

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 6 April 2022 at 6.00 pm in Addenbrooke House, Ironmasters Way, Telford TF3 4NT

Present: Councillors N A Dugmore, I T W Fletcher, J Jones, R Mehta, G L Offland, P J Scott, B Wennington (as substitute for K S Sahota) and D R W White (as substitute for G H Cook)

In Attendance: R Attwell (Democracy Officer (Democracy)), J Clarke (Senior Democracy Officer (Democracy)), K Denmark (Principal Planning Officer), A Howells, V Hulme (Development Management Service Delivery Manager), S Leather (Planning Assistant) and J Lyall (Legal Advisor)

Apologies: Councillors G H Cook, K S Sahota and C F Smith

PC259 Declarations of Interest

None.

PC260 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Planning Committee held on 9 March 2022 be confirmed and signed by the Chairman.

PC261 Deferred/Withdrawn Applications

None.

PC262 Site Visits

None.

PC263 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 TWC/2021/1071.

PC264 TWC/2021/0897 - Site of former Charlton School, Severn Drive, Dothill, Telford, Shropshire

This was a reserved matters application pursuant to planning application TWC/2018/0701 (200no. dwellings, retention of the existing sports hall building for community uses with associated access, car park, public open space, attenuation areas and associated infrastructure) including details of appearance, landscaping, layout and scale on the site of former Charlton School, Severn Drive, Dothill, Telford, Shropshire.

Councillor K Tomlinson, Ward Member, had requested that the application be determined by the Planning Committee.

The Planning Officer addressed Members that this was a reserved matters application which sought approval for 195 dwellings with consideration being sought on appearance, layout, landscaping and scale. The principle of development had been granted, together with sustainability and this was not for consideration. There was a mix of housing types and there was an ecological corridor on the western boundary opposite the Dothill Local Nature Reserve and the football pitches, together with open space and a LEAP and the proposals included two car parks for the Wrekin Gymnastics Club and the football pitches.

Councillor K Tomlinson submitted a statement to be read as she was unable to attend at the meeting. The statement raised concerns regarding the ecological corridor which had now been reinstated and the design and street layout amended. She welcomed the reduction in dwellings but was disappointed that some of the houses had insufficient garden space, but noted that these houses could not be extended. The LEAP had not been resolved and it was hoped that any green space be maintained by the Council. Her main concern was parking and she felt that 66 spaces was not sufficient and parking issues would be exacerbated, particularly along Harley Close. She also raised concerns regarding the Whitchurch Road/North Road junction and if there was enough funding from the S106 to alleviate the issues on the hazardous bend. It was suggested that if Members found it difficult to approve the application that a site visit take place in order to get the development right for local residents.

Councillor L Jinks spoke on behalf of the Town Council who raised concerns regarding the ecology, the LEAP, flow of traffic, the Whitchurch Road/North Road junction, heavy traffic and the additional traffic which this development would bring. It was asked if a mini roundabout could be installed to alleviate the flow of traffic. She raised drainage and flood waters and whether the sewers would be adopted by Severn Trent. Concerns were raised regarding the ecological corridor and the impact on the Dothill Local Nature Reserve and although bat and bird boxes were to be incorporated on the north of the site it was asked if this could be repeated on the southern part of the site. It was reiterated that if Members were unable to make a decision that the application be deferred and a site visit take place.

Mr P Smith, a member of the public, spoke against the application as he lived close to the proposed development and adjacent to the Local Nature Reserve. He raised concerns regarding the mix of housing and the number of dwellings together with density and design, which he felt it was an unimaginative and rigid development, tightly packed and totally out of keeping with the area and was an overdevelopment. He raised further concerns regarding Harley Close and Severn Drive becoming gridlocked and Emral Rise becoming a rat run. It was quantity over quality and that there would be 31 months of disruption to local residents. He also queried the legality of granting the application when

NuPlace was a wholly owned letting company for the Council and would be delivering 40 homes for private rent.

The Legal Advisor confirmed that although the land to be developed was owned by the Council it should legally be dealt with via the Planning Committee subject to conditions.

The Planning Officer confirmed that the access points and up to 200 dwellings had been approved at the outline and this was not part of the application before Members. There had been extensive negotiation on the site and the density had been reduced and more open space included. The dwellings met the national space standards and parking standards together with the back to back distances. Some 18 dwellings failed to meet the garden standards but permitted development rights had been removed on these properties. There were 66 parking spaces which was a condition in the outline consent and these had a link through to the football pitches. The Play area had been outstanding at the point of publication but had now been signed off by the Healthy Spaces Officer and complied with the conditions on the outline application. Drainage Officers required further information from the applicant but conditions would not be discharged until they had been met. The overall design and layout was acceptable and it was recommended for approval.

During the debate some Members asked what discussions had taken place in regard to Whitchurch Road/North Road junction in relation to the mini island. Other Members raised concerns regarding the substandard gardens and the removal of the permitted development rights and unfettered access to the SUDS feature and asked that protective railings be installed for the protection of children. Other Members felt that this was insufficient parking for the gym club and parking standards were not met and raised concerns regarding the affordable units. Members asked for clarification regarding drainage.

The Planning Officer confirmed that the SUDS feature would be fenced and by unfettered access it was meant that this would be via a private drive and accessible gate for maintenance purposes. The private drive would not be part of the adopted highway therefore access to the SUDS feature would be required to be maintained. She confirmed that in relation to parking, this met the outline permission of 66 spaces and that this was set out in the planning consent and they could not ask the developer to provide more. The application met the parking standards and the outline plan was indicative and officers had negotiated hard to lower the density particularly along Harley Close. Drainage Officers had asked for the developer to demonstrate that the calculations were correct. This had not been provided in time and further information was required. If approval was to be granted the conditions would not be discharged until Drainage Officers were satisfied.

The Chair stated that after listening to the information and there being unanswered questions it was suggested that a deferment take place in order that Officers refer back to the Applicant to negotiate further on the layout and scale of the site and for the developer to answer some of the questions raised.

It was moved and seconded that the application be deferred in order to look at the layout and scale of the development and whether there could be amendments to the gardens in order to make the development more appropriate to the area.

The Development Management Service Delivery Manager confirmed that during the outline application in December 2019, highways and access was discussed. A transport assessment had taken place and traffic impact was not considered significant. A s106 financial contribution was secured and this was, together with other developments in the area, a provision towards and upgrade of Apley Avenue/Whitchurch Road junction and as part of the Telford growth strategy and wider infrastructure improvements within the area.

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

RESOLVED – that the application be deferred in order for officers to discuss with the applicant the layout and design of the dwellings and the size of gardens where these did not meet the standards.

PC265 TWC/2021/1071 - Site of Steeraway Farm, Limekiln Lane, Wellington, Telford, Shropshire

This was an application for Installation of a ground mounted solar farm with continued agricultural use (grazing), ancillary infrastructure and security fencing, landscape provision and ecological enhancements (Environmental Statement Submitted) on the site of Steeraway Farm, Limekiln Lane, Wellington, Telford, Shropshire.

An update report was tabled which set out that additional letters of objection and support had been received and gave an update on issues around the community benefit. A verbal update was given detailing further letters of objection and support.

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

The Development Management Service Delivery Manager addressed Members in regard to a recent publication in the local press. The document appeared to be an open letter which referred to the Leader and the Cabinet in relation to climate change. She confirmed that they had not participated in the consideration of the scheme before Members and that they had not made any statement to any party in this regard and that the Executive do not take part in the regulatory function of the Council. With regard to the local benefit in relation to the purchase of the Halfway House, CIC contributions were not required or requested and this would be outside of the planning process if the application was approved and therefore this was not a material consideration. Councillor J Seymour had resigned as director of the CIC and therefore had no existing conflict of interest during the public speaking.

The Planning Officer gave a brief outline of the planning application and took Members through a series of photographs outlining the proposed development.

Councillor A Eade read out a statement on behalf of Councillor J Seymour, Ward Councillor, who was unable to attend the meeting. It gave clarification in respect of the CIC and that she had not taken part in the meeting which was held on 28 March and had resigned as a Director in order that she could oppose this application. She spoke against the application as it was within the Wrekin Strategic Landscape and adjacent to the New Works Application site and all arguments from that application remained pertinent to this application. The strategic landscape sought to protect the Wrekin, the Ercall and the AONB and a solar farm with a 6 metre high deer fence was unacceptable in this setting and it would be seen from many viewing points regardless of the tree and hedge planting and would impact on footpaths and bridleways. Properties on Limekiln Lane would be affected by a sea of panels and she raised concerns in regard to the reinstatement of the land. Agricultural land should be retained for the purpose of growing food in the UK and grazed by sheep. The loss of biodiversity summarised the inadequacy of the application and she asked that the application be refused.

Councillor A McClements, adjoining Ward Member, spoke against the application on behalf of local residents and the wider community in relation to the detrimental effect of the 130 acre solar farm which could significantly impact the enjoyment of the rights of way and cause significant harm to the AONB, the visual amenity and the topography of the land. The site could not be sensitively screen or hidden within the landscape and it would impact the strong and distinctive character of the area and was in close proximity to the Wrekin Hill and the ancient woodland which had a long history of farming and industry. It was an intimate landscape with long views which was tranquil and timeless and well used for recreational routes and she asked that Members refuse the application.

Mrs J Lewis, member of the public, spoke against the application as she felt it was a commercial exploitation of a protected landscape. She raised concerns regarding the security fencing, shipping containers and transformer units which would destroy the landscape and detract from the visitor experience. It would impact on the T50 trail and Limekiln Woods together with the AONB and the ancient woodland, barn owls and birds and the deer and would not protect and enhance the landscape. The need did not override the local community and amenity and this application was in the wrong location and she felt that there was capacity for hectares of south facing rooftop that could be used in order to protect the rural area and landscape. This application was within the strategic landscape which was protected by policy NE7 to protect the appearance and the intrinsic landscape and it was felt that this decision would set a precedent. There was no accurate evaluation of the plans and calculations were incorrect and that this application should be rejected due to the overwhelming local feeling. She was not against solar farms but this application was in the wrong place within an undulating landscape which was protected by local and national policy.

Mr N Williams, Applicant's Agent spoke in favour of the application and felt that due to the climate a different approach to the way energy was sought was required. Solar farms were needed and they delivered real energy and these could only be linked to the network and every substation with capacity needed to take some form of site. The application site was well screened by the AONB and was next to the M54 and although he accepted there would be some visual impact to the landscape, the benefits of the development went way beyond the site and the environment and saved some 7,000kg of Co2 emissions and had biodiversity and hedgerow gains. There was a direct benefit to the CIC in relation to the Halfway House which could be used and enjoyed for recreation. With regard to nesting birds, there was no evidence that this would be detrimental and the habitats would increase and benefit due to the tree and hedgerow planting. The figures were achievable and a detailed management plan could be secured by conditions. A recent appeal had been granted near to the AONB at Acton Scott. He felt that this application was in line with policy and must be actioned due to the biodiversity enhancements and that the application should be approved.

The Planning Officer addressed members that the benefits of solar farms were accepted in order to generate power and reduce carbon emissions. The panels would be 2.7m in height with containers being 3m and range in length between 6m and 12m. There would also be 2m high security fencing with mitigation being new planting and wildflower meadows. The land was valued strategic landscape and near to the AONB which was used for exercise and mental wellbeing with public rights of way in the area. Limekiln Lane fed into the public rights of way. It was accessible from Wellington, Lawley and Arleston. Policy ER1 supported the application subject to no adverse effect on wildlife or ecology and appropriate mitigation to minimise the impact. Policy BE1 related to respect of the area and it must positively respond to the topography and Policy NE7 related to detrimental changes to the quality of the landscape. Section 85 of the Countryside and Rights of Way Act 2000 sets a statutory duty to conserve and enhance the natural beauty and the setting of the AONB. The proposals resulted in significant harm to the visual amenity and recreational routes and would impact on the nearby residential properties. If Members were minded to refuse the application it was asked that the recommendation also include Policy BE1 as this was missed out erroneously from the refusal reasons set out in the report. Reasons for refusal included the land had not been properly assessed, adverse impacts on the character of the landscape, impacts on non-designated heritage assets, impacts on the ancient woodland, assessment of the impact on biodiversity net loss/net gain was inadequate, the maintenance regime in relation to the number of visits post construction combined with the grazing of sheep, did not match up, and outdated metric calculations used. It also went against Policies ER1, NE1 and NE2.

During the debate some Members felt conflicted as they felt that solar farms have to go somewhere and they felt that the use of commercial rooftops ought to be exhausted first and that this application was the right application but in the wrong place, the loss to the community far outweighed any advantage and

farm land needed to be protected. Other Members felt that on applications such as these that the local community, parish and town councils and borough councillors be consulted and they had spoken up on this application and proposed to refuse the application. The application appeared to be slip shod and incorrect and the Council were the custodians of the Wrekin and the beautiful landscape needed to be taken into account. Solar generation was needed and there was no argument about that it was the impact on the location and it went against Policy.

The Planning Officer commented that a transport assessment and a management plan would be put in place and someone would check on the panels. Biodiversity mitigation measures were wildflower meadows. Sheep grazing was also stated but this did not seem to fit with the type of wildflower meadows put forward and there was general confusion on how the site would be maintained or monitored.

On being put to the vote it was, unanimously:

RESOLVED – delegated authority be granted to the Development Management Service Delivery Manager to refuse full planning permission on the following grounds:

- 1. The proposals would result in a detrimental change to the quality of the strategic landscape, failing to conserve and enhance the character of the landscape around the Shropshire Hills Area of Natural Beauty. This would result in significant harm to the character of the area and thus impact on the enjoyment of the area by receptors using the local public rights of way. The proposed mitigation is insufficient to overcome these harms. As such the proposals are contrary to Policies ER1, BE1 and NE7 of the Telford and Wrekin Local Plan (2011-2031), paragraph 174 of the National Planning Policy Framework, and Policies P1 and WF1 of the Shropshire Hills AONB Management Plan (2019-2024); and**
- 2. The application lacks detail with regards to the impacts of the proposals on nesting wild birds. As such, it is not possible to conclude that the proposals would not cause an offence under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Furthermore, the proposal claims significant levels biodiversity net gains which are not considered achievable. Policy NE1 requires no net loss and the information submitted with the application does not adequately demonstrate that this would not be the case. Therefore, the proposals fail to comply with Policies ER1, NE1 and NE2.**

The meeting ended at 7.26 pm

Chairman:

Date: Wednesday, 4 May 2022