

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday 15 March 2023 at 6.00 pm in 4th Floor Meeting Room, Addenbrooke House, Ironmasters Way, Telford TF3 4NT

Present: Councillors C F Smith (Chair), G H Cook, N A Dugmore, A S Jhavar, J Jones, J Loveridge, P J Scott and V A Fletcher (as substitute for I T W Fletcher)

In Attendance: S Hardwick (Lead Lawyer: Litigation & Regulatory), P Stephan (Principal Planning Officer), J Clarke (Senior Democracy Officer (Democracy)), A Gittins (Area Team Planning Manager - West), V Hulme (Development Management Service Delivery Manager), R Attwell (Democracy Officer (Democracy)) and H Khatun (Trainee Solicitor)

Apologies: Councillors G L Offland and I T W Fletcher

PC347 Declarations of Interest

In respect of planning applications TWC/2022/0396 and TWC/2022/0398, Councillor G Cook advised that he was a member of Wellington Town Council but had not been involved in any discussions on this application.

In respect of planning applications TWC/2023/0028, Councillor J Loveridge advised that he was a member of Stirchley & Brookside Parish Council but had not been involved in any discussions on this application. He would abstain from commenting on the application.

In respect of planning applications TWC/2022/0596, Councillor V Fletcher advised that she was a member of St Georges and Priorslee Parish Council and this application referred to The Gower which had been discussed at the St Georges and Priorslee Parish Council, but she had not been involved in any discussions on this application.

In respect of planning applications TWC/2021/0806, Councillor A Jhavar advised that he was a Ward Councillor for Ketley and Overdale and he was a Parish Councillor for Overdale and Lawley but he had not been involved in any discussions on this application.

PC348 Deferred/Withdrawn Applications

None.

PC349 Site Visits

None.

PC350 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 applications TWC/2021/0190 and TWC/2021/0806.

PC351 TWC/2021/0190 Maddocks Hill and Quarry, Little Wenlock, Telford, Shropshire

This application was a change of use from former quarry to educational fieldwork centre including the erection of 3no. Iron-Age roundhouses, 1no. multi-purpose activity structure, warden's accommodation & 5no. camping pods at Maddocks Hill and Quarry, Little Wenlock, Telford, Shropshire

An update report was tabled at the meeting and highlighted a further four representations objecting to the proposal and raised concerns regarding rewilding of the site, biodiversity habitat loss and impact on designations, ecology, drainage, use of timber from woodland, access to site for emergency services, highway access and use and the impact on the Wrekin Forest.

The Planning Officer outlined the application and informed Members that some photographs had been received from the speakers which would be displayed during the speaking slot.

Councillor J Seymour, Ward Member, had requested that the application be determined by the Planning Committee.

Councillor J Seymour, Ward Councillor spoke against the application. Although she was supportive of the project she felt that the Wrekin Strategic Landscape was not the ideal location. Concerns were raised regarding the inadequacy of the solar panels, power and water production and storage, run off for the rain water and inadequate toilet/cleaning facilities for up to 38 daily participants. In relation to Hatch Lane, further concerns were raised regarding access, traffic, antisocial behaviour, vulnerability of the site and the potential for parking issues from visitors to the Wrekin and how enforcement would take place.

Councillor H Betts spoke against the application on behalf of the Parish Council and raised concerns regarding the location of the site within the Shropshire Hills Area of Natural Beauty (AONB) and the Wrekin Strategic Landscape. There was a long history of anti-social behaviour on Hatch Lane and he raised further concerns regarding access, rights of way and parking from visitors to the Wrekin, the lack of running water and mains electricity and housing on the site. He asked Members to refuse the application.

Mr M Fennell-Fox, member of the public, spoke against the application and raised concerns regarding the ditch, lack of culvert at the intersection of the ditch and Footpath 55 and water running down through the Site of Special Scientific Interest (SSSI), the treatment of the effluent discharge, the lack of

public water supply, the site being within the Strategic Landscape and the surveys in relation to wildlife which he felt were not undertaken during breeding season.

Mr E Hanlon, member of the public, raised concerns in relation to the harmful impact on wildlife and the geological sites and the lack of net gain or mitigation measures. This uninhabited area currently had no footfall and live sports, such as archery, would have an impact on biodiversity which was protected on this site. There would be disturbance on the flora and fauna and an impact on timber within the ancient woodland. The site would be operated all year round and would irreversibly change the character of the Wrekin Forest.

Mr J Salt, Applicant's Agent spoke in favour of the application. Although he appreciated the concerns raised, which included highways, access, rights of way and the educational use, he believed that the application would not cause harm. It was an educational centre and the site would not be used for glamping or a holiday site. The site presented an ideal opportunity for ecological and geological studies. A s106 Agreement would strictly control the site. An ecological assessment had taken place and biodiversity could be achieved and species would be protected. The rights of way were not affected. Access would be upgraded and a barrier would be retained and controlled by a warden to prevent vehicular access by the public. The site would be self-sufficient using renewable energy and would be an exciting offer to celebrate the history of the area and brought benefits to the wider locality.

During the debate, some Members raised concerns regarding the water supply, shower block and toilets and the lack of cooking facilities, the safety of open fires, access to Hatch Lane and parking issues. Other Members asked the reason why Shropshire Wildlife Trust no longer raised objections to the site and raised further concerns regarding the health and safety of the site and access to the site for emergency vehicles, the instability and safety of the slopes, lack of drainage and electricity and that although they supported the application they felt this was the wrong site. Questions were raised as to how they would ensure only adults were on site, how the sleeping arrangements in the pods and the arrangements for the male/female toilets would be controlled and how the delivery of food and supplies and storage of equipment would be managed. Further concerns were raised in respect of noise pollution and light pollution which could impact on the wildlife at night.

The Planning Officer informed Members that whilst he appreciated that the site was within the Wrekin Strategic Landscape a s106 had been agreed and the site would be controlled through conditions and there were no technical objections or grounds to refuse the application. Emergency access for fire appliances was addressed in the update report with a condition that a charged static tank of water be provided in agreement with Shropshire Fire Authority. A separate tank for drinking water would be required. In relation to Shropshire Wildlife Trust, a request came forward for Dingy Skipper Butterflies and Peregrine Falcons reports and the Council's Ecologist was satisfied that a biodiversity enhancement plan could be conditioned. The right of way on the

existing footpath would be modified to become a bridleway. In relation to safety of the base of the slopes, a slope stability appraisal report had been undertaken, with recommendations for fences to protect the area from falling debris and this be conditions to be inspected every six months. The lack of a power source would not be a reason to refuse and Members would have to take on face value that the electricity produced would be what was used. In relation to the gender split of the pods and the facilities this was not a planning consideration. Highways were satisfied with vehicular movements to the site and passing places along the track would be provided. An enhanced ecological plan would be required detailing the lighting in order that it did not impact bat migration. Permitted development rights allowed for camping on the land and it was felt that would have a similar impact to the application. Control of the occupants on site would form part of the s106 Agreement but the management of the site and its opening times was an operational choice and not a planning consideration. If the warden left the site there would be two to four tutors on site if students were present.

On 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 planning permission subject to the following:

- a) **The applicant entering into a Section 106 agreement with the Local Planning Authority, with terms to be agreed by the Development Management Service Delivery Manager, relating to:**
 - i) **The land use for the site (excluding access track) shall be for the purpose of educational use.**
- b) **The conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager) contained in the report and the update report.**

PC352 TWC/2021/0806 Land corner of Colliers Way/Rock Road, The Rock, Telford, Shropshire

This application was for the erection of food store including the creation of new vehicle access, parking and associated landscaping and land on the corner of Colliers Way/Rock Road, The Rock, Telford, Shropshire.

The application was before Planning Committee as it involved land owned by the Council and required a legal agreement to secure financial contributions.

An update report was tabled at the meeting and informed members of a further objection received which reiterated comments previously made by Knight Frank on behalf of Telford Trustees No1 Ltd and Telford Trustees No 2 Ltd ('the Trustees') and included that the development was contrary to local and national planning policy and would have an adverse impact on the Town Centre, out of date evidence was used to assess the impact and inadequacies

of the Applicant's Town Centre Health Checks and the Sequential Test and that the applicant failed to address the cumulative impact of the proposed development.

Mr I Minto, landowner (of a large proportion of the Telford Town Centre) and member of public, spoke against the application raising concerns regarding the development in respect of local and national planning policy to protect the Town Centre on both this application and the proposed application at The Forge Retail Park and inaccuracies of the sequential testing. He felt that alternative sites of the Blue Willow or Lime Green car parks needed further time for investigations into land ownership and car park usage to take place and it was premature to bring the application to committee. He felt that this application could set a precedent for out of town use with shops moving away from the Town Centre.

Ms J White, Applicant's Agent, spoke in favour of the application and informed Members that the principle of development has already been established with planning permission having previously been granted on this site for an alternative use, and there were no objections in respect of access or highways impact. It gave consumers additional choice within easy walking distance and the lack of need was not a planning policy test. In respect of sequential tests on other sites, Ms White confirmed that the Trustees did not own the access to the car parks and they were not adopted and these car parks would not be available within a reasonable time period. There would be a substantial enhancement to the Green Network and the development was easily accessible by pedestrian and cyclists and it would create 40 new jobs.

The Planning Officer informed Members that this application was a full application for a food store. Policy EC5 sought to prioritise retail within the town centre and other centres and outside of these areas a sequential test must be undertaken. Upon submission, a retail and planning statement had been submitted and the applicants considered that there were no alternative sequential sites. The Council sought independent advice from Retail Planning specialists on this statement, and a Town Centre health check was undertaken to update the Councils Retail Study (2014). The proposal was considered by independent specialists to have a limited cumulative impact with trade diversion of -2.5% and overall conclusions were that the impact on centres was not significantly adverse.

Sequentially, the Blue Willow and Lime Green car parks had been discounted as the applicant had demonstrated that they were not available. Whilst independent advice was that there remained some ambiguity over the availability of the car parks, the Council were satisfied that compelling evidence had been submitted by the applicants to demonstrate that the issues of land ownership would not be overcome within a reasonable time period and in addition, Officers had concerned about the loss of the car parks and the negative impact this could have on the viability and viability of the Town Centre. Weighing up the environmental, social and economic benefits of the proposal, the lack of technical objection from statutory consultees, with contributions towards offsite biodiversity, a travel plan and highways

improvements, it was felt that on balance planning permission should be granted.

During the debate some Members raised concerns regarding the lack of solar panels and building on the green network, turning points for wagons, highway safety, drop kerb crossings, coal mining, impact on the town centre and the length of the Sunday opening hours. Other Members felt that this was a very positive application due to the creation of 40 jobs and as not everyone had a car and it enabled people to gain the health benefits of walking to a nearby shop and there were no reasons to refuse. Additionally, concerns were raised regarding the potential loss of two car parks within the town Centre (particularly during the busy Christmas period).

The Planning Officer confirmed that there was currently no policy in place to secure solar panels. The loss of the green network was a small section of 30% which had been agreed in a previous permission but there would be greater enhancements with this scheme. Sunday opening hours were noted but in order for supermarkets to gain flexibility the Planning Officers were seeing a general trend requesting 10:00-17:00 opening. The Local Highways Authority did not consider the turning of vehicles in/out of the site to be highway safety concern and it was felt there was space for these manoeuvres within Rock Road, and there were no technical reasons to refuse on this ground. The Town Centre had undertaken a health check and there was a trade diversion of -2.5% and it was considered that the retail impact was not sufficient to warrant a refusal. The Coal Authority and the Applicant had undertaken additional investigations and were supportive of the application subject to conditions which may include piled foundations.

Upon being put to the vote it was unanimously:

RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning Permission (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to the following:

- a) The applicant/landowners providing a Memorandum of Understanding (subject to indexation from the date of committee with terms to be agreed by the Development Management Service Delivery Manager) relating to:**
 - i) £30,000 towards highways improvement works at the junction between Colliers Way and Rock;**
 - ii) £5,000 towards Travel Plan monitoring;**
 - iii) £168,420 towards off-site woodland planting to mitigate biodiversity net loss;**
 - iv) S106/MOU Monitoring Fee of £2,034.20 and**

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

PC353 TWC/2022/0396 Site of Portico House, 22 Donnington House/land to rear, Vineyard Road, Wellington, Telford, Shropshire

This application was for the conversion of existing buildings into 9no. residential units including the demolition of the link between Portico House and Donnington House, porch and door surround refurbishments, window and fascia refurbishments, gutter repairs, demolition of front boundary wall with associated internal works to form residential units (Listed Building Application) on the site of Portico House, 22 Donnington House/land to rear, Vineyard Road, Wellington, Telford, Shropshire.

This full application had been referred to planning committee as the application triggered the need for a s106 agreement linked to previous grant of TWC/2021/0593 for the erection of 3no. detached dormer bungalows and parking on adjoining land to the north.

During the debate some Members welcomed the development. Other Members raised concerns relating to access, car parking, bin storage and refuse collection.

The Planning Officer confirmed to Members that the bungalows on site were already being constructed but it was the same applicant and the site would be managed in relation to car parking arrangements. Refuse vehicles would not be expected to travel up to the bungalows and any refuse vehicle would have sufficient turning space. The parking spaces for the bungalows would have some separation via a hedge in order to provide some defensible space.

Upon being put to the vote it was unanimously:

RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant Listed Building Consent subject to the conditions contained within the report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager).

PC354 TWC/2022/0398 Site of Portico House, 22 Donnington House/land to rear, Vineyard Road, Wellington, Telford, Shropshire

This full planning application was for the conversion of existing buildings into 9no. residential units on the site of Portico House, 22 Donnington House/land to rear, Vineyard Road, Wellington, Telford, Shropshire.

This application had been called to Committee as the application triggered the need for a s106 agreement linked to a previous grant of TWC/2021/0593 for

the erection of 3no. detached dormer bungalows and parking on adjoining land to the north.

During the debate some Members welcomed the development. Other Members raised concerns relating to access, car parking, bin storage and refuse collection.

The Planning Officer confirmed to Members that the bungalows on site were already being constructed but it was the same applicant and the site would be managed in relation to car parking arrangements. Refuse vehicles would not be expected to travel up to the bungalows and any refuse vehicle would have sufficient turning space. The parking spaces for the bungalows would have some separation via a hedge in order to provide some defendable space.

Upon being put to the vote it was unanimously:

RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning Permission subject to:-

- a) **The applicant entering into a Section 106 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) **Recreation contribution of £7,150 towards improving the nearest children’s equipped play facilities in the adjacent open space at Crescent Road Playing Field;**
 - ii) **s.106 Monitoring Fee of £250.00 (2% of the total value of contributions or minimum of £250.00); and**
- b) **the conditions contained within the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).**

PC355 TWC/2022/0596 Land adjacent & site of former Abacus Day Nursery, Main Road, Ketley Bank, Telford, Shropshire

This application was for the conversion of the existing buildings to form 7no. new dwellings and erection of 21no. new dwellings on land adjacent to and on the site of the former Abacus Day Nursery, Main Road, Ketley Bank, Telford, Shropshire.

The application was before Committee as it was a major planning application on a site owned by the council and contained a s106 agreement.

The Planning Officer informed Members that the premises was a non-designated heritage asset but was under review on the Council’s Local List Register. The proposal includes the introduction of dormers and roof lights,

but it was felt that this created a low level of harm and this harm needed to be assessed against the public benefit of the scheme. The previous nursery facility was assessed and it was felt that there was acceptable community provision locally in other nurseries. It met national space standards and had a contemporary approach to reflect the mix of local housing. Access was to the north-west with a secondary access on site. Car parking exceeded the parking standards. An education contribution of £123,095 was sought together with Off-site Open Space Contributions of £33,800 and there would be a provision of 5 bungalows delivered on site for over 55s.

During the debate some Members welcomed the s106 contributions towards education and nearby play facilities and the improvement to the buildings which were in a bad state of repair. Questions were raised as to why GP surgeries did not apply for s106 contributions and as Nuplace did not provide affordable rent properties, which provider would look after those units and why the Gower was listed in this application as alternative community space. Some Members raised concerns regarding the insufficient private amenity space for several units and the footpath adjacent to plot 28.

The Planning Officer confirmed there were seven affordable houses for rent which were secured by a s106 agreement plus market rent housing. The delivery of the affordable homes would be secured via the S106 should Nuplace not take on these units themselves. The Gower had been included as officers had to assess the loss of the community use and this facility was approximately one and a half miles away but would be walkable for some people. The footpath next to plot 28 was not uncommon and this would be known when someone took up the rental and no mitigation would be required. Some gardens did not meet the space standards as they were overshadowed by the group of trees and the useable amenity space reduced but on balance the whole scheme brought benefits and brought back the buildings into use.

Upon being put to the vote it was unanimously:

RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning Permission subject to the following:

- a) The Applicant/Landowners entering into a Section 106 Agreement with the Local Planning Authority (items (i to vi) subject to indexation from the date of committee), relating to:**
 - i) Affordable dwellings (7 no. for Affordable Rent);**
 - ii) 5 no. bungalows for over 55s;**
 - iii) Off-site Open Space Contributions of ££650 per dwelling for improvement to nearby play/recreation facilities and £650 per dwelling for improvements to nearby sport facilities);**
 - iv) Education Contributions of £123, 095**

- v) **Monitoring contributions at 2% of the value of the s.106; and**
- b) **The condition(s) and informative(s) contained within the report (with authority to finalise condition(s) to be delegated to Development Management Service Delivery Manager).**

PC356 TWC/2023/0028 Site of former Stirchley Recreation Centre, Grange Avenue, Stirchley, Telford, Shropshire

This application was for the erection of a 72no. bed extra care home with associated open space, landscaping, car/cycle parking, service infrastructure (drainage, highway, lighting) and engineering operations on the site of former Stirchley Recreation Centre, Grange Avenue, Stirchley, Telford, Shropshire.

The application was before Planning committee as this was a major application and the Council was the current landowner.

The Planning Officer informed Members that this was a revised scheme from that approved in May 2022 and following a feasibility study in relation to constructional costs that an increase of bed numbers from 67, to 72 was required, the solar panels had been omitted and balconies amended to Juliet style, amongst other minor changes primarily relating to material changes. In relation to car parking, an increase in staff led to three extra spaces being required. There were no objections from highways or other technical consultees. Within the courtyard, the scheme had 21 parking spaces with four EV charging points. The changes were not significantly different from the previous application and it was before Members for approval.

During the debate some Members raised concerns in relation to the storage of scooters, overlooking of the nursery, insufficient parking and the impact on Grange Avenue and the existing car park, during the construction period. Other Members felt that this was a good news story.

The Planning Officer confirmed to Members that the scooter storage was an operational matter and not a planning consideration. The applicant had come to an agreement for all contractors to park their vehicles on the car park to the south of the site, which would not impact the leisure centre car park – no construction traffic should utilise the existing car park. The Planning Officer confirmed that the site had provided sufficient car parking. 21 spaces are located within the courtyards and the remainder to be located within the existing Leisure car park; to which they have a right to access and utilise for parking. Car park surveys undertaken last year, at times agreed with the School, confirmed that there would be adequate capacity to accommodate the development. In relation to overlooking of the nursery, the development had been moved 1m further away than the previously approved scheme, which was an enhancement and the extant permission could allow the applicant to build if they wished.

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 full Planning Permission (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to the conditions contained within the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

PC357 Exclusion of the Press and Public

RESOLVED - that the press and public be excluded from the meeting for the remaining item of business on the grounds that it may involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

PC358 Update on recent Planning Application - Granville Landfill Site

Members received an update on a previous application TWC/2022/0170 in relation to Granville Landfill site.

An appeal against the decision had been lodged with the Planning Inspectorate (PINS) and scheduled to be heard at an inquiry in June 2023. Members were given legal advice in relation to the Local Planning Authority's (LPA's) ability to defend the appeal.

Elected members were asked if they would be prepared to give evidence to support the ground for refusal that had been identified at the meeting in September 2022. No planning committee member felt able to do so.

Members of the committee concluded, therefore, that the LPA was not in a position to defend the previous reason for refusal and no evidence could be offered in the legal proceedings. No member of the committee objected to this course of action.

The meeting ended at 8.34 pm

Chairman:

Date: Wednesday 7 June 2023