

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 26 January 2022 at 6.00 pm in Telford International Centre, International Way, Telford TF3 4JH**

**Present:** Councillors N A Dugmore, I T W Fletcher, J Jones, J E Lavery (as substitute for G L Offland), P J Scott, C F Smith (Chair), B Wennington (as substitute for R Mehta) and D R W White (as substitute for K S Sahota)

**In Attendance:** R Attwell (Democracy Officer (Democracy)), J Clarke (Senior Democracy Officer (Democracy)), K Craddock, A Gittins (Area Team Planning Manager - West), V Hulme (Development Management Service Delivery Manager), L Lycett, I Ross (Legal Adviser) and M Turner (Area Team Planning Manager - East)

**Apologies:** Councillors R Mehta, G L Offland and K S Sahota

#### **PC233 Minute Silence for Councillor Jackie Loveridge**

The Chair announced the sad passing of Councillor Jackie Loveridge who had been Vice-Chair of the Committee for many years. It was asked that the Committee observed a minutes silence in her honour.

#### **PC234 Declarations of Interest**

In respect of planning applications TWC/2021/0795 and TWC/2021/0796 Councillor P Scott advised that he was a member of Newport Town Council but had not been involved in any discussions on these applications.

#### **PC235 Minutes of the Previous Meeting**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 15 December 2021 be confirmed and signed by the Chairman.

#### **PC236 Deferred/Withdrawn Applications**

None.

#### **PC237 Site Visits**

None.

#### **PC238 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/2020/1056 and TWC/2021/0684.

**PC239     TWC/2016/0147 - Land North of Grove Road, Overdale, Telford, Shropshire**

This was for an outline application for a residential development with associated access and all other matters reserved on land North of Grove Road, Overdale, Telford, Shropshire.

This application was before Planning Committee as it involved a variation to S106 financial contributions.

The S106 Agreement approved 81 dwellings with contributions towards education, recreation and public rights of way but it had now proved unviable to build out the scheme and provide the contributions. An independent viability assessment had taken place. It was asked that the S106 be varied to give nomination rights to the Council for the proposed affordable dwellings being brought forward by the applicant.

Mr A Evans, Applicant, addressed Members that this was an application for 81 affordable homes on behalf of Accord Housing Association. The outline planning consent was given in 2016 due to the sloping nature of the site which was next to the M54 it was a technically challenging site with significant retaining walls to the embankment and level changes. The previous landowner had underestimated the abnormal costs and was unable to find a buyer until 2019 where a fix priced contract was approved supported by Homes England. Upon carrying out a site investigation it was concluded that a further £1m would be required and this together with operation and labour constraints there was no scope to increase the build. It was proposed that in return for a variation to the S106 contributions that nomination rights would be given to the Council which was a significant benefit which would outweigh the S106 contributions.

During the debate some Members felt that the Applicant had done all they could and this being the case could support the application. Other Members asked if the cost of the S106 contributions had been considered against the increase in market values Other Members felt that 81 affordable houses with nomination rights was acceptable.

The Planning Officer explained that since the submission of the application costs had risen by up to £66,000.

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 approve the Deed of Variation to the Section 106 Agreement subject to:**

- a) **the removal of all existing planning obligations**

- b) **the insertion of Nomination rights being granted to the Council as a priority to accommodate local needs.**

**PC240     TWC/2020/1056 Land North East of Stirchley Interchange, Nedge Hill, Telford, Shropshire**

This application was for the erection of up to 350 new dwellings (Use Class C3) with all matters reserved on land North East of Stirchley Interchange, Nedge Hill, Telford, Shropshire.

A deferral of this application had been agreed at Planning Committee on the 15<sup>th</sup> December 2021 to allow Officers to negotiate with the Applicant in respect of concerns relating to the impact on the local highway network, the impact on the existing riding centre and the lack of on-site facilities and the sites proximity to the existing local centre. These concerns had been addressed in the report and the recommendation remained for approval.

Councillor N England, Ward Councillor, spoke against the application as he felt that previous concerns had not been addressed. He was not satisfied with the roundabout and highway safety and the distances to the local facilities and he remained of the opinion that the development should be refused.

Miss L Cooper spoke on behalf of Mrs K Curtis, who was unable to attend the meeting, as a member of the public. She raised concerns regarding the clarification of the ownership of the land, the 51 additional dwellings above the Local Plan allocation, the impact on the highway network, lack of communication, the impact on neighbouring properties, the ability of large farm machinery to use the highway, the access, lack of off-road parking and parking spaces. There needed to be uninterrupted access to Nedge Farm and concerns were raised regarding the buffer zone, recreational grazing and the access to the riding centre for the benefit of the local community.

Mr D Stengel, the Applicant's Agent, spoke in favour of the application. Further negotiations had taken place with Planning Officers to clarify the concerns raised by Members. The agent confirmed that it was a residential site which was allocated within the Local Plan. The stables did not form part of the application site boundary, although the fields that were used for grazing were. The Lease on the fields with Homes England would end in 2023 and Telford and Wrekin Council had met with Nedge Farm to agree licence terms and the agent advised that they would not have to close the riding stables. There would be a buffer zone between the dwellings and the farm house. Services or health care were not required on site and the highways impacts had been assessed against the transport model. There would be S106 contributions towards education, highways, landscaping and 25% affordable housing, if Members were minded to approve the application.

The Area Team Manager addressed Members and advised that the expiry of the lease for the riding centre was a civil matter and was outside planning control. The key point was that the land forming this application was allocated however land to the side of the farm house was leased from Homes England

and the licence had been discussed with Nedge Farm and was awaiting signature. The stopping up of the access was under a separate piece of legislation and an alternative access route, through the development, was accessible by the riding centre. The proposed access was a minimum width of 5m and was better than the existing highway giving greater accessibility to larger vehicles. The site was not considered large enough to require a convenience store as this could impact the Stirchley local centre by taking business away and leaving empty units. With regards to highways, future growth had been considered and a cumulative transport assessment undertaken with 80% of the traffic travelling along the M54 and A442 and the capacity of Stirchley Interchange had been assessed up to 2031.

During the debate some Members raised concerns regarding the lack of consultation with residents, the impact on Stirchley Medical Practice for 350 new homes, the lack of facilities on site together with the distance to the local centre for older residents and young families. The proposed walking and crossing route was on a dangerous main road and it was felt that it could not be supported by some Members. Other Members raised that nothing had really changed and that there was no mention of grazing rights to the north of the plot as this would have helped mitigate concerns regarding horse grazing. Questions were raised as to whether the applicant would consider reducing the number of houses and what would be the impact on available school places.

The Area Team Planning Manager confirmed that due to the local services this had been thoroughly modelled and tested. With regard to the riding centre if Homes England wished to remove the lease and then apply for permission that was not a material planning consideration. Details accessibility was not being considered under this application as it was a separate piece of legislation that was required to stop up the access. Retail policy meant that planning cannot intervene in competition and there was a Town Centre first approach. It was unknown how many school places were available, but Education had asked for contributions and based on a formula a sum of approx. £1.65m for primary and approx. £696k had been requested for secondary education. An extant permission to build under the New Towns Act 1981 could have been carried out, and consultation had taken place on this during previous Local Plan reviews.

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 outline planning permission (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to:**

- a) the applicants/landowner entering into a Section 106 agreement with the Local Planning relating to the following (subject to indexation from the date of committee with terms to be agreed by the Development Management Service Delivery Manager):**

- i) **On-site provision affordable housing (25%);**
  - ii) **Financial contribution towards primary education provision, at a cost of £4,737.15 per dwelling (the total sum being no more than £1,658,004.00);**
  - iii) **Financial contribution towards secondary education provision, at a cost of £1,988.12 (the total sum being no more than £695,842.00);**
  - iv) **Financial contribution of £121,328.00 towards the Telford Transport Growth Strategy;**
  - v) **CCTV Provision at a cost of £42,500.00 along Nedge Lane ;**
  - vi) **Financial contribution of £10,000.00 towards the Green Routes Strategy;**
  - vii) **Travel plan monitoring at a cost of £5,000.00;**
  - viii) **Financial contribution towards off-site sports provision (figure TBC dependent upon number and mix of housing at REM - £650/dwelling for 2bed or larger)**
  - ix) **Financial contribution of £32,700.00 towards woodland management at Halesfield 1;**
  - x) **Financial contribution of £70,200.00 towards woodland management and safety surveys/management at The Nedge;**
  - xi) **S106 monitoring fee (1% of the total value of S106 contributions, or capped at £20,000.00)**
  - xii) **Implementation timetable for the on-site LEAP provision**
  - xiii) **Implementation timetable for on-site NEAP provision, or financial contribution towards either a partial or entire off-site enhancement towards local NEAP provision (figure TBC dependent upon number and mix of housing at REM - £350/dwelling for 2bed or larger as a partial on-site NEAP provision, or £650/dwelling for 2bed or larger as an entire off-site contribution); 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).**

This application was for the erection of 301no dwellings with associated access, open space, landscaping and drainage and ancillary infrastructure and ground remodelling on land West of Station Road, Newport, Shropshire

This application was before Committee as it required a financial contribution via a S106 Agreement.

The Planning Officer gave an overview of applications TWC/2021/0795 the residential application and TWC/2021/0796 the extra care facility which had been given consent in March 2021 and was on land east and west of Station Road. The land west of Station Road would be phase 1 of the application. The two outline applications had been brought before committee by Bloor Homes who owned the whole site and had re-addressed some of the site constraints.

Application TWC/2021/0795 was in relation to the 301no dwellings recommendation was for approval. With regard to the outstanding items such as the planting, woodland barrier along the A518 and the woodland maintenance contribution updated plans had now been submitted and discussions had taken place with the Tree Officers who were satisfied with a financial contribution being agreed in the sum of £25,000.

Councillor A Eade, Ward Councillor, spoke against the application. He acknowledged that the Applicants had accommodated suggestions but continued to raise concerns regarding the loss of a greenfield site, the major entrance to the town and the loss of the buffer, lack of Local Plan considerations, biodiversity in relation to Policy NE1 in relation to net gains and NE2 in relation to hedgerows, drainage and flood mitigation measures, lack of sustainable connectivity ie paths and cycleways. It was suggested that the £25,000 be used to eliminate the biodiversity loss and to supply extra screening to the area of Church Aston affected. It was also asked that although the neighbouring land may not be in Bloor Homes ownership that future planning applications being brought forward considered the issue of sustainable connectivity.

Councillor B Harper spoke against the application on behalf of Chetwynd Aston and Woodcote Parish Council praised the efforts made by the Applicant in respect of green space and sustainable solutions but raised concerns regarding the lack of priority for the most affected parish areas, highway safety, traffic impact and traffic survey, parking provision was less than the required standard, Pave Lane being used as a short cut and it was asked that traffic calming be provided to mitigate the hazards.

Mr P Degg, Applicant, spoke in favour of the application which was a carefully planned scheme and recommended for approval subject to conditions. There was a wealth of ecology and arboricultural/landscaping enhancements along the Hutchison Way which was great for local residents. An extra care facility was also proposed later on the agenda which contained a comprehensive S106 package of over £3m towards education, highways and infrastructure. There was an emphasis and commitment to the community which was a

priority on all of Bloor Homes sites and they were keen to support community initiatives. The Application proposed to deliver 301 high quality new homes developed to the highest standard of design and sustainability.

The Planning Officer informed Members that outline planning permission had already been granted so the principle for development was established. Reserved matters on the outline planning permission could still come forward across the whole site and a current Reserved Matters application on the northern part of the site only was currently being held in abeyance pending the outcome of these applications. The points of access to Station Road and the A518 had been agreed at outline stage and the site layout showed the Hutchison Way retained as a green route. Negotiations had taken place regarding the hedgerows to the south east of the Extra Care site. The loss of the hedgerow along the A518 had been established at the outline permission but some would now be retained. The Tree Officer had requested species of trees to be used for planting and the loss of trees had now been reduced following the receipt of amended plans. With regard to connectivity along the A518 at Phase 2 of the outline consent, it had been costed out to reach up to half of the S106 highway contributions and would be difficult to accommodate from this application but this could be looked at during future stages of the development. A drainage strategy was in place as part of the outline consent and which would enable the delivery of the capacity on the site.

During the debate some Members asked if a restriction could be put on Phase 2 for the delivery of a footpath along the A518. Other Members were encouraged that Bloor Homes had listened to local residents and provided green areas to be kept together with the access to the Hutchison Way Public Right of Way, the good S106 package and it was asked that the 20% affordable housing came forward and be kept (rather than revised through subsequent claims of lack of viability) but it was felt that schools could not continue to be extended indefinitely and it was asked how the funds would be applied and to where. A crossing was also requested as it was a busy road with the 30mph speed restriction being extended to the sheep island, were the CCG consulted with regards to a doctors/dentist and the overloading of car parking within Newport and its infrastructure. Concerns were also raised regarding drainage and if this would be monitored.

The Planning Officer confirmed that the application already had outline permission but negotiations for a path could be made going forward as part of future developments on Phase 2 of the original outline consent if it comes forward as a new application for full planning permission. £1.5m was set aside for schools and feasibility studies were being undertaken with regard to a new school site and what capacity there was to build a new school. The 30mph speed restriction had not been included in the highway recommendations but this could be looked at going forward. With regard to contributions towards the highway, a puffin crossing had been suggested within the Newport Transport Model. There were 3-4 sites coming forward across Newport and the Section 106 contributions fed into these as part of a wider package of strategic measures.

The Drainage and Flood Risk Team Leader confirmed that there were attenuation ponds proposed on site which would connect to the run off to allow natural drainage. The impact has been assessed to see what measures the development could take and this had been based on sound methodology. There was currently no monitoring being undertaken as water was controlled into the Mere. Further details would come forward following the investigations.

The Development Management Service Delivery Manager confirmed that whilst they could not put a restriction on the site for providing a public footpath along the A518 in Phase 2 of the outline consent as part of this application, although a direction could be made by Members in the wider sense to say this is what they wanted to see coming forward as part of future development on the Phase 2 site.

**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:**

- a) **The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (items ii) to ix) subject to indexation from the date of committee), relating to:**
  - i) **On-site provision Affordable Housing (20%);**
  - ii) **Financial Contribution towards primary & secondary education provision of £1,512,810 plus additional £667,166;**
  - iii) **Financial Contribution towards off-site highway infrastructure of £449,061.89;**
  - iv) **Financial Contribution towards public transport service enhancements of £584,829.19;**
  - v) **Financial Contribution towards public transport infrastructure of £23,886.18;**
  - vi) **Financial Contribution towards Public Rights of Way of £9,318.60;**
  - vii) **Financial Contribution towards Travel Plan monitoring of £5,000.00 (residential only);**
  - viii) **Financial Contribution towards Healthy Spaces of £185,250;**
  - ix) **Financial Contribution towards maintenance of woodland for a 15-year period, replacement planting**

**and up to 3no. surveys by an Arboricultural Surveyor  
- Figure TBC;**

- x) S106 Monitoring Fee of £20,000 (1% of the total value of contributions, or capped at £20,000).**
- b) submission of a replacement planting scheme to demonstrate that the habitat which is being removed along the A518 can be suitably mitigated in addition to the Financial Contribution;**
- c) submission of plan confirming arrangements for protecting and maintaining the group of protected lime trees; and**
- d) the conditions contained in the report and the update report.**

**PC242 TWC/2021/0796 Land West of Station Road, Newport, Shropshire**

This application was for an erection of an extra care facility containing 70no. affordable self-contained apartments (Use Class C2) and associated communal and public facilities with associated access, car parking and landscaping on land west of Station Road, Newport, Shropshire

The application was before Planning Committee due to a S106 financial contribution.

Councillor A Eade, Ward Councillor, confirmed that he had raised all of his concerns from application TWC/2021/0795 and had nothing further to raise.

Councillor B Harper spoke on behalf of the Parish Council who raised concerns regarding parking spaces, particularly when there was a change-over of staff.

Mr S Thompson, Wrekin Housing Group, spoke in favour of the application which was an Extra Care site for older people. There would be a £13m investment from Wrekin Housing Group including £4.2m which had already been secured from Homes England. If approval was granted they were engaging with Bloor Homes and their partners to get on site. The design was of a good standard for the benefit of the customers and went beyond the required building regulations and fitted the needs of the community.

The Planning Officer confirmed that the parking for the apartments was one space per two apartments, there were seven staff parking spaces and there would be 10 full time staff on a shift basis with one space per two staff.

During the debate some Members raised concerns on the impact on the visual gateway into Newport and asked if the development could be made “easier on the eye” by amending the size and scale. The community involvement was welcomed. Other Members asked if the Parish Council should be more involved and that all people affected be consulted and raised concerns

regarding insufficient parking spaces and cars parking on the road. Further concerns raised were regarding construction traffic during the development of the two sites and the speed of traffic. It was asked if an overspill car park could be placed within the nearby development and if the 30mph along Station Road could be expended to the sheep island.

The Planning Officer explained that the application had been assessed on planning balance and that it fit into the corner of the site between the Hutchison Way and Station Road to avoid disturbing the Public Right of Way. The height had been reduced to three storeys on two wings to reduce the visual impact. With regard to parking there was one space for two apartments which was complied with the Local Plan and potentially there would be five or six members of staff at any one time and there were seven spaces for staff. The residential development would be undertaken on a phased basis, however a construction and environmental management plan would be required via planning condition.

The Area Team Planning Manager confirmed that parking standards formed part of the local plan, which were evidence based, and the recommendation to committee had been made on that basis. Comments had been taken on board with regard to additional visitors but these had been taken into account within the application which was compliant with policy. There were local transport connections and the site was in an appropriate and sustainable location.

The Development Management Service Delivery Manager confirmed to Members that the Local Plan was a material consideration and set out the parking standards which were clear and tested and had been adopted by Full Council. The parking was compliant and there was no reason to ask for anything additional. Member's comments would be passed to the Local Plan Team to look at this in the future.

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 entering into a Section 106 agreement with the Local Planning Authority (items i) and ii) subject to indexation from the date of committee), relating to:**
  - i) Financial contribution towards Strategic Highway works in Newport of £31,880.15;**
  - ii) Financial contribution towards Travel Plan of £5000.00;**
  - iii) S106 monitoring fee of £638.00 (2% of the total value of contributions, or capped at £20,000);**

- iv) **All 70no. units to be provided as affordable housing;**
- v) **Age restriction upon occupancy of units to residents aged 55 years and above; and**

**b) The conditions: contained within the report.**

**PC243 TWC/2021/1051 41 & 42 Attwood Terrace, Dawley, Telford, Shropshire, TF4 2HH**

This application was for a change of use from 2no. dwellings (use class C3) into 1no. residential institution (use class C2) including the erection of a single storey rear extension at 41 & 42 Attwood Terrace, Dawley, Telford, Shropshire, TF4 2HH.

This application was before Committee at the request of Councillor A Burford.

The Planning Officer informed Member that the application was to accommodate up to four children between the ages of eight and eighteen who needed a period of care and would be staffed on a one to one basis 24 hours a day with a manager on site during the day. It was proposed that there be a single storey rear extension and alterations to the front garden in order to offer additional off-street parking and that any consent would subject to conditions.

Councillor A Burford, Ward Councillor, spoke on behalf of local residents who raised concerns regarding potential noise and disturbance, increased traffic flow in a quiet residential street, staff numbers and visitors to the property and staff meetings. It was asked that the applicants consider the strength of feeling of local residents and consider building bridges with local people if approved and that supervision and tight monitoring of the property be sustained.

Ms M Hunt, a member of the public, spoke in her capacity as a resident and not as a Parish Councillor and raised concerns regarding the parking and highway impact, safety requirements such as fire safety, referrals by social services and if this would be limited to Telford and Wrekin Council or would include other Local Authorities. It was felt that more information was required in relation to the company running the facility and its credentials, numbers of staff, particularly overnight, the access to the manager, the company HQ and the removal of two houses from a residential street.

The Area Team Planning Manager informed Members that the development would be subject to building regulations in respect of fire safety standards and that being a residential care home the regulations were higher with the installation of fire doors and fire alarms. The Fire Authority were consulted on the application and have commented. Residents would be refereed by Telford & Wrekin Social Services only. Planning Permission went with the land rather than the company and it was outside of the planning remit to comment on the company, its head office or staff. This was specialist housing and was under

Policy HO7 of the Local Plan and there was a shortage of this type of housing facility. There was no negative impact on local amenity and eight off-road parking spaces were being provided.

During the debate some Members felt that there was no reason to object to the application. Other Members felt that there could be issues with parking which would block the bus route and interference with the amenity of local residents, noise and disturbance and visits from services such as the Police to deal with incidents. It was asked if there was anything the Local Authority could do if the company was unsuitable. Some Members felt that they fully supported the children being placed within the community and that there were rigorous checks but raised concerns regarding staffing, staff meetings and parking.

The Area Planning Manager informed Members that the applicant currently occupied the residence and that a landlord could give notice but that this was not a planning consideration. Children would be placed by Telford & Wrekin Social Services would and that the premises would be monitored by them and they would also be subject to Ofsted inspection. These in turn work with the local Police. Staff meetings could be held at the premises and it would be difficult to refuse on highways grounds. There was no controls in place at the moment on the two private houses. Staff meetings could alternatively take place virtually.

The Development Management Service Delivery Manager informed Members that they were considering land usage and that who ran the business was not under the Planning Committee remit. It was suggested that a condition was added in order to control the operation of the premises with regard to staff numbers, shift patterns and change over times.

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) subject to the condition contained within the report, together with an additional condition to control the operation of the premises in respect of staff numbers, shift patterns and change over times.**

The meeting ended at 8.37 pm

**Chairman:** .....

**Date:** Wednesday, 9 February 2022