

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 25 September 2019 at 6.00 pm in The Telford Suite, The Whitehouse Hotel, Watling Street, Wellington, Telford TF1 2NJ

Present: Councillors C F Smith (Chair), J Loveridge (Vice-Chair), N A Dugmore, I T W Fletcher, A S Jhawar, J Jones, K Middleton and P J Scott

In Attendance:

Apologies: C R Turley

PC21 Declarations of Interest

In respect of planning application TWC/2019/0133, Councillor A Jhawar advised that he was a Ward Member for Ketley and Overdale but had not been involved in any discussions on this application.

PC22 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Planning Committee held on 31 July 2019 be confirmed and signed by the Chairman.

PC23 Deferred/Withdrawn Applications

None.

PC24 Site Visits

None.

PC25 Planning Applications for Determination

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information tabled at the meeting regarding planning application TWC/2019/0504.

PC26 TWC/2019/0133 - Recycling House, Rock Road, Ketley, Telford, Shropshire TF1 5HW

This was an application for variation of Condition 10 (hours of operation), Condition 16 (clarification of type of waste quantity) and Condition 17 (vehicle movements to planning permission TWC/2017/0882 with regard to Recycling House, Rock Road, Ketley, Telford, Shropshire TF1 5HW). A site visit took place on the afternoon prior to the meeting.

Ketley Parish Council and Lawley and Overdale Parish Council had requested that the application be determined by the Planning Committee. Financial contributions were sought towards the installation of Vehicle Activated Signage (VAS) and towards road resurfacing within the vicinity of the site access on Waterloo Road.

Councillor S Millward-Thomas spoke against the application on behalf of Ketley Parish Council and raised concerns regarding the increase in hours from 6am, highway safety, pedestrian safety, increase of waste and HGVs and the impact on the amenity of residents.

Councillor M Boylan, Ward Councillor spoke against the application and raised concerns regarding the inappropriate business hours from 6am, the impact of noise and disturbance, increased tonnage, safety of the toxins from the incinerator bottom ash and safety in regard to nearby Schools and residents.

J Francis, a member of the public, raised concerns regarding the historical use of the site and the various operators and that Condition 11 (operating hours) and Condition 17 (tonnage of lorries) should remain in place due to highway safety, nearby schools, unacceptable 6am business hours and tonnage. Although the introduction of a condition limiting HGVs between the hours of 8am-9am and 2.30pm-3.30pm would alleviate issues during School hours.

The Planning Officer informed Members that the application before them was an improvement of the consent currently in place as there was a reduction in HGV movements of 200 per month and this could be evidenced upon request. With regard to the variation of hours allowing HGVs to exit the site between 6am and 7 am, this would be limited to vehicular movements only and no other operation would take place. A noise assessment had taken place which had reported there would be no detrimental impact to residents and there would be an enhanced access/egress on the site. The Local Authority could condition that there be no vehicular movements to or from the site during 8am-9am and 2.30pm-3.30pm during school term time. Section 106 contributions were requested towards highway warning signage and towards highway maintenance in the vicinity of the site.

During the ensuing debate some Members raised concerns regarding the proposed 6 am start, the impact on residential amenity, narrow roads and the impact on the local schools and the toxins in incinerator bottom ash waste. Other Members welcomed the highway signage, but raised concerns regarding the lack of visibility, the increase in size of HGVs, increased tonnage and the impact on the local residents with the increased operating hours and what reassurance they could be given that the conditions would be followed. Some Members felt that they could not agree to the proposed changes to condition 10 or condition 16, although they welcomed condition 17. It was suggested that this application be deferred.

The Highways Officers informed Members that there were currently no restrictions on the size of the vehicles accessing the site, that this application would reduce vehicular movements from 600 to 400, a warning system would be put in place and a restriction on the operating hours during school start/end times could be put in place.

The Planning Officer informed Members that the processing of the incinerator bottom ash waste had been previously agreed and did not form part of this application.

During a further debate, some Members felt that conditions 10 and 16 were not acceptable and that they were concerned regarding early start time and road safety and it was moved and seconded to refuse the application.

The legal advisor confirmed to Members that, before making a decision to refuse it is necessary to be clear regarding the reasons for refusal. Members then debated their concerns regarding operating hours and tonnage.

The Development Management Service Delivery Manager clarified that the application comprised a package of variations to conditions and Section 106 contributions. Therefore, it would not be appropriate to approve some elements of the package but refuse others. The Development Management Service Delivery Manager added that the application could be deferred for further discussions with the applicant to take place in the light of Members' concerns should Members wish to defer determination, they would need to defer the application as a package of proposals.

Some Members further suggested a deferral for one cycle in order for the applicant to consider Member concerns.

On being put to the vote it was, unanimously

RESOLVED – that this application be deferred for one cycle for the applicant to consider the concerns raised by Members.

PC27 TWC/2019/0177 - Land south and west of Tibberton Motor Repairs, Mill Lane, Tibberton, Newport, Shropshire

This was a reserved matters application for the erection of 21 no. houses and garages including appearance, landscaping, layout and scale and had previously been deferred by Planning Committee on 31 July 2019 with regard to contaminated land and the pedestrian refuge.

Councillor J Berry spoke against the application on behalf of Tibberton & Cherrington Parish Council who raised concerns regarding land ownership with regard to the pedestrian refuge and contamination of the land.

Councillor S Burrell, Ward Councillor, spoke against the application regarding the footpath, access, land ownership, highway safety and large agricultural vehicles travelling along the lane.

Mr Wright, a member of the public, spoke against the application and raised concerns regarding land contamination, pedestrian safety with regard to the refuge and land ownership.

Mr Beeston, Applicant, spoke in favour of the application and informed Members that the access and refuge had previously been approved, that space standards had now been met and that the Environment Agency felt the application was acceptable.

The Planning Officer confirmed that Highways Officers had no technical objections regarding highway safety or the pedestrian safety scheme and that Members were asked to consider appearance, landscaping, layout and scale of the development.

The Legal Advisor confirmed to Members that in their determination of this reserved matters application that they were only required to consider appearance, landscaping, scale and layout and that the discussions around highways and contamination had been dealt with previously by the Planning Inspector on appeal. The Inspector's decision letter referred to these issues and addressed them in the conditions within the outline consent. The Legal Advisor expressed the view that the conditions imposed by the Inspector should give Members the reassurance they were seeking in respect of their highways and contamination concerns. In addition, the Legal Advisor explained that highway works could be undertaken within the boundaries of the highway regardless of who owns the subsoil.

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

RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant reserve matters approval subject to the conditions set out in the report (with authority to finalise conditions to be delegated to the Development Management Service Delivery Manager).

PC28 TWC/2019/0499 - 9 Belgrave Crescent, Stirchley, Telford, Shropshire TF3 1BJ

Application TWC/2019/0499 9 Belgrave Crescent, Stirchley, Telford was subject to an Appeal for non-determination and would be dealt with alongside Planning Application TWC/2019/0635 as this application was comparable in its nature. This application would be debated and Members would confirm how they would have determined the application as if it had not gone to Appeal.

The decision regarding each application would be made individually.

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

Councillor R Breeze spoke against the application on behalf of Stirchley & Brookside Parish Council who raised concerns regarding overdevelopment and it was not in keeping with the nature of the local properties and that their objections remained the same as they had done from the previous meeting, although they were sympathetic to the needs of the family.

Councillor A England, Ward Councillor, reiterated his concerns from the previous meeting which included the detrimental effect on the quiet and attractive cul-de-sac, against planning criteria, overlooking and loss of privacy, overbearing and unsympathetic development which detracted from the street scene and which would set a precedent for future development.

Mr R Davies, a member of the public, spoke against the application on behalf of local residents and raised concerns regarding the impact on privacy, contrary to Policy BE1 and BE2, overbearing, not sympathetic to the street scene, unacceptable precedent for future development and that a rear or garage extension would be a more suitable alternative.

The Planning Officer confirmed that there were no technical objections to refuse the application.

During the ensuing debate, some Members felt that following the site visit none of the properties looked the same and that there were other windows in properties within the street at a similar distance and that the proposed development sat further away than the property at Number 2, the extension did not protrude and they did not consider it to be overlooking

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

RESOLVED – that in respect of Planning Application TWC/2019/0499 that, had the application not been made the subject of an appeal, delegated authority would have been granted to the Development Management Service Delivery Manager to grant planning permission subject to the conditions set out in the report (with authority to finalise Conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

PC29 TWC/2019/0504 - Land between Colliers Way & Park Lane, Old Park, Telford, Shropshire

This was an outline application for up to 82 dwellings and associated access with all other matters reserved on land between Colliers Way & Park Lane, Old Park, Telford and was before Planning Committee as the Council were the applicant and it contained a Section 106 Agreement.

An update report was tabled at the meeting which related to the Section 106 Agreement and additional public comments.

Councillor J Yorke spoke on behalf of Lawley & Overdale Parish Council who were not opposed to the principle of development but raised concerns

regarding the density, traffic management, access, the removal of the trees and hedgerow, parking, public right of way and the need to retain and increase pedestrian/cyclist access.

Councillor M Boylan, Ward Councillor, raised concerns regarding the effect on the character and amenity of the established village, the site being split due to mining, drainage, elevation, overlooking, the removal of the green buffer, wildlife and ecology, visibility, the need for a no through road, density and the development needed to remain in keeping with the existing properties.

Ms S Thomas, a member of the public, spoke against the application on the grounds that it was a "green oasis" near to the town centre, there were concerns regarding density, against Policy BE1, design criteria, proposed parking arrangements, loss of trees which was contrary to Policy NE1 and NE2 and the need to retain the tree buffer.

The Planning Officer reminded Members that this application was to establish the principle of development and access and all other matters were reserved. This was an allocated development site within the Local Plan and the principle had long since been established. The concerns regarding density had been noted but was typical by modern standards and included a mix of units and appropriate plots sizes. There would be two vehicular access points from Colliers Way but no vehicular through access to Park Lane =. A S106 Agreement would secure contributions towards network upgrades and traffic management along Colliers Way.

During the ensuing debate, some Members felt that there was no reason to refuse the application but would be more comfortable with a reduction in number of units and welcomed the 25% affordable housing. Other Members felt that the density was lower than average and that the recreation contribution needed to be spent within the surrounding area and raised concerns regarding the parking and the attenuation pond.

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

RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant outline planning permission subject to the following:

- a) the applicant/landowners entering into a S106 legal agreement with the Local Planning Authority (subject to indexation from the date of committee with terms to be agreed by the Development Management Service Delivery Manager) relating to**
 - i) Education contribution of £370,676.00**
 - ii) Highways contribution of £79,620.65**
 - iii) Children's Play/Recreation contribution of up to maximum of £49,299.00**
 - iv) Ecology contribution of £8,500.00 towards management of habitat and species mitigation area**

v) Affordable Housing to be provided at 25%

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

PC30 TWC/2019/0635 - 9 Belgrave Crescent, Stirchley, Telford, Shropshire TF3 1BJ

Planning Application TWC/2019/0635 9 Belgrave Crescent, Stirchley, Telford would be dealt with alongside TWC/2019/0499 as these applications were comparable in their nature. Application TWC/2019/0499 was subject to an Appeal for non-determination.

The decision regarding each application would be made individually.

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

Councillor R Breeze spoke against the application on behalf of Stirchley & Brookside Parish Council who raised concerns regarding overdevelopment and it was not in keeping with the nature of the local properties and that their objections remained the same as they had done from the previous meeting, although they were sympathetic to the needs of the family.

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The Planning Officer confirmed that there were no technical objections to refuse the application.

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

RESOLVED – that in respect of Planning Application TWC/2019/0635 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the conditions

set out in the report (with authority to finalise Conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

The meeting ended at 8.26 pm

Chairman:

Date: Wednesday, 23 October 2019