J. Smith

ALSO PRESENT: Councillor A.A. Meredith (for planning application TWC/2010/0046), Councillor A.D. McClements (for planning application TWC/2010/0314 and Councillor A.J. Eade (for planning application TWC/2010/0428)

PB-57 MINUTES

RESOLVED – that the minutes of the Plans Board held on the 17th November, 2010 be confirmed and signed by the Chairman.

PB-58 APOLOGY FOR ABSENCE

Councillor D.R. Chaplin

PB-59 DECLARATIONS OF INTEREST

Councillor G.M. Green declared a personal but non-prejudicial interest in planning application TWC/2010/0492.

PB-60 DEFERRED/WITHDRAWN APPLICATIONS

None.

PB-61 SITE VISITS

None.

PB-62 PLANNING APPLICATIONS FOR DETERMINATION

(a) TWC/2010/0046 -Tudor Rose Cottage, 4 Chetwynd End, Newport, Shropshire

This application sought full planning permission for the erection of a small, single storey rear extension to provide a utility room and WC, the installation of two pitched roofs over the existing flat roofed extension and the proposed extension, and a detached sun room in the rear garden. The application was part retrospective as the detached timber sun room/shed had already been erected. Planning permission was only required for the single storey rear WC and utility room extension, the installation of the pair of pitched roofs and the retention of the sun room shed, as the other proposed alterations were permitted development and only required Listed Building Consent, for which an application had been submitted. Tudor Rose Cottage was a Grade II Listed Building within the Newport Conservation Area and was the end

property in a row of six dwellings. Determination of the application had been deferred at the previous meeting of the Board to allow Members to make a Site Visit.

There was a common boundary between the application site and the adjoining property, No 6 'The Honey House' comprising the rear wall of the kitchen and outbuilding belonging to that property. Representations had been received from the owner of No. 6. Some of the issues raised were in respect of an on-going neighbour dispute concerning the sandblasting of the boundary wall, which had resulted in the bricks becoming porous. The other issues raised were summarised in the report, including that of an ongoing damp problem.

The Council's Conservation Officer had no objections to the proposal subject to appropriate conditions. Representations had been received from the occupant of The Honey House on a number of issues, including that of on-going damp, as described in the report. The existing flat roof over the kitchen extension, which had Upvc windows, detracted from the character and appearance of the Listed Building. An earlier consent had allowed a pitched roof over part of the existing rear extension but this revised design, which included removal of the flat roof, would be an enhancement which would have a positive impact upon the character and appearance of the Listed Building, the street scene, and the Conservation Area.

The sun room, which had the appearance of a large garden shed, was not attached to the Listed Building or visible within the public domain and, therefore, would have no impact upon the character and appearance of the Listed Building or the Conservation Area. It was positioned close to the boundary wall with No.6, which the owner of that property considered would impede her access to the wall for maintenance purposes. However, there was no minimum separation distance required between the structure and the wall for maintenance access and it was not a material planning consideration and was covered by separate legislation. The Council could not insist that the applicant amended the proposal in this way and it was considered that the proposed development was acceptable in policy and design terms and would help to solve the existing damp issues.

Whilst the damp issue was not a material planning consideration, officers considered that the proposed extension would help to alleviate the problems experienced by both the applicant and the neighbour. Building the small extension adjoining the neighbour's boundary wall would allow the applicant's rainwater guttering and foul drainage arrangement to be altered. The guttering would be re-routed into the valley gutter between the two new pitched roofs and the extension sealed and lead flashed to the wall of no.6 with the box gutter adjacent to the neighbour's wall draining to a soakaway in the applicant's garden. The abutting of the new extension to the existing boundary rear wall would also cover the area of sandblasted brickwork and any damp proof membrane inserted into the neighbour's wall would further prevent ingress of damp. The extension would be constructed upon a raft foundation which would minimise the amount of excavation required and ensure the stability of the neighbouring property.

As the proposed extension would adjoin the neighbour's wall, their consent would be needed for this work to go ahead. Notice had been served on the owner but any subsequent refusal for any works on their land was not a planning matter. The

design of the proposed rear extension for the utility room and WC was considered acceptable and beneficial to the neighbouring property. The proposed development complied with the Council's 45 degree code, sufficient private amenity space would be retained and parking was unaffected.

Councillor A.A. Meredith spoke on behalf of the owner of No. 6 Chetwynd End. He said that she had no objections to proposed extensions but would wish there to be a 1 metre gap to allow access for maintenance purposes. She accepted that both her own and the applicant's architects were of the view that the proposed extensions would help to alleviate the damp problems but with only a 50% chance of success. In addition to addressing the Board, Councillor Meredith had circulated written information which included a comment made by the objector that, in the event of the application being approved and she no longer having access to her wall, she would have no option but to sue the Plans Board for negligence and seek damages.

Mr. T. Rowland, agent for the applicant, responded to Councillor Meredith's comments. He outlined the ways in which the proposed works would address the issues of damp and added that No. 6 itself did not have a damp course.

The Council's Solicitor outlined the relevance of the Party Wall Act with regard to this application and briefly outlined the process, which existed alongside the planning process, to provide a process in situations such this where the proposed wall was going to abut the boundary. He also referred to the threat to sue the Board made by the owner of No. 6 and informed the Members that, in the circumstances of this application, there was no realistic prospect of any liability on the Local Planning Authority should the permission be granted and the threat should be disregarded.

Councillors V.A. Fletcher and J.A. Francis expressed concerns regarding the issue of damp and, in addition, Councillor Fletcher considered that the new gables on the proposed extension would not enhance the character of the Listed Building. Conversely, Councillor F.R. Picken said that abutting the wall of the extension to the existing party wall would be the preferable option to resolve the issue of damp. Councillor G.M. Green said that she would abstain from any vote on the application as she considered that the application was the subject of a neighbour dispute over which the Board had no jurisdiction.

In response the Head of Housing & Planning informed the Members that the issue of damp was not a planning matter and that there were technical means available to address them should the owner of No. 6 be so minded. With regard to the impact of the new gables on the Listed Building, the Planning Officer responded that this was a matter of balance but the Council's Conservation Officer considered the proposal to be acceptable and it had been designed to address the current situation.

Councillor H. Rhodes proposed the recommendation to grant planning approval, as set out in the officer report, but there was no seconder. Therefore, Councillor V.A. Fletcher, seconded by Councillor J.A. Francis, proposed that planning permission be refused on the grounds that the application was contrary to Policies HE3 and HE16 of the Wrekin Local Plan.

RESOLVED – that with respect to planning application TWC/2010/0046 planning permission be refused for the following reasons:

1. The Local Planning Authority considered that the alterations and extensions to the Listed Building would result in the loss of architectural features and not maintain the essential form, character, or historic interest of the building and would adversely affect its setting. Accordingly, the application was contrary to Policy HE16 of the Wrekin Local Plan;
2. The Local Planning Authority considered that the alterations and extensions to the Listed Building would not be of the highest standards of design required to preserve or enhance the character or appearance of the Conservation Area. Accordingly, the application was contrary to Policy HE3 of the Wrekin Local Plan.

(b) TWC/2010/0093 - All Labour In Vain, Wellington Road, Horsehay, Telford, Shropshire

This was an application for the demolition of the existing public house and the erection of 7 three bedroom and 2 four bedroom dwellings on a site of approximately 0.29ha in size. The wider area was predominantly residential in character and comprised largely two storey development. The site was designated as 'white' land in the Wrekin Local Plan and there was a presumption in favour of development which accorded with other policies within the Development Plan.

Objections had been received from the occupants of four properties, as set out in the report and Dawley Hamlets Parish Council had raised concerns regarding the loss of the existing pub as a community facility under policy CS10 of the Core Strategy. However, as set out in the report, the Council's approach to this had been supported by the Planning Inspector at the appeal for the loss of the Charlton Arms public house and hotel in Wellington and officers considered that the provision of other public houses and facilities was sufficient to meet the daily needs of local residents.

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The proposed buildings would front the adjacent road with private gardens and parking to the rear, an acceptable layout which responded well to the surrounding context of development. The buildings would be two storeys in height and of an appropriate scale and massing to reflect residential development in the area. There was a change of ground level within the site, which the design of the properties had exploited to give a two storey front elevation and a three storey rear elevation. Amended plans had been received to alter the front porches to plots 5 and 6 and to remove the balconies proposed in the original plans, as set out in the report and, accordingly, the proposal complied with policies CS15 of the Core Strategy and UD2 of the Wrekin Local Plan.

The neighbouring properties were situated on approximately the same ground level as the proposed front elevation of the dwellings with a separation distance of between 15 and 34m, given the shape of the plots. This was considered sufficient to ensure that the development would not have an adverse impact, in terms of privacy,

overlooking and outlook, on the residential amenities of occupiers of neighbouring dwellings.

The proposed layout had one plot with direct access off the road, the other 8 plots being served by a private drive, together with provision for 2 allocated parking spaces per dwelling, 5 visitor spaces and a turning facility. This level of parking provision was considered acceptable and the Highways Officer considered that there would be no detrimental impact on highway safety, subject to appropriate conditions to ensure these were laid out and available for use prior to occupation of the dwellings.

With respect to ecology, the proposal had been amended to include additional planting along the north boundary to increase the opportunity for biodiversity on the site and to protect the nesting birds which had been identified on the site. These measures could all be controlled through the imposition of appropriate conditions as set out in the report.

Neighbour objections had been raised regarding issues of noise and disruption during the construction period but these would only have a short term impact and could be adequately controlled through an appropriate condition. With regard to drainage issues, it was considered that a scheme requiring further details would be sufficient to ensure that the site was adequately drained.

Members expressed regret at the loss of this community facility but recognised that the application before them would provide housing for the borough and was a preferable alternative to the building becoming derelict.

RESOLVED - that with respect to planning application TWC/2010/0093 be granted planning permission subject to the conditions as set out in the report.

(c) TWC/2010/0314 - 45 Dawley Road, Arleston, Telford, Shropshire

This application sought planning permission to change the use of the existing retail unit, which was sited at the end of a row of shops with two floors of residential accommodation above, from a delicatessen (Use Class A1) to a combined delicatessen and hot food take-away (Use Class A5). The application form stated that there would be 1 full-time and 1 part-time employee with proposed hours of opening of 10am to 11pm 7 days a week. Councillor A.D. McClements, the Ward Member, had requested that the application be considered by the Plans Board.

A communal car parking area was located to the front of the units, which was in a modern, flat-roofed building located within a predominantly residential area on the edge of Wellington. While not designated as a District Centre, it was a Local Centre. There were currently no take-away units within the row of shops, which had a mix of uses including a betting office, an off-licence, a motor supplies shop, a Halal butchers, with a convenience store located on Dawley Road. .

Wellington Town Council had objected to the application as summarised in the report and the Wellington Local Policing Team and the Wrekin Housing Trust, which owned the unit and residential units above, had objected on the grounds that the area

around the shops had historically been subject to anti-social behaviour, which they had worked hard to resolve. The Policing Team considered that the take-away would increase such problems by remaining open to 2300hrs and would result in concern and disturbance to local residents. Fifteen letters of objection had been received from local residents, as summarised in the report. There had also been a significant amount of support for the proposal on the grounds that there were no take-aways in the area and one would be of benefit to the local community. The update report tabled at the meeting clarified that the objections had been submitted by residents of the flats above the shops and in close vicinity of the application site with the letters of support being predominantly from residents in Arleston and Wellington, including Dawley Road, with some from the wider area of Telford and Shropshire.

Policy CS5 of the Core Strategy outlined Local Centres such as Arleston as the focus for accessible local services and small scale community facilities to meet people's day-to-day needs. The mix of uses within a local centre should be carefully managed and the development must assist in creating vibrant, safe and attractive places with a design that reflected and responded to the locality. As outlined in the report, the nearest take-aways were some 300 metres distant on Watling Street. Therefore, officers considered that the proposal would conform to this policy and would not result in a proliferation of such food outlets.

In regard to guidance in policies PPS23 and PPG24 and the concerns raised by objectors, officers had discussed the proposal with the Council's Environmental Health Officer and had sought amendments to the scheme. The Environmental Health Officer had no objections subject to conditions to ensure that the development was implemented in accordance with the revised scheme and noise levels were strictly controlled. The update report tabled at the meeting informed the Board that the Precautionary Principle referred to in PPS23 and PPG24 should be followed if there was a likelihood that a development would have harmful effects on health, in terms of pollution from noise and odour, etc., but not with regard to other aspects such as antisocial behaviour.

The Police had been requested to provide evidence of the problems at these shops and whether the suggested earlier closing time of 2200 hours would improve the situation. They had responded that in the past twelve months there had been 44 incidents of anti-social behaviour reported in the vicinity together with 8 recorded crimes. Consequently, there was a high fear of crime in the area, which local agencies had attempted to address. The shops were a community focal point and attracted groups of people which the police considered would be increased if the application was approved. Closing at 2200 hours rather than 2300 hours would make little difference and the opening of a late night take away at this location would result in increases in crime and anti-social behaviour in addition to increased volume of complaints to the Local Authority regarding noise nuisance and litter. Any community benefits arising from the application would be outweighed by the inevitable reduction in confidence and the increase in fear of crime that would be experienced by local residents. Should planning permission be granted, the Police had requested that a good quality CCTV system covering the inside and outside of the premises be installed and maintained and, if the owners were proposing to include a delivery service into their business model, consideration should be given to

how this operated, particularly if vehicles were frequently coming and going from the premises. Furthermore, there should be no gaming machines on the premises. Officers had noted these and the update sheet tabled at the meeting recommended that these points be addressed by appropriate conditions.

The unit currently had a metal vent on the side gable wall to provide extraction for food cooked in association with the delicatessen and the submitted scheme had been amended by the installation of a new extraction system whereby an external flue, extending 1.5m above the flat roof of the 3 storey building, was attached to the side gable wall in order to meet Environmental Health requirements. However, as the flue would be set back some 5.5m from the frontage of the shop unit towards the rear of the building, it would not be overly prominent in the streetscene. Neither would it significantly alter the character or appearance of the building and details of materials could be conditioned to ensure it was in an appropriate finish.

The revised scheme had addressed the concerns raised regarding noise and odour from the extraction system and it was considered that a reduction in the proposed hours of opening would reduce the noise and disturbance from customers and vehicles and minimise the adverse impact on adjoining residential amenities. Therefore, officers had suggested that a condition stating that the take-away must close at 10pm with staff vacating the premises by 10.30pm would be appropriate. In addition, the applicant had stated that an additional litter bin would be installed at the shop unit, the location of which could be agreed by condition.

With regard to other concerns raised, officers did not consider that approval for a take-away in this unit would set a precedent for further approvals as all applications were considered on their individual merits and with regard for the relevant national and local policies. The unit shared the existing communal parking area and it was considered that the proposal would not lead to parking problems. The site was in a sustainable location in an existing local centre close to Wellington District Centre within an established residential area. The Highways Engineer had no objections and there are no highway safety issues. On balance, whilst the change of use had caused concern for some local residents, there was also significant local support for the proposal.

Councillor A.D. McClements, Ward Councillor for Arleston, spoke against the application and stressed the concerns of local residents, the police, Wellington Town Council and the Wrekin Housing Trust, as owners of the property, relating to anti-social behaviour, crime, noise, smell and litter. These views were supported by Joanna Deacon, a local resident, who said that approval of this application would exacerbate the existing problems centred on the shops.

In response the applicant's agent, David Humphreys, referred to the amended scheme and proposed installation of a flue to address the issues of noise and smell, which had complied with the requirements of the Environmental Health Officer. He referred to other similar applications within Telford & Wrekin where the police had recognised the benefit of increased surveillance when a shop was open. He considered that the applicant had addressed and fully complied with all the issues which were within his control.

Members expressed support for the views put forward by objectors, particularly those of local residents. Whilst it was not possible to legislate against anti-social behaviour the Council did have a duty to prevent the environment that fostered such behaviour.

There being no proposer and seconder for the officer recommendation that the application be approved, it was proposed and seconded that it be refused.

RESOLVED - that with regard to planning application TWC/2010/0314 planning permission be refused for the following reasons:

1. **The Local Planning Authority considered the proposed change of use to a take-away facility was unacceptable as it would result in the loss of a retail unit, leading to a proliferation of take-away establishments within the Arleston locality, and consequently would be detrimental to the character of the predominantly residential area. Subsequently the proposal would be contrary to Policies CS5, CS9 and CS15 of the Core Strategy;**
2. **The Local Planning Authority considered the proposed change of use was inappropriate in this location as it would result in an unacceptable level of noise and disturbance caused by customers and vehicle movements, to the detriment of residents in the flats above the shops, Dawley Road and the surrounding properties in a predominantly residential area. Furthermore the proposal would lengthen the opening hours of these retail units increasing the level of disturbance to existing residential properties in an area which was already subject to a high level of antisocial behaviour. Accordingly it was contrary to Policy CS9 & CS15 of the Core Strategy and national guidance contained in PPG24 Planning and Noise;**
3. **It was also considered that the proposed development would have an adverse impact on highway safety caused by the increase in traffic and the existing parking inadequacies which were shared by residents and retail users. Therefore the proposal would be contrary to Policy CS15 of the Core Strategy and PPG13 Transport.**

(d) TWC/2010/0428 - Longford Cottage, Longford Road, Newport, Shropshire

This application sought permission for the demolition of an existing double garage and the erection of a double garage, garden store and shower with ancillary living accommodation over and an internal staircase on the ground floor. The proposed building measured 9m. wide, 6.3m. deep and 6m. high with walls of facing brickwork and concrete tiles for the pitched roof to match those used on the adjacent house. The existing flat roof garage was of no special architectural merit

Councillor A.J. Eade, the Ward Councillor, had requested that the application be determined the Plans Board. He considered that the proposed development was acceptable and that any issues relating to the future use of the replacement garage

could be dealt with by conditions. Determination of the application had been deferred at the previous meeting of the Board to allow Members to make a Site Visit.

The applicants had stated that the ancillary living accommodation would only be used as guest or overflow accommodation. When applications for double garages with living accommodation over were submitted officers endeavoured to ensure that the proposals were not overly large and only provided basic amenities so that the accommodation remained subsidiary to the main dwelling. The more conducive or advantageous was the accommodation the more likely it was to be used as a main residence or separate household, which could then lead to enforcement proceedings. Therefore, officers normally requested the omission of all dormer windows, although rooflights were acceptable, and the provision of outside staircases.

Officers had no objection in principle to the application but considered that the scale and size of the proposed development would be inappropriately large for an ancillary structure and that the dormer windows were too domestic in appearance and contributed to the over-size of the building. It had been proposed to the applicants that, if they were willing to replace the dormer windows with rooflights, the size of the accommodation and the internal staircase could be considered to be acceptable. However, the applicants were unwilling to agree to this change and the proposal, as submitted, did not relate positively to its context or respect and respond to the site and its surroundings. Therefore, it was considered that the new building would have a detrimental impact on the character and appearance of the existing dwelling and the surrounding environment.

Councillor A.J. Eade, Ward Member for Church Aston & Lilleshall, spoke in support of the application. He said that the proposed development was at the rear of the site and, as it was not overlooked by any other property, would have no detrimental impact of neighbouring amenities and the barn sited to the side of the application site would dwarf the proposed garage. In conclusion, he considered that the scheme would respect and respond to the site. He referred to the concern that the garage could be used as a residence but assured the Board that this was not the applicant's intention, as the building would be too small, but such a use could be controlled by the imposition of an appropriate condition.

Several Members considered that, following the site visit and given the size of the site, the proposed garage would not be overbearing. In addition, the Chairman agreed that the structure would be too small to be used as a domestic dwelling. However, Councillor H. Rhodes drew the Board's attention to the fact that the application was contrary to policy.

On being put to the vote, the officer recommendation that the application be refused was not supported. A proposal, as seconded, that planning permission be granted was approved by a majority vote.

RESOLVED – that with respect to planning application TWC/2010/0428 the Head of Housing & Planning be authorised to grant planning permission subject to a condition restricting the use of the garage to parking and storage

with ancillary accommodation above but not to be a separate unit of accommodation and to determine appropriate conditions.

(e) TWC/2010/0458 - 62 Wrekin Road, Wellington, Shropshire

This application from Telford & Wrekin Council sought full planning permission for the conversion of the traditional single storey, former school building, the erection of 4 terraced dwellings to the rear of the site, with associated parking, a new site access, associated landscaping and engineering works. The building currently provided offices for Council services which would be relocated to the new Wellington Civic Centre. The proposal also included a new roundabout to serve Wrekin Road and 'Roseway'. The application site was located in a predominantly residential area comprising Victorian and inter-war terraces together with modern semi-detached houses and flats.

Wellington Town Council had no objection to the proposal. The Highways Officer had no objection in principle subject to conditions regarding the construction of car parking and the mini roundabout. The Conservation Officer considered that, as the existing use was in itself a conversion, the principle of converting the building was acceptable. The Council's Arboricultural Officer, had prepared a tree survey, as submitted with the application, which acknowledged that retention of all the existing trees on the site might not be possible and recommended that a condition regarding replacement planting be imposed. The School Organisation Officer had advised that, as the capital receipt would be used to support the Borough Towns Initiative, a contribution towards educational facilities from this development would not be sought. The Parks & Open Space Officer had requested a contribution towards upgrading the offsite recreational facilities and, following negotiations with the applicant, had requested a contribution of £375 per dwelling. Three neighbour letters of objection had been received, as summarised in the report.

The development site was classed as white land and, therefore, there was a presumption in favour of development. The building did not benefit from any statutory or local protection and could be demolished without planning consent. However, the applicant had sought to protect and preserve the character of the site, which was in a highly sustainable location close to Wellington District Centre. Its development would help to provide community benefits in the area and, therefore, the proposal complied with policy CS5.

The conversion of the existing building would provide 8no. 2 bedroom duplex apartments with mezzanines to provide additional bedroom and bathroom accommodation for each unit. The proposal also sought to demolish the existing modern single storey elements including a flat-roofed extension which did not enhance or relate to the main building; this would create a central courtyard area. There would be a combination of small private garden areas to the north of the building and communal areas and a total of 8 allocated parking spaces and 8 visitor spaces would be provided. To the rear of the building a terrace of 4 new units comprising 2½ storey 3-bedroom properties was proposed with single parking spaces to frontages and amenity space to the rear, which was considered acceptable. The existing vehicular access would be replaced by a widened access

point in a central position directly opposite Roseway, with a new mini roundabout on Wrekin Road to improve highway safety, which would improve highway safety.

The layout, scale and design of the new properties were considered acceptable and in keeping with the existing building and the character of the surrounding area. The alterations to the building and removal of the modern extensions were also deemed appropriate and the Conservation Officer considered that the revised scheme, with a reduction in rooflights, was of an acceptable design and appearance. The scale and design of the terraced row was in keeping with the context of the existing building and adjoining development in Wrekin Road and the orientation of the new dwellings would not have a detrimental impact on neighbouring properties. The existing boundary wall along Wrekin Road would be removed but other boundary walls would be retained and raised to 1.8m to maintain privacy to existing and proposed properties together with 1.8m timber fencing between the units. The proposal provided adequate amenity space which it was considered would not have a detrimental impact on existing or proposed residential amenity. However, it was suggested that a condition to remove householder permitted development rights would ensure that residential amenity to both existing and proposed residents was preserved. Therefore, it was considered that the proposal complied with H6 and UD2 of the Wrekin Local Plan.

With regard to objections raised by neighbouring occupants, it was considered that security would be improved as continual use of the site would provide natural surveillance rather than only during office hours as at present. With regard to the impact on the existing retaining wall, the applicant would have to ensure such walls were adequately retained in order to comply with building regulations. With regard to the value of properties, this was not a material planning consideration.

Councillor H. Rhodes expressed concern at the possible loss of trees or damage to their roots but the Planning Officer referred her to planning condition B14 relating to landscaping design including replacement planting.

RESOLVED - that with respect to planning application TWC/2010/0458 be granted planning permission subject to written confirmation from Property & Design to provide a financial contribution of £4,500 towards the upgrading of the community use recreation facilities and to the conditions as set out in the report.

(f) TWC/2010/0492 - Madeley Academy, Castlefields Way, Aqueduct, Telford, Shropshire

This application was in respect of planning permission for the erection of extensions, the creation of additional car parking and the formation of a new pedestrian access on the site.

The main extension was a two-storey building situated to the south of the main building on a site which had limited use due to a change in the ground levels at that point. It was proposed that the building would be built off the existing lower ground level of the Academy so that there was only a single storey visible from the key

north-west elevation from Castlefields Way. The location of the extension would not affect the natural light to the main Academy building and a new access would be provided via a ramp. The form and features of the extension would follow those of the existing buildings, with materials of a similar nature. The proposal to extend onto an existing hard standing was considered appropriate subject to conditions regarding materials.

The proposed restaurant extension was at lower ground level in the form of a concentric curve set at the centre of the existing restaurant. As the proposal was predominantly glazed and single storey, it would provide a stepped approach to complement the existing form of the buildings. The proposal would be sited on an existing hard standing and, given the proposed additional pupil numbers, it was a necessity and considered appropriate subject to conditions regarding materials.

The Vocational Learning Centre was a single storey pod-like building sat separately to the main Academy building and the proposal to extend onto an existing building and hard standing was considered appropriate subject to conditions regarding materials.

All these buildings would be fully accessible to the disabled and the two-storey extension would include a new lift. The proposed car park would provide an additional 20 car parking spaces for members of staff and was located on an area of hard standing adjacent to the tennis courts. It was considered to be acceptable subject to a condition regarding an updated travel plan prior to occupation.

The proposed pedestrian access was located at the southern end of the site through a belt of trees onto the footpath adjacent to Castlefields Way and was required due to the congestion at the main entrance at peak times at the start and end of the school day.

The Academy had, through the original planning consent, provided various mitigating measures to accommodate access to the site. Given the nature of the development, measures for pedestrians and cyclists were of paramount importance and included enhancements to the signal junction, the footway/cycleways leading to the site and the Public Right Of Way which provided an off-road link to Aqueduct. This latter facility was included in the original submission but its use was now being discouraged by the school. As a result there was a higher than expected use of the footway crossing the Ironbridge Bypass at the Castlefields Roundabout. The pedestrian survey provided suggested that 10% of pedestrians used this route and, with the proposed extensions and additional pupils, it was estimated that approximately 100 children would wish to cross in this direction to/from the Academy. Whilst this route did receive some improvements, it was on the basis of a relatively low level of use, which had not transpired, and measures such as an over-bridge or a signalised crossing would be too expensive and difficult to justify with the latter conflicting with the operation of the Bypass and the roundabout. As such, any further enhancements would be relatively limited in scope. The Council's Road Safety Officers had identified a range of improvements, as set out in the report, the combined cost of which would be £35,000. Given that the Council's Arboricultural Officer had made an objection to the route of the proposed footpath, as originally submitted, it was recommended that an alternative route be considered and

determined in conjunction with him on site in order to ensure that a mature tree in particular could be retained and to minimise the loss of trees generally.

Members welcomed the application particularly in respect of the proposed highways improvements. Councillor V.A. Fletcher queried whether the proposed speed limit of 40 mph should be lower. In response the Head of Housing & Planning said the Local Highways Authority would respond to any such views put forward by concerned Members.

RESOLVED - that with respect to planning application TWC/2010/0492 planning permission be granted in consultation with the Council's Arboricultural Officer for the reasons mentioned in the report and subject to the signing of appropriate legal documentation for planning contributions for highway safety improvements and to the conditions as set out in the main report.

(g) TWC/2010/0527 - 4 Hiatt Avenue, Wellington, Telford, Shropshire

This application sought planning permission for the erection of a single storey front extension, a side and rear extension, and a single storey side and rear extension measuring a minimum of 2.3m wide and 13.8m deep, to create a utility room, bed/sitting room and ensuite bathroom. The property was a semi-detached house situated in a quiet cul-de-sac and was set back about 1m from the neighbouring semi-detached property.

The small single storey extension to the front of the property would result in an alignment of the external wall with that of the neighbouring property and provide an entrance porch and extended lounge area. This was considered acceptable as it would have no detrimental impacts on the adjoining property (No.2 Hiatt Avenue) or other immediate properties and would be in keeping with the existing street scene. In addition, it would help to simplify the appearance of the existing elevation by removing the rather incongruous artificial stone panel to the side of the front door.

The single storey extension to the side and rear of the property, measuring 13.83m x 3.25m would be constructed of orange/brown brickwork with cream painted render panels and areas of horizontal timber boarding covered by a hipped pitched roof. It would provide a utility room and a bed-sitting room with en-suite facilities and a covered timber pergola lean-to would link this with the existing rear elevation. Four full height windows including two patio doors would be inserted into the side elevation facing the rear garden to No. 2 Hiatt Avenue with that serving the en-suite bathroom being obscure glazed. One of the patio windows would serve the bed-sitting room while the other would serve the utility room.

The proposed side/rear extension would require the removal of the existing garage and would extend out to the boundary line which, despite a shared driveway, was pinpointed by an old fence post which sat between the two garages. It was considered that the side extension would have a detrimental impact upon the neighbouring property (No.6 Hiatt Avenue) as one of their two kitchen windows would directly face the proposed extension, resulting in an overbearing effect on the residential amenities in terms of overlooking and loss of privacy.

The single storey extension running 13.83m along the side boundary was considered unacceptable due to the scale of development which was disproportionate in relation to the original dwelling and its impact on neighbouring properties. It would also consume approximately 35-40% of the rear garden area. Although single storey, it had the potential to overlook the neighbouring properties, 2 & 6 Hiatt Avenue and would have an unacceptable overbearing effect on them.

Members agreed that the proposal was too large and would constitute over-development of the site.

RESOLVED - that planning application TWC/2010/0527 be refused planning permission for the following reasons:

1. **The Local Planning Authority considered that the size, design and positioning of the proposed single storey side and rear extension would result in a cramped form of development resulting in an inadequate and unsatisfactory amount of private amenity space for both existing and future occupiers of the application site dwelling house therefore be contrary to 'saved' Wrekin Local Plan Policy UD2;**
2. **The Local Planning Authority considered that the proposed single storey side and rear extension by reason of its location and orientation, would be likely to have a detrimental effect on the amenity of the adjoining residential property in terms of overlooking and loss of privacy. Accordingly, the development would be contrary to 'saved' Wrekin Local Plan Policy UD2 and Government guidance contained in PPS1 and PPS3;**
3. **The Local Planning Authority considered that the proposed side and rear extension by virtue of its scale, mass and form would be disproportionate to the scale and character of the original dwelling house and would be likely to have a detrimental impact on the character and amenities of the local area which would be contrary to 'saved' Wrekin Local Plan Policy UD2 and Core Strategy Policy CS15.**

(h) TWC/2010/0564 - Southwater Regeneration, Telford Centre, Telford, Shropshire

This application by Telford & Wrekin Council sought approval of the reserved matters for the erection of a new purpose-built Civic Offices (sui generis) on a significant location at the south-east corner of the proposed Southwater Square incorporating local authority offices and flexible Use Classes Order A1 to A4 restaurant and retail development. It also included details of the public realm in the vicinity of the proposed replacement Southwater Lake. The proposed Civic Offices formed part of the masterplan to create a vibrant new heart for the town centre, integrating the International Centre, the existing leisure complex and other existing town centre uses including Meeting Point House, the library, hotels, etc. with entertainment, leisure and night-time uses.

The proposed Civic Offices had been designed to provide an appropriate civic quality and to be a benchmark for subsequent development through design quality and high quality materials. The aim was for the building to achieve BRE Environmental Assessment Method (BREEAM) 'excellent' status in terms of sustainable design in line with the planning conditions attached to the outline permission. The proposal comprised a gross internal development area of 8,434sqm of which 7,816sqm was civic offices (sui generis) and 617sqm A1-A4 (flexible) restaurant and retail space. This would be provided as a five-storey building incorporating three wings of accommodation arranged around two atria. Height to the roof parapet was 22m with a further 2.95m addition of relating to the plant room located on the roof. A new Southwater Lake would introduce a formal open space feature that would not only integrate the building into the Town Park but also provide space for informal activity and relaxation. Terraces would project from the ground floor of the building into the lake to create hard and soft landscaped 'fingers'.

The building would be set at the same level as the square and a consistent ground floor level throughout would be provided to allow maximum flexibility of use within the building as well as providing maximum accessibility for users. It would provide new office space for departmental staff, the Contact Centre and 'First Point'. The latter had generated significant visitors and would be located on the ground floor together with a coffee shop and seating areas. The ground floor would also contain back of house facilities, together with flexible A1-4 retail/restaurant uses.

With regard to car parking, the multi-storey car park previously discussed would not now come forward and the temporary use of Randley Lorry Park would be necessary with further information on lighting, barrier detail and drainage being sought. It was recommended that a condition requiring the provision of 250 minimum car park spaces including surfacing, drainage etc, be imposed. However, disabled spaces should be on the Southwater car park rather than at Randley.

A letter of objection letter had been received from Pegasus (Planning Consultants) on behalf of Meeting Point House, as summarised in the report.

The Design & Access Statement (DAS) that had accompanied the outline permission had required development to strive to provide a more positive inter-relationship with the Town Park to maximise this unique asset and had also raised an expectation that the new Civic Offices, along with other new structures, should provide a powerful icon based on the interplay between buildings, urban form and Park while creating sustainable buildings which architecturally were "highly distinctive". The design of the new Civic Offices was bespoke and would provide a highly legible civic building of significant quality which would meet these requirements through a five storey building able to sit easily and begin to achieve visual and aesthetic dominance over existing neighbouring leisure buildings. The scale would also allow considerable opportunities to improve views towards the Town Centre from the Park.

The proposed building would use the highest quality materials, including white terracotta tiles for the office element above ground level with blue brick used for column elements in the ground floor and as subdivisions for openings within the terracotta panels. This would give solidity to the building base and frame the entrance when viewed from Southwater Square. The remainder of the ground floor

would be enclosed in aluminium framed curtain walling and glazed full height windows. Timber would be used sparingly, predominantly as a foil to the dominant brick and terracotta tiles and the roof would have a timber clad plant area set back from the parapet edge. The necessary building services had been carefully designed out.

The report detailed the energy efficiency measures that would be incorporated into the proposed development and it was considered that these would deliver significant benefits in terms of carbon emissions reductions and energy efficiency and should comply with the conditions attached to the outline permission, subject to final accreditation.

In terms of landscape design, the public realm directly associated with the Civic Offices planning application was confined to the areas between the southern elevation to the Town Park boundary and Southwater Lake. The proposals for soft landscaping were designed to offer a softening of the Civic Offices when viewed from the Park and to help in providing biodiversity interest and in contributing to the health of the lake.

The proposals overall had been the subject of considerable public and stakeholder consultation and the proposed building would provide a modern and flexible environment to meet corporate requirements for operational excellence and flexibility together with opportunities for contemporary methods of working. The proposal satisfactorily demonstrated how the development would act as a focus for Southwater and set a standard for future development.

The update report tabled at the meeting outlined the consultation responses received from the Fire & Rescue Service and the Drainage, Energy, and Land Contamination Officers. The comments from the Fire Service were in respect of access for emergency fire service vehicles and the installation of sprinkler systems in commercial premises. It was, therefore, recommended that an appropriate Informative be attached to any planning consent. The Land Contamination Officer had recommended that a requirement be included for the submission of a land contamination report.

Members indicated their general approval of the scheme and, in particular, welcomed the use of sustainable energy technology. The new Civic Offices would set the standard for subsequent buildings in the Southwater area. Some concerns were expressed regarding car parking but Members noted that this was an issue that was being addressed outside of this planning application.

RESOLVED – that with regard to planning application TWC/2010/0564 reserved matters approval be granted subject to the conditions as set out in the main report and to the imposition of an additional condition relating to land contamination requirements and the issuing of an Informative concerning the advice given by the Fire Officer, as set out in the update report tabled at the meeting.

The meeting ended at 8.08 p.m.

Chairman:

Date:

PLANS BOARD

Minutes of the meeting of the Plans Board held on Wednesday, 5th January, 2011 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors N.A. Dugmore (Chairman), D.R. Chaplin, J.A. Francis, G.M. Green, R.T. Kiernan, F.R. Picken, H. Rhodes and M.J. Smith

ALSO PRESENT: Councillor J.M. Seymour (for planning application TWC/2010/0332)

PB-63 MINUTES

RESOLVED – that the minutes of the Plans Board held on 8th December, 2010 be confirmed and signed by the Chairman.

PB-64 APOLOGIES FOR ABSENCE

None.

PB-65 DECLARATIONS OF INTEREST

None.

PB-66 DEFERRED/WITHDRAWN APPLICATIONS

None.

PB-67 SITE VISITS

None.

PB-68 PLANNING APPLICATIONS FOR DETERMINATION

(a) TWC/2010/0259 – Rough Park House, Woodside Avenue, Woodside, Telford, Shropshire

This proposal sought to renew the recently expired planning permission W2005/0294 to restore the fabric of the building, convert it into 5 one-bedroom flats, with 2 flats on each of the ground and first floors, and a further single flat at second floor level. It was also proposed to demolish a single storey flat-roofed addition at the rear and replace it with an additional 2 storey gabled element to complement similar gabled structures alongside and to erect 2 blocks of 2 bedroom apartments to provide an additional 18 units, which would be split between 12 apartments in a block to the east of Rough Park House, extending towards the rear of the site, and 6 in a block to the west. Some car parking spaces would be provided to the site frontage with most of the car parking provision and a bin store enclosure being located to the rear of the site. Rough Park House was Grade II Listed detached 18th century former farmhouse, which formed part of a 19th Century parkland landscape. The application was considered in conjunction with planning application TWC/2010/0260 relating to

Listed Building consent.

The vacant house and its grounds had been the subject of vandalism, arson and fly-tipping for many years and the applicant had erected a solid boarded fence on the boundary as a temporary measure to prevent any further damage to the site. Behind this boarding the site now had a very poor visual appearance, although the house itself, despite its condition, was still regarded as being worthy of restoration and re-use by English Heritage, as set out in the report.

Despite the previous planning consents the property had changed hands several times and no development had commenced on the site despite discussions with the current owner. Urgent Works Notices under Urgent Works Notices pursuant to Section 54 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 had been served on the owner and had resulted in some degree of roof protection and site security, but the condition of the structure and the site continued to deteriorate further to the detriment not only of the listed structure but also to the amenity of the surrounding area. In 2010 Members of the Plans Board had approved a formal Repairs Notice, which had been served on the owner and required him to undertake the works set out in the report. If the owner did not either undertake these works or enter into discussions with the Council regarding its acquisition of the property by agreement then, after two months, the Council could commence a Compulsory Purchase Order for the property under Section 48 of the Act.

Madeley Parish Council had strongly objected to the proposal, as summarised in the report, and one local letter of objection had been received on the grounds of disturbance from building works, in combination with the building works for the adjacent redevelopment of Woodside.

The proposed development, as previously approved, sought to respond to the site characteristics as detailed in the report. When planning application W2005/0294 was approved, it had been considered that the proposal represented both a unique opportunity and a challenge due to future of the site having been undetermined for over a decade. There were unknown quantities relating to the development in particular the costs of the works required on the Listed Building and the difficulty of accurately predicting the selling price of the apartments given this particular site and the uncertainty in the housing market. It was noted that W2005/0294 had been approved subject to a S106 Agreement relating to the timed restoration of the Listed Building.

Members were advised that the granting of any further planning permission on the site would not prevent the Council commencing Compulsory Purchase Proceedings if the Repairs Notice was not complied with and the previous grant of planning permission was a relevant material planning consideration in determining the current application. Furthermore, the regeneration of Woodside was progressing and that, combined with the prior notification for the demolition of 40 dwellings surrounding the site, demonstrated the regeneration mechanisms that the Council was undertaking. Therefore, it was considered that the opportunity to develop this site should be encouraged.

The concerns raised by Madeley Parish Council had been noted but the current proposal sought to replace a previously approved consent. Whilst the Parish Council wished the development to commence within a year, this was not considered to be a reasonable condition for any approval given the current market conditions. However, by means of the S106 Agreement, time limits could be imposed to restore the building, thus meeting the Parish Council's and this Council's wish for the Listed Building to be restored.

In conclusion, as the application had previously been approved in this form and planning policy had not significantly changed, it was recommended that the application as submitted would preserve the Listed Building and provide enabling works to ensure the restoration and long term survival of the only remnant of an earlier historic development in a large area of 20th century development.

Councillor G.M. Green requested further information on the option for a Compulsory Purchase Order (CPO) and the Planning Officer explained that the planning and Listed Building applications before Members would have no bearing upon the process. The Council's Solicitor added that the CPO was currently being progressed and stated that planning permission subject to a S106 Agreement was necessary to control development on the site. In response to a question from Councillor D.R. Chaplin, the Planning Officer confirmed that the proposal had not amended the design of the approved application W2005/029. However, an updated Section 106 Agreement was required to take account of the current condition of the site and the work required by the Repairs Notice.

In conclusion, the Head of Housing & Planning explained that the refurbishment and development of this site was an important part of the overall regeneration of Woodside in which the Council had been involved for many years and it could intervene if necessary. Members welcomed the applications as, if no work was commenced on Rough Park House in the near future, its survival could be threatened.

RESOLVED – that with regard to planning application TWC/2010/0259 the Head of Housing & Planning be authorised to grant planning permission subject to the applicant entering into a S106 Agreement relating to an agreed amount of restoration work on the Listed Building being achieved within a certain period of time, and the timing of the construction of the new-build in relation to the restoration of the Listed Building, and to the conditions as set out in the report.

(b) TWC/2010/0260 – Rough Park House, Woodside Avenue, Woodside, Telford, Shropshire

This was an application to replace the extant Listed Building Consent W2005/0295 for the conversion of this Grade II Listed Building to form 5 apartments, the erection of 18 new apartments and associated parking together with alterations to the existing access and a new boundary treatment. The application was considered in conjunction with planning application TWC/2010/0259

RESOLVED – that with regard to planning application TWC/2010/0260 the Head

of Housing & Planning be authorised to grant Listed Building Consent subject to the applicant entering into a S106 agreement relating to an agreed amount of restoration work on the Listed Building being achieved within a certain period of time, and the timing of the construction of the new-build in relation to the restoration of the listed building, and to the conditions as set out in the report.

- (c) TWC/2010/0332 – The Huntsman Inn, Wellington Road, Little Wenlock, Telford, Shropshire

The applicant wished to reopen 'The Huntsman' which had been vacant for approximately twelve months and sought planning permission for the erection of a 2 storey extension to the existing building to provide a restaurant with guest accommodation above, a physical link to a new building to the rear comprising 1 holiday let and 3 dwellings for rent with associated access, and a flag pole to the front of the Public House. Councillor J.M. Seymour, Ward Member, had requested that the application be considered by the Plans Board.

Following concerns expressed by both the Council's Highways Engineer and Little Wenlock Parish Council, an amended parking design to provide 32 spaces and disabled parking had been submitted. This was considered to be acceptable subject to parking space No.6 being allocated as a disabled space alongside No.5 and spaces 14 and 15 being combined to make a single space to ensure ease of use. The layout of the parking for the residential units would have little or no effect on the safe operation of the public highway and there were now no objections subject to standard planning conditions.

The Council's Parks & Open Spaces Section had been concerned that it was proposed to site residential dwellings adjacent to a children's equipped play area and to avoid any potential issues, officers had accepted an exception for holiday lets and requested that the proposed buildings within this curtilage buffer be holiday lets rather than residential dwellings. Alternatively, they had been prepared to accept the relocation of the play equipment more than 20m away from the proposed permanent residential properties. In response, Little Wenlock Village Hall & Playing Field Committee and Little Wenlock Parish Council had verbally stated that they did not consider this to be a viable option but that the proximity of the new dwellings would aid security by providing natural surveillance and the level of use would be such that there would not be a significant impact on future occupants of the dwellings.

Approximately 50 local residents had made representations to the original consultation, of which 23 supported the proposal, including Wellington Town Council and Councillor V. Tonks, as set out in the report. 28 letters of objection, as summarised in the report, had been submitted, the majority of which supported the proposed extension and the re-opening of the public house but not the erection of the proposed dwellings. Following receipt of the amended plans the Council had carried out a second consultation and 4 letters of support and 4 of objection, all providing additional comments, had been received, as summarised in the report.

As set out in the report, the application complied with PPS4 and Policy CS10 of the Core Strategy. However, while there were no planning policy issues relating to the

refurbishment of the Public House, the proposed residential development in Little Wenlock was a departure from planning policy, as detailed in the report. In particular, Core Strategy Policy CS7 stated that development within the rural area should be focussed on the three key settlements of High Ercall, Tibberton and Waters Upton and, therefore, the principle of open market residential development on this site would be contrary to its aims. Therefore, officers had advised that the proposal should constitute either affordable housing in accordance with Policy H24 or that all the units should be holiday let accommodation.

To address these alternatives the applicant had submitted a Viability Report, which stated that the 3 dwellings for rent would provide additional housing choice and affordable accommodation for local people. If, however, all the units were holiday lets, the income would be marginally lower than the projected income from all the units being for rent and the provision of affordable housing would not generate any significant long term income to support the business. Furthermore, it asserted that many banks would not provide funding for such a business proposal. There had been a number of unsuccessful attempts to operate this Public House profitably and the Viability Report stated that the additional revenue from the properties would provide sufficient income generation to support a successful business venture. It, therefore, concluded that the preferable option was for 1 holiday let and 3 for rent, as corroborated by the Council's Property & Design Department following scrutiny of the financial projections.

Regard also had to be given to the current economic climate and the closure of many public houses and other community facilities in rural areas. Local concerns had been raised that, if approved, the proposed dwellings could later be sold if the Public House were to close and a precedent would have been set for further residential development on the site. However, following thorough evaluation of the revised application, it was considered that the long term survival of the Public House would be achieved by this scheme. Subsequently, officers supported the application subject to the applicant entering into a Section 106 Agreement to ensure that the dwellings were tied to 'The Huntsman' in perpetuity and, if it were to close, it had been agreed that the 3 rented units would revert to holiday let accommodation to comply with existing policies.

The proposed extensions and alterations to the Public House would replace the existing modern ad hoc elements to the side and rear following their demolition. The floor area of the Public House would be increased with additional first floor accommodation providing 3 bedrooms adjacent to the Manager's flat but the ground floor area would be slightly reduced in size. Whilst the scale of the building had increased, the roof of the 2-storey element was lower than the ridge of the original building, thus reducing the overall mass and ensuring this element was not overly prominent in the street scene. The single storey elements to the side elevations were a new glazed entrance from the car park and a repositioned kitchen and cellar. The overall design was acceptable and in keeping with the character and appearance of the building. In addition, it was considered that the window openings to the side elevations of the 2-storey element, particularly on the west elevation facing The Wrekin, would not have an adverse impact on the adjoining residential amenities of either No.5 Wellington Road or The Stone House.

The initial plans, comprising 2 pairs of semi-detached cottages had not been considered acceptable, as set out in the report. The revised design before Members proposed a single building, linked to the rear of the Public House, in the form of a converted barn with a hipped, lowered roof but in the same position for the cottages but with revisions to amenity space and parking provision. A separate access from the Public House car park was proposed to serve the dwellings. The two central units were now 4-bed properties with first floor accommodation above the archway, which provided covered parking for units 2 and 3. The design included simple proportioned doors, windows and small dormer windows to the front and rear with first floor windows on the side elevations. The amended design was considered to be a more appropriate and cohesive form of development in relation to the Public House extensions and the rural setting.

The roof of the building was lower than the roofline of the Public House and, whilst it would be visible in the streetscene, was at the rear and followed the building line of the Public House and, thus, would not be overly prominent. The lowered roof height of the dwellings and the orientation of the building to the north of adjoining dwellings would ensure that there was not a significant impact on their light or outlook. Given the separation distance, the position of the dwellings and retained landscaping, the development would not have a detrimental impact on the adjacent Listed Building. The rear garden areas were relatively small in relation to the surrounding properties, but were of an adequate size and included external storage facilities for each unit to enable control over domestic paraphernalia as the gardens would adjoin the car park of the Public House. The proposed boundary treatment was 1m post and rail fencing and the screening to the boundaries of the Public House site would be retained in addition to the sufficient separation distance between the proposed dwellings and adjoining properties.

Concern had been expressed that the development of dwellings on the car park would introduce a conflict of uses and an adverse impact on future occupants' amenities but it was considered that people renting these properties or staying in the holiday let accommodation would be aware of this prior to moving in.

With regard to the flagpole located at the front of the site, the Highways Engineer had no objection to its location as it would not impact on highway safety. Neighbour concerns had been raised with regard to noise and disturbance from the ropes rattling, but it was considered that the flagpole and flag were of an acceptable design, visually appropriate, in keeping with the character of the building and would have no significant detrimental impact on adjoining residential amenity. The applicant would require separate advertisement consent if the flag displayed on the flagpole was not a national flag and for the signage on the building.

The update report tabled at the meeting summarised the comments made in 3 further letters of objection that had been received including the public not having had an opportunity to consider the information contained in the Viability Report and the Section 106 Agreement. In response, the update report stated that Viability Reports, which contained confidential commercially sensitive information, were not normally available in the public domain; this request was then being considered under the Freedom of Information Act as a separate matter. With regard to the Section 106 Agreement and the conversion to holiday lets in the event of the public house

closing, the Council's Legal Department was still in negotiation with the developer's Solicitor to agree the details and the Local Planning Authority would ensure, amongst other things that, if the Public House closed, all units would revert to holiday let accommodation. In conclusion, the Local Planning Authority considered that this has been a democratic process as local residents and Little Wenlock Parish Council had been consulted, and re-consulted following submission of amendments, and the application was being considered by the Council's Plans Board.

The update report also informed the Board that an additional condition was required to control the use of the proposed holiday let by stating that no one individual or family/group should occupy it for more than 4 consecutive weeks in any calendar year. The Council had been seeking to agree the Section 106 Agreement with the developer's Solicitor and, consequently, a revised recommendation was set out in the update report.

John Marsham, Clerk to Little Wenlock Parish Council, and Councillor J.M. Seymour. Ward Councillor, spoke in support of the application. Both referred to the loss of community facilities in rural areas and the vital role of The Huntsman at the heart of the community, as an important social hub, provider of employment and tourism opportunities. They also stressed the need for the operator of a public house to diversify in order to survive by responding to community needs and expanding into alternative businesses. Neil Blackie of Manby Bowler, the applicant's agent, added that this was a very important proposal for the local community. The applicant was committed to the retention of the public house and the proposal would support economic development, leisure and tourism in line with the Core Strategy and PPS4.

Keith Harris, owner of the adjacent Stone House, spoke against the application and, in particular, the proposed housing units and S106 Agreement. He considered that many of the issues relating to the proposal were too marginal to be acceptable and that the grounds for granting planning permission for 3 rental units was not a justified departure from policy.

Members commented on the number of public houses that had closed down and welcomed this opportunity to retain and develop The Huntsman. Councillor G.M. Green asked what action would be taken to ensure that the rental units would be maintained as short term lets and the Council's Solicitor responded that the S106 Agreement would be monitored and, if necessary, appropriate Notices served.

RESOLVED - that with regard to planning application TWC/2010/0332 the Head of Housing & Planning be authorised to grant planning permission subject to the owner of the development land entering into a Section 106 Agreement to ensure that the 4 dwellings and the Public House remain in the same ownership, to ensure that none of the 4 dwellings shall be occupied until the Public House is completed and open to the public for business, to ensure that one of the 4 dwellings is holiday let only and the other 3 are rented on suitable short term tenancies or holiday lets to ensure that an appropriate obligation is imposed to require that all 4 dwellings be holiday lets only in the event of the Public House failing, and subject to the conditions as set out in the update report tabled at the meeting.

(d) TWC/2010/0521 – Telford Millennium Community, Ketley, Telford, Shropshire

This application sought Reserved Matters approval for 83 dwellings as Phase 2 of Ketley Village. The development comprised 2, 3 and 4 bedroom dwellings and a small block of 2-bedroom apartments. They would be mainly terraced fronting the Spine Road with a mix of terraced, semi-detached and detached dwellings behind with a mix of on-street and on-plot parking and parking barns. 30% of the dwellings, all of which were 2 and 3-bedroom units, would be affordable housing with 17 for social rent and 8 for shared ownership. The development also included new roads, infrastructure and landscaping and the site would be connected into the Sustainable Urban Drainage Systems (SUDS) constructed as part of the Reclamation and Infrastructure works for the site.

The Design Statement included within the outline planning permission had set out a concept masterplan for Ketley Village of three character areas, of which this application was the 'Ecoville'. It was a central area adjacent to the most sensitive ecological and landscape areas on the site and it was envisaged that it would be a lower density development to create a positive interface with these areas. It would retain the perimeter block structure of Phase 1 but would be more informal with a mix of detached, semi-detached and linked dwellings with those adjacent to the ecological areas to the north being villas looking onto the open areas. Most development would be 2 and 3 storeys with most of the 3 storey buildings being along the Spine Road. Wildlife corridors would be provided linking the ecological areas to the north to Badgers Mound and the Rabbits Head.

The developers had carried out a 'lessons learnt' exercise for Phase 1 to establish what aspects of the design were essential to the character of Ketley Village and what change would be appropriate in the current economic climate whilst remaining compliant with the Regulatory Plan and Design Statement. Standard house types were proposed using traditional methods of construction but they had been given a contemporary appearance to reflect the designs in Phase 1, some of the detailing had been changed to reflect the current economic climate, and greater account had been taken of the future maintenance of the buildings by using less timber on the frontages. All the buildings would turn corners to avoid blank gables and walls towards the public realm and provide interest and passive surveillance. The streets had been designed on home zone principles, as set out in the report, and parking provision would be increased to an average of 2.3 parking spaces per dwelling, including visitor parking, together with parking barns and on-street parking. No parking courtyards were proposed in this phase.

Greater emphasis had been placed on landscaping in the public and semi-public realm to provide a transition from the formal planting in Phase 1 to the ecological areas to the north, which would provide a diverse habitat and the ecological connections between the open areas required in the original Design Statement. No formal play space would be provided, as set out in the Master Plan. Hard surfacing would include block paving to reflect the palette of materials in Phase 1 and maintenance of the public realm would be undertaken by the Community Trust established for this purpose as part of the outline permission. However, the roads and shared surfaces would be adopted. The applicants had submitted evidence from an independent consultant which suggested that the development would meet

the requirement for Ecohomes Excellent as required by the outline planning permission and the Millennium Community targets.

Ketley Parish Council had raised concerns and 4 letters of objection had been received, as summarised in the report. The main concern of local residents was the position of Plot 186, which was close to the back of the dwellings in Broadway and faced the footpath that ran along their rear boundaries, and the loss of trees. In response the report stated that the dwelling on Plot 186 was intended to provide passive surveillance of the footpath and, due to its orientation, should not give rise to undue overlooking and loss of privacy to the existing dwellings in Broadway as there would be no windows on the west elevation. To the rear of Broadway it was proposed to fell one sycamore in the garden of Plot 188 which would improve both the garden and views of the oak tree behind. In addition one Alder tree was to be crown lifted.

Ketley Parish Council had queried the lack of surveillance over the NEAP and the existence on the Master Plan of an apartment block on the opposite side of the footpath. In response it was stated that Plot 117 had been designed to overlook the NEAP area but the building shown on the masterplan had never been intended as an apartment block, as confirmed by the original designer. The Parish Council had also been concerned that residents in Ketley Village had not been consulted on the plans particularly the landscape proposals, which was an issue as these residents contributed to the Community Trust that would be responsible for the future maintenance of the landscaped open area and any areas that did not fall within the adopted highway. The Board was informed that the normal planning consultations had taken place and two exhibitions had been held at the beginning of June and early August in the Ketley Community Centre.

It was considered that the proposals for Phase 2 complied with the requirements set out in the approved Regulatory Plan and the parameters set out in the Design Statement approved as part of the Outline planning permission. The design of the development would carry forward the contemporary design approach of Phase 1 whilst at the same time meeting the requirements of the 'Ecoville' character area set out in the Design Statement and comply with the sustainability targets set out for this development.

Since the report was prepared the applicants had submitted some minor changes to the layout of the site and the house types as outlined in the update report tabled at the meeting. However, none of these would adversely affect the form and character of the proposed house types. The update report also recommended the imposition of an additional condition relating to all construction traffic for the development being required to use either the eastern access off Beverley Road or the access off Wombridge Way with none accessing the site via the Holyhead Road.

Cllr Martin Young, on behalf of Ketley Parish Council, thanked all those concerned for the work they had done on preparing the application but expressed concern regarding the future maintenance of the open spaces in the development. Normally, these would be the responsibility of Telford & Wrekin Council but, for this scheme, it would be the responsibility of the residents and, therefore, they needed to be fully informed in the process. He also raised concerns regarding the retention of trees on

the site and the issue of security for the proposed NEAP. He did not wish to see the application refused but requested that it be deferred to allow the residents to discuss the implications and take them to the Millennium Management Committee.

Jon Rowland, on behalf of Taylor Wimpey, the applicant, responded that considerable consultation had been undertaken with new and existing residents and with the Steering Group for the past 18 months, including 4 public consultations in June, from which the proposed layout and design had emerged. With regard to the concerns raised on the trees, he informed the meeting that only one tree had been removed, the sycamore at Plot 188, as it had previously been vandalised. 2 trees with Protection Orders had been retained and 200 new trees would be planted. With regard to security for the NEAP, this would be provided by Plot 117 in line with secure by design planning.

In presenting the report, the Planning Officer explained that a Community Trust had been set up to maintain the open spaces rather than a commuted sum as used in the past. The Council was not a member of and had no involvement with the Trust but the developer and the Registered Social Landlord were both committed to retaining the open spaces.

Councillor H. Rhodes said that, although she wished to see the development progress, she was concerned at the issues raised by Ketley Parish Council and suggested that the application be deferred to allow for further consultation with the residents. This was supported by Councillor R.T. Kiernan.

In response the Head of Housing & Planning advised the Board that consultation had previously taken place which had informed the proposal before them. This was an important scheme for both the Council and the HCA and was consistent with the approved outline application. He further emphasised the importance of this application which, at 30%, would provide a higher level of affordable housing than a number of other recent applications and would give support to the housing market in difficult circumstances. Whilst the Community Trust was a new approach to the maintenance of open spaces, it had been discussed throughout development of the scheme and had the potential for greater local involvement than in the past. In conclusion, he said that he could not recommend deferring the application, as sufficient assurances had been given on the issues raised and, as the most affected residents were not yet occupying the 83 new properties, they would not be able to participate in any further consultation process.

Councillor H. Rhodes proposed, seconded by Councillor F.R. Picken, that determination of the application be deferred for one cycle but, on being put to the vote, this was not agreed. Councillor G.M. Green stated that she would wish to see a method by which the interested parties could resolve the issues raised and the Head of Housing & Planning responded that the developer, the HCA, and the Local Planning Authority would ensure that all those involved were kept fully informed and given an opportunity to make their views known.

RESOLVED - that with regard to planning application TWC/2010/0521 approval of reserved matters be granted subject to the conditions as set out in the

report and to the additional condition relating to access to the site for construction traffic as set out in the update report tabled at the meeting.

- (e) TWC/2010/0566 – Telford International Centre, St. Quentin Gate, Telford, Shropshire

This application sought Reserved Matters approval for the access and landscaping elements relating to the Events Box extension, as clarified by the update report tabled at the meeting, including the temporary layout of parking provision, the pedestrian route to link the Town Centre to the adjacent hotels and links to further afield, and the retention of structures to complement the building. The proposed development formed an integral part of a wider scheme under the recently approved Southwater Core outline planning permission and the landscape planting would complement the previously approved building, have a softening effect upon the retained structures, and respect and integrate with the surrounding area and positively enhance its visual amenities in accordance with Policy UD2 of the Wrekin Local Plan.

Hollinswood & Randlay Parish Council had commented on the proposal, as set out in the main report, and had submitted further comments on the relocation of the coach parking area, the additional landscaping and tree planting, and the potential for noise pollution should coaches travel through residential areas particularly at unsocial hours as summarised in the update report. In response the planning officer stated that these issues had been considered at the outline planning stage and alternative arrangements agreed.

The access element of the scheme was a mix of temporary and permanent solutions to allow for the phasing of development over the wider Southwater area. A number of the car parks had been identified as building zones for a mix of uses within the Outline application but the drawings submitted demonstrated that there was sufficient parking provision on site to support the existing Centre and the new extension. The update report tabled at the meeting informed Members that the Council's Highways Engineer supported the revised parking layout and level of provision as detailed in the amended plans, subject to it being available prior to the occupation of the new extension. In addition, there was provision within the site for coach parking and drop off as per the existing arrangement together with a coach drop off on St. Quentin Gate, which would be available for TIC use if necessary. The interim footway/cycleway was now along an acceptable route but should be marked out prior to occupation and two further conditions relating to this were recommended in the update report.

With regards to pedestrian movements, the new building incorporated a central concourse, which would be an important link between the TIC and the proposed Events Box and could be used as a route from the Town Centre to the hotels and areas beyond. This would be a managed route, which would not be available when the Centre was closed, and would be an extension of Main Street, the backbone of pedestrian movements through Southwater linking to the Town Centre, the existing TIC and its facilities and the Town Park

In the long term it was anticipated that the vehicular route and associated pedestrian route, would run adjacent to the new Events Box to link the proposed hotel/residential development in zone 6 with the St. Quentin's roundabout to create an attractive and legible route for pedestrians 24 hours a day. It was further anticipated that this road would come forward with the development in zone 6 and, therefore, in the short term a temporary 24 hour solution for pedestrians to link with the wider surroundings was necessary and would be a delineated route through the car park to link with existing access points. The width and siting of this route had been amended through the application process to be accessible to a wide range of users, and create an easily identifiable route for use.

Fergus Mitchell on behalf of the applicant, the Southwater Event Group, stressed their commitment, together with that of the TIC, to this development as part of the ongoing programme for the Southwater Regeneration.

RESOLVED - that with regard to planning application TWC/2010/0566 Reserved Matters approval be granted subject to the conditions as set out in the main report and to the two additional conditions as set out in the update report tabled at the meeting.

(e) TWC/2010/0596 – 69 Haybridge Road, Hadley, Shropshire

This was an application for the erection of a single storey front and side extension to replace the existing garage, a first floor rear extension above the existing flat roofed ground floor rear extension, and a tiled roof above an existing flat roof rear extension. The application site was a traditional semi-detached two-storey dwelling in a predominantly residential area and was sited on a separate access road fronting the highway on Haybridge Road. Hadley & Leegomery Parish Council had requested that the application be considered by the Plans Board and had objected on the grounds that the proposed extension to the front of the property was completely out of character and context with the adjoining properties and would have an adverse effect on the street scene.

The proposed development would provide an enlarged living room, hall, kitchen and dining room on the ground floor. On the first floor bedroom 3 would be converted into a bathroom with the existing bathroom being enlarged to become a new bedroom 3 and Bedroom 2 would be enlarged. The proposed front extension would project forward just over 1.1m and be finished in a hipped tile roof to match the main roof of the dwelling. The ground floor bow window would be removed but the first floor bow window would be retained to preserve the design style of the original dwelling.

The report drew the Board's attention to the changes and differing exterior treatments that had been made to a number of properties in the vicinity of the application site. Therefore, whilst there was a general symmetry in the street, alterations had been made to properties over many years. Not only were these considered a normal evolution of houses in any street but, given that the houses were set back almost 40m from the main part of Haybridge Road and behind an established hedgerow and beyond a service road, it was considered that the

proposed development would not be significantly harmful to the character and appearance of the property or the streetscene.

The proposed brick and tiled hipped roof side extension was considered an improvement to the existing lean-to timber garage built against the common boundary with no. 71 and its design and materials would be sympathetic to the main house. In addition, the reduction in width compared to the existing garage would provide pedestrian access to the rear garden and the removal of the existing garage would result in a reduction of the overall footprint of the property. A new side facing kitchen window was proposed but this would look towards the gable wall of no.71 and, therefore, result in no loss of amenity. The proposed first floor rear extension would be only half the depth of the existing ground floor rear extension.

The remaining flat roof of the existing rear extension would be re-roofed with a pitched tile roof to match the roof of the main dwelling, which would have a positive impact on the appearance of the property. The amount of private amenity space available would be slightly increased by the proposed development and adequate off-street parking would be retained. Overall, the proposed development was a typical style of rear extension to this type of house. The materials, windows and roof would match the main dwelling house and would have no adverse impact upon the character and appearance of the area. The proposal complied with the Council's 45 degree code and, therefore, would have no detrimental impact on residential amenity by way of over-looking

RESOLVED – that with regard to planning application TWC/2010/0596 planning permission be granted subject to the conditions as set out in the report.

- (f) TWC/2010/0652 – Donnington Recreation Ground, School Road, Donnington, Telford, Shropshire

This application by Telford & Wrekin Council was for a children's ball court and the erection of 3.5m high boundary fencing on the Recreation Ground which currently contained two bowling greens, a BMX track, a play area, three football pitches, four tennis courts, and general grassed areas. Litter bins would be provided as part of the proposal but not the seating which would normally accompany this type of facility.

The proposed development, which would be sited on one of the existing tennis courts, would provide a ball court measuring 29m long by 14m wide mainly for the use of local children and young people aged from 3 to 16 for a range of ball games. The proposals had been drawn up in consultation with the West Mercia Police, Youth Services, and Lilleshall, Donnington & Muxton Parish Council. Donnington, which had a high percentage of children and young people, had been identified in the Council's Outdoor Recreational Strategy as an area deficient in outdoor recreational facilities. The proposal was part of a complete modernisation of the existing Recreation Ground, the future plans for which included a new children's play area and the refurbishment of the three remaining tennis courts.

National guidelines for older children's play provision suggested that they should be sited a minimum set distance of 30m from existing or proposed residential

properties, which would be exceeded in this instance apart from an isolated block of 4 one-bedroom flats at The Lodge, approximately 15m away. However, there were no other sites available within the Recreation Ground that met the national guidelines or had not been earmarked for other future activities and the bowling club had stated that the ball court could not be located at the other end of the tennis courts due to increased security issues and the Lawn Tennis Association wished to ensure that the three remaining tennis courts were kept together. The '30-metre rule' was for guidance only and there were a number of other facilities within the Borough which were significantly closer than this proposal, which had been carefully designed and widely consulted on and would only be changing the use of a tennis court to a ball court rather than introducing a new facility. No objections had been received from the occupants of the adjacent flats or the landlord, a local housing association.

RESOLVED – that with regard to planning application TWC/2010/0652 be granted planning permission subject to the conditions as set out in the report.

(g) TWC/2010/0745 – Highway Verge, Priorslee Avenue, Priorslee, Telford, Shropshire

This was an application for a determination as to whether prior approval was required for the siting and appearance of a 14.8 metre high slim line telecommunications monopole shared between Vodaphone and O2. The Vodaphone antennae would be situated within the monopole at a height of 13.23 metres above ground level and the O2 antennae situated at a height of 13.88 metres, all within a smooth circular sheath. In addition there would be a ground equipment cabinet at the base of the pole measuring 1.89m in length, 0.79m in width and 1.65 metres in height. Both the monopole and the equipment housing would be coloured green. The applicants had stated that the proposal was required in order to increase 2G network capacity to the Priorslee area and to provide 3G coverage. The installation would be situated on the grass highway verge on the eastern side of Priorslee Avenue, approximately 100m south of Abelia Way and 100m north of Glenbrook Road. The surrounding residential areas consisted mostly of low-density detached dwellings.

Councillor I.T.W. Fletcher, the Ward Member, had requested that this determination be considered by the Plans Board. He had submitted objections to the proposal and 74 letters and e-mails of objection had also been received, as summarised in the report. One e-mail in support of the proposal had been received.

The Chairman reminded Members that this was a telecommunications determination application and, therefore, the decision whether to give or refuse prior approval had to be based solely on the siting and appearance of the installation.

The applicant stated that they had investigated existing telecommunications installations, buildings, and other structures within the required coverage area but all had been discounted, mainly for contractual reasons. The chosen site had been identified as the most suitable option that balanced technical and operational requirements with local planning policies, national planning policy guidance, and the need to minimise visual impact. Careful consideration had been given to identify a site that placed the facility as far away as possible from any housing.

Although the monopole would differ in appearance from the existing angled street lighting columns it would, in effect, be an additional item of street furniture and not an alien feature to the street scene nor significantly visually intrusive. Its location within the grass highway verge would not form an incongruous or unduly prominent feature on the skyline or on the street scene and would be viewed in relation to the trees located beyond the grass verges and on the open space to the east of the site. There was no fenced compound proposed and it was normal to find various types of electrical equipment cabinets and relay boxes alongside urban roads. Therefore, the overall impact of the installation on the street scene was considered to be acceptable.

There was much public concern relating to the possible adverse health impacts of telecommunication development. However, Members were advised that consideration of the application should follow the advice given in PPG8, paragraph 98 i.e. "...it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."

The requisite ICNIRP certificate, which had been submitted with the application, confirmed that the site and the proposed emissions would comply with the appropriate guidelines. Recent High Court and Court of Appeal decisions in relation to planning appeals for telecommunications equipment had established that, when evidence was submitted to confirm that an installation fell within the ICNIRP guidelines, a perception of fear or concerns about health issues did not provide justification for a Council to refuse an application. Therefore, the proposed slimline monopole was considered an acceptable installation in this urban residential area, where its siting and design would not detract from the character of the area or the general street scene.

The update report tabled at the meeting informed the Board that, since publication of the main report, 100 additional letters and e-mails objecting to the application on similar grounds to those previously submitted, had been received. In addition, a petition signed by 147 people had been received objecting to the proposed scheme and St. George's & Priorslee Parish Council had objected on the grounds that the proposed site overlooked an area used by children for recreation. In response to the comments made regarding accidents at the proposed site, the update report informed Members that the Council's Highways Engineer had stated that there had been no recorded incidents at the specific location of the proposed monopole. In addition, the equipment would be situated far enough away from the bend in the road not to cause concern. The update report also drew the Board's attention to the Council's Supplementary Planning Document on 'Telecommunications Development', as adopted in May 2009 and outlined its key points, and summarised the additional information submitted by the applicant in support of the application.

Councillor I.T.W. Fletcher spoke against the application and drew the Board's attention to the Stewart Report which advised that Local Planning Authorities should

take a precautionary approach towards telecommunications masts by not siting them near to schools, houses, or vulnerable people. The application site was close to numerous family homes, a play area, a picnic area, and was an area where young people congregated. In addition, that particular section of road had had a high number of accidents, as witnessed by the replacement railings visible on the presentation. Councillor Fletcher also made reference to the fact that the application contained a number of inaccuracies. PPS8 stated that there should be local consultation and the application form referred to '3 local councillors' where there were only two, himself and his wife, neither of whom had been consulted on this application. Finally, the proposed structure at 14.8m high would be 50% higher than the adjacent lamp posts and, therefore, visually intrusive.

Samantha Lane spoke against the application on behalf of local residents. Whilst the residents understood Government support for telecommunication masts, the applicant should still follow the guidance within PPG8. In addition, the applicant had failed to reduce the visual impact of the mast, which would be highly intrusive and would not be mitigated by being painted dark green as it would not be sited near to any trees. She also stressed that the siting of the mast near homes and a play area was not acceptable.

The applicant's agent, Damian Hosker, spoke in support of the application and stated that the need for the mast was driven by the increased use of smart phones, broad band and wi-fi which was placing the current G2 and G3 capability under strain. Due to the changes in technology the cell search areas were much tighter and, thus, the area covered by a mast had also changed resulting in an acute need for this type of monopole in residential areas.

In response the Planning Officer said that the site was not in a designated area and would be sited as far away as possible from housing and schools and the mast would be shared between Vodafone and O2 to help reduce the overall number. The monopole would be a slim structure with no antennae or other attachments and could be appropriately disguised depending on its location. Given the proposed site along a verge, disguising it as a lamp post would be the best option. Whilst it would be 5m higher than the adjacent lamp posts, it would be only one more structure among several.

Several Members expressed concern that the local Ward Councillors appeared to not to have been correctly consulted on the application and others expressed concern at the siting and height of the proposed mast. In response the Planning Officer explained that the error on the consultation had only applied at the pre-application stage and that the correct consultation had been undertaken, in accordance with PPG8, at the submission consultation stage.

The Head of Housing & Planning added that, whilst the consultation process had been correct, Members needed to consider whether, on balance, the application would have been any different if the Ward Councillors had been contacted at the pre-application stage. He advised Members that they needed to decide if the proposed site was suitable or whether an alternative would be preferable and whether the design was appropriate. Monopoles were common in urban areas and generally fitted into the roadside context but the decision was for Members to make based

upon the information before them. He reminded Members that if they did not make a decision at the meeting, the application would automatically succeed. However, if they decided to reject the application, the applicant had the choice of either going to appeal or submitting an alternative proposal.

DETERMINATION:

The proposed 14.8 metre high slim line telecommunications monopole not be granted **prior approval**.

Reasons for Refusal.

1. The proposed mast will be visually intrusive in this location due to its height.
- 2 In all the circumstances and noting that there had been inadequate pre-application consultation with local Ward Councillors, alternative sites have not been fully explored and the siting in this location was not considered suitable.

The meeting ended at 8.22 p.m.

Chairman:

Date:

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Wednesday, 1st December 2010 at 6.00 pm in the Reception Suite, Civic Offices, Telford

PRESENT: R. Aveley (Chairman), R.T. Kiernan (Vice-Chairman), R.G. Chaplin, J.A. Francis, R.E. Groom, T.J. Hope, G.P. Hossell, A.A. Mackenzie, H. Rhodes, C.F. Smith and A.G.P. Williams.

LC-36 MINUTES

RESOLVED – that the minutes of the meeting of the Licensing Committee held on the 13th October 2010 be confirmed and signed by the Chairman.

LC-37 APOLOGIES FOR ABSENCE

Councillors Y.C. Hicks, C.N. Mason and C.P.R. Mollett.

LC-38 DECLARATIONS OF INTEREST

None.

LC-39 LICENCE FEES

The report of the Service Delivery Manager: Public Protection was received which requested Members to consider an increase in the levels of Licence Fees and charges affecting the Hackney Carriage and Private Hire Vehicle trades. The Committee was advised that the level of fees and other charges for Hackney Carriage/Dual and Private Hire were last increased by the Licensing Authority on 1st June 2005.

Members were advised that it was legitimate for a local authority to recover as much of their costs as they were able to when administering Hackney Carriage and Private Hire licences. A Council, when setting fees, should have regard to the impact that any increase may have upon the livelihood of licence holders. The Committee was advised that the setting of fees and charges must be calculated and reasonable and limited to an amount that recovered the costs of carrying out the functions of the Local Authority under the relevant legislation. This would also include the costs of the issue of the licence and associated administrative tasks.

The Committee was further advised that the level of fees and charges was last reviewed by Telford & Wrekin Council in 2005 and that the costs to the Council of administering all licences had increased considerably. During the financial year 2009/2010, the projected cost of the Licensing Service undertaking its statutory duties to be subsidised by the Council Tax payer amounted to £137,000 (£157,000 in 2008/2009)

The increase in costs on 2005 had been caused by inflation and subsequent increases in direct costs from third parties services whilst Licence fees had not increased since 2005, large increases in the numbers of applications received and licences granted and changes to primary and secondary legislation. The Licensing Service had streamlined its operating costs, however, the increase in numbers of

applications and changes to legislation had resulted in an increased administrative requirement on the Licensing Service.

Members were referred to the report and Appendix A which detailed four options for the level of fees and charges for the Committee's consideration and the anticipated level of costs that would be recovered for each option. In relation to the proposed fee level which would include a contribution towards the provision of the current taxi marshalling scheme a view was expressed that the possible introduction of this fee level could be considered to be unfair whereby the cost would be wholly covered by the trade and also in situations where drivers did not work during the night. Members agreed that this particular option would not be considered. The Committee was advised that funding for the current scheme would expire in March 2011 and that in the absence of future funding the current scheme would be ended.

It was reported that the Licensing Service had carried out a bench marking exercise with the Council's family group, in relation to licence fees for Hackney Carriage and Private Hire Licences. The results of the bench marking were displayed at the meeting. Members were further referred to the fees calculation and other budgetary information contained within Appendix B of the report. It was confirmed to the Committee that the figures provided included the total costs incurred for the whole of the licensing service and were not limited to Taxi & Private Hire Vehicle licensing. The Licensing Service had also provided all information requested by the trade associations in relation to fee calculations, benchmarking information and the numbers of licences issued.

The Committee was referred to the previous meeting that was held on 29th March 2010 where Members had previously resolved to consult formally on the proposed increase in Licence Fees. The meeting was advised that following this meeting pre-consultation meetings with the trade associations had been undertaken ahead of a formal consultation process with the feedback from these meetings being attached at Appendix C of the report.

Members were also informed that whilst not contained in the within the original report of March 2010, it was suggested that it could be proposed to offer Hackney Carriage/Private Hire and Dual drivers an option to apply for a three year licence rather than a twelve month licence upon renewal. It was considered that this option would encourage compliance as the option to renew a licence for three years would only be available to drivers who had been compliant with legislation and the Council's conditions of licence for the duration of their expiring licence period. Further this option would also produce business efficiency through reduced administrative costs, if offered to drivers under these circumstances. The proposed costs would be £500 for a Hackney Carriage/Private Hire Driver licence or £750 for a Dual Driver licence compared to £200 and £300 respectively for a 12 month licence.

A number of Members referred to Appendix B of the report and in particular to a number of the budget headings in particular Conference Expenses and Consultant fees, which indicated a lower outturn that had been budgeted and also the heading in connection with photographs which were shown at zero. By way of response the Committee was advised that the budget information that had been provided was in relation to the whole of the Licensing Service and its complete service and was not limited to the Taxi & Private Hire Vehicle element. In connection with photographs as

was the position with other elements of the budget the zero figure indicated that there was no budget available for these particular headings.

In answer to a question in connection with future plans for further fees reviews the Committee was advised that these would be undertaken on an annual basis in future. Further questions were raised in connection with the benchmarking and comparative fees. Members were advised that the benchmarking exercise had been undertaken within the Council's family group of authorities and the background to the family group was provided. A Member also questioned as to how the Council had compared against the family group on the basis of the existing level and the Council's likely position if any fee increase was approved. By way of response the Committee was informed that at present the Council ranked towards the bottom end of the family group but would be in the top third if any increase was agreed. It was however pointed out that fee levels were always being reviewed at some stage and it was likely that the Council's position would be changed.

There was a discussion in connection with the current taxi marshalling scheme. It was recognised by a member that the scheme was introduced in order to ensure the safety of the public and it was questioned as to whether the removal of the scheme would prejudice the safety of the public it was also questioned as to whether there was any available evidence of outcomes both prior to the introduction of the scheme and those obtained during its operation. The Members were informed that prior to the scheme's introduction there had been reported crime and disorder problems which had subsequently been reduced since the scheme's introduction.

The Chairman proposed and it was duly seconded that the Committee should approve the level of fees in accordance with Column 3 of Appendix A (Increase based on actual cost recovery) via a staged increase over a period of time to be determined by the Members of the Licensing Committee, the first increase to come into force on a specified date not less than 28 days from the date on which a notice is to be published subject to any relevant representations being received during this period with any responses being submitted to the Licensing Committee.

Prior to the proposal being submitted for consideration an amendment was proposed by Councillor Mackenzie and duly seconded that sought approval to an increase in the fees in accordance with Column 2 of Appendix A (Increase based on an inflationary increase in line with the previous five years) via a staged increase over a period of two years, the first increase to come into force on a specified date not less than 28 days from the date on which a notice is to be published.

On being put to the vote the amendment was declared lost on the second and casting vote of the Chairman following an initial equality of votes. Following this the main substantive motion was formally submitted to the vote with a majority of members voting for the proposal and as a result it was accordingly;

RESOLVED – that the level of fees in accordance with Column 3 of Appendix A (Increase based on actual cost recovery) via a staged increase over a period of time to be determined by the Members of the Licensing Committee, with the first increase to come into force on a specified date not less than 28 days from the date on which a notice is to be published subject to any relevant representations being received during this period with any responses being submitted to the Licensing Committee be approved.

LC-40

POLICY FOR DETERMINING THE GRANT, RENEWAL, SUSPENSION OR REVOCATION OF A PRIVATE HIRE OPERATOR LICENCE, PRIVATE HIRE DUAL OR HACKNEY CARRIAGE DRIVER LICENCE WITH RELEVANCE TO CONVICTIONS

The Committee received the report of the Service Delivery Manager: Public Protection which requested that Members consider a review of the Council's Policy for determining Hackney Carriage and Private Hire Licences with relevance to convictions.

Members were reminded that subject to the provisions of the Local Government (Miscellaneous Provisions) Act 1976, a district council shall, on receipt of an application for a Hackney Carriage/Private Hire/Driver and/or Operator Licence, grant the licence provided that a district council was satisfied that the applicant was a fit and proper person to hold the licence. The Council may also suspend or revoke a driver and/or operator licence if the Council was not satisfied that the driver/operator remained a fit and proper person once the licence had been granted.

It was reported that the policy was last reviewed in January 2009. It was based on the guidelines relating to the relevance of convictions, contained in the publications – Disclosure of Criminal Records: Applicants for Hackney Carriage and Private Hire Vehicle Driver's Licences and Taxi and Private Hire Vehicle Licensing – Department for Transport Best Practice Guidance. Members were further advised that the proposed policy had been updated in line with best practice. The proposed revised policy (the revisions were highlighted) and attached at Appendix A, together with the existing policy.

The Policy had been further reviewed following representation made on behalf of the Telford Private Hire Operator's Association and the representation made by A2Zlicensing was attached at Appendix B. The Committee was referred to a further letter from A2Zlicensing dated 24th November, which was tabled and read out in full during the meeting, which referred to the current requirements in relation to CRB disclosures. The Solicitor to the Committee advised Members that the Committee were only being requested to consider a review of the policy that is used when consideration was given to the relevance of criminal convictions and not seeking a policy in relation to CRB checks.

In connection with CRBs and in relation to applicants for Operator licences it was an existing condition of the licence that a CRB Disclosure was obtained. The Committee would receive a further report, which would also include a proposal that this requirement was reviewed. The draft policy also made no reference to Hackney Carriage or Private Hire Vehicle proprietors. In respect of applicants for Proprietor licences, whilst again it was an existing condition of a licence that CRB Disclosures were obtained the Council acknowledged that this may no longer be appropriate. Again the Committee were advised that a further report would be submitted in order to consider the removal of this condition. It was further mentioned that both of these existing conditions were included within the overall conditions review that was undertaken in 2008 and that no responses were received as part of that consultation in respect of these conditions.

RESOLVED – that revised Taxi and PHV Licensing Criminal Convictions Policy – dated December 2010 as attached at Appendix A be implemented with immediate effect.

LC-41 POLICING AND CRIME ACT 2009

The report of the Service Delivery Manager: Public Protection was received by the Committee seeking consideration of a revised Sex Establishment Policy following adoption by the Council on 7th October 2010 of the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982. The report also sought Member approval for the proposed conditions of licence and fees in respect of the process.

Members were referred to Appendix B which comprised a draft of the proposed policy, including standard conditions, to be implemented by Telford & Wrekin Council to regulate sex establishments including sexual entertainment venues in the Borough.

Members were further reminded of the previous report which advised that Schedule 3 of the Policing and Crime Act 2009 (the 2009 Act) introduced a new category of sex establishment called a Sex Entertainment Venue into Schedule 3 to the Local Government (Miscellaneous Provisions) Act, 1982 (the 1982 Act). This brought the licensing of lap dancing and pole dancing clubs and other similar venues under the regime set out in the 1982 Act, which was currently used to regulate establishments such as sex shops and sex cinemas.

The Committee were advised that on 7th October 2010 Full Council adopted the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The new provision introduced a transitional period which would last for 12 months starting from the date that the amended provisions come into force within the Borough (1st January 2011 – the first appointed day), with the second appointed day being the 1st July 2011.

The report provided detailed information in relation to the required licensing regime in connection with sexual entertainment venues and the appropriate transitional arrangements. Members were referred to the draft policy at Appendix B of the report which also provided a list of proposed standard conditions that were detailed at Appendix A of the draft policy.

At the previous meeting of the Committee that was held on 29th March 2010, Members of the Licensing Committee reviewed the fee for a Sex Establishment Licence. In setting the fees for the issue and renewal of a Sex Establishment Licence, Members limited the fee to an amount that recovered the costs of carrying out the functions of the Local Authority in administering the process of Sex Establishment Licences, including inspection and enforcement and which also included direct and indirect costs. Members were advised that the processing of Sex Entertainment Venues were identical to that of the issuing and renewal of a Sex Establishment Licence and consequently it was recommended that the fees be the same as those set by Members during the review in March, i.e. new application for a licence £3000, application to renew a licence £1500. It was also proposed to introduce a fee of £590 for the transfer of a Sex Establishment Licence.

RESOLVED – that

- (a) the draft policy for the regulation of sex establishments as detailed within the report be approved subject to a period of public consultation and that if there are no changes that the draft policy can be published or if only minor amendments are required, the policy shall be amended by the Principal Licensing Officer following consultation with the Chairman of the Licensing Committee and subsequently published,
- (b) the level of fees payable for a Sex Entertainment Venue to be identical to those fees currently applicable to a Sex Establishment and that the introduction for a transfer fee should be approved and set at £590;
- (c) that the proposed standard conditions to be attached to Sex Establishment licences as detailed in the Sex Establishment Policy – January 2011 be approved.

The meeting ended at 7.15 pm.

Chairman:

Date:

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Thursday, 16th December 2010 at 1.30 pm in the Reception Suite, Civic Offices, Telford

PRESENT: R. Aveley (Chairman), R.G. Chaplin, J.A. Francis, R.E. Groom, Y.C. Hicks, T.J. Hope, C.N. Mason, C.P.R. Mollett, C.F. Smith and A.G.P. Williams.

LC-42 MINUTES

RESOLVED – that the minutes of the meeting of the Licensing Committee held on the 1st December 2010 be confirmed and signed by the Chairman.

LC-43 APOLOGIES FOR ABSENCE

Councillors R.T. Kiernan (Vice-Chairman), G.P. Hossell, A.A. Mackenzie and H. Rhodes.

LC-44 DECLARATIONS OF INTEREST

None.

LC-45 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – that the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of information, as defined in Paragraph 1 of Part 1 of Schedule 12A Local Government Act 1972

LC-46 PRIVATE HEARING – MR.K.R.

After hearing the evidence presented by the Council's Public Protection Team Leader and the applicant and his representative in accordance with the hearings procedure and following consideration and discussion by the Committee, it was;

RESOLVED – that the Committee considered that they were satisfied that the applicant was a fit and proper person to be licensed as a Private Hire Vehicle Driver and that accordingly his application should be granted.

The meeting ended at 2.30 pm.

Chairman:

Date:

COUNCIL CONSTITUTION COMMITTEE

Minutes of a meeting of the Council Constitution Committee held on Tuesday, 11th January at 6.20 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors S.M. Kelly (Chairman), R.K. Austin, E.J. Carter, A.J. Eade, G.M. Green, J.M. Seymour, C.F. Smith and V. Tonks

CCC-16 MINUTES

RESOLVED – that the minutes of the meeting of the Council Constitution Committee held on the 9th November, 2010 be confirmed and signed by the Chairman.

CCC-17 APOLOGIES FOR ABSENCE

None.

CCC-18 DECLARATIONS OF INTEREST

None.

CCC-19 REVIEW OF THE COUNCIL'S CONSTITUTION

The Head of Governance gave a verbal and powerpoint presentation on the proposed restructuring and reformatting of the Council's Constitution to meet both the requirements of the Strong Leader and Cabinet model, as adopted by the Council at its meeting on 25th November 2010, the Localism Bill, and of producing a more 'user-friendly' document.

He outlined the proposed structure of the Constitution, which would be formatted and available in an electronic format. In doing so he stressed the need for transparency so that users could clearly understand the Council's decision making processes.

With the regard to the Strong Leader and Cabinet model, he sought the Committee's views on the decision making powers of the Leader and to whom these could be delegated. This was linked to a proposal to revise terms of reference and delegated powers whereby committees and appropriate officers would have delegated authority to make all decisions apart from those specifically retained for member decision.

The Committee welcomed the proposal to simplify the Constitution and more easily accessible by users. Council A.J. Eade said that he had some reservations with regard to delegating decision making powers to the Leader of the Council and requested that the Constitution be drafted to allow these powers to be delegated to the Cabinet and provide the necessary safeguards. In addition Councillor E.J. Carter requested that the Constitution be drafted to show the way in which the Cabinet worked in conjunction with the Leader. The Head of Governance responded that he would consider these points and circulate a note to all members of the Committee setting out his proposals. However, he cautioned Members that it might be difficult

to limit the powers of the Leader in this way. However he would look into this and report back to members.

Councillor C.F. Smith commented that the current proposals on the operation of the Strong Leader and Cabinet model were still not detailed and asked the Head of Governance to seek further information.

RESOLVED – that comments made by the Committee be taken into account in the drafting of the revised Constitution.

The meeting ended at 6.40 p.m.

Chairman:

Date: