

## **PLANNING COMMITTEE**

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

**Present:** Councillors G H Cook, N A Dugmore, I T W Fletcher, J Jones, R Mehta, K S Sahota, P J Scott and C F Smith (Chair)

**In Attendance:** R Attwell (Democracy Officer (Democracy)), J Clarke (Senior Democracy Officer (Democracy)), A Gittins (Area Team Planning Manager - West), V Hulme (Development Management Service Delivery Manager), I Lowe (Principal Planning Officer), J Lyall (Legal Advisor) and M Turner (Area Team Planning Manager - East)

**Apologies:** Councillors G L Offland

#### **PC266 Declarations of Interest**

Cllr G Cook declared an interest in planning application TWC/2021/0897 because he had been involved in the discussions with Wellington Town Council and indicated that he would withdraw from the meeting during determination thereof.

In respect of planning application TWC/2022/0070, Councillor P Scott advised that he was a member of Newport Town Council but had not been involved in any discussions on this application.

#### **PC267 Minutes of the Previous Meeting**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 6 April 2022 be confirmed and signed by the Chairman

#### **PC268 Deferred/Withdrawn Applications**

None.

#### **PC269 Site Visits**

None.

#### **PC270 Planning Applications for Determination**

Members had received a schedule of planning applications to be determined by the Committee and fully considered each application.

#### **PC271 TWC/2021/0897 - Site of former Charlton School, Severn Drive, Dothill, Telford, Shropshire**

This application 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.

This application was deferred at the Planning Committee held on the 6 April 2022 to allow officers to negotiate with the application in respect of the layout of the site and in particular the garden sizes and to request additional information in respect of the SUDS feature.

The Planning Officer confirmed that revised plans had been submitted showing each property had now achieved the minimum garden standard by realigning property boundaries and reducing three beds to two bedroom properties where necessary. It was suggested to Members that this meant it was no longer necessary to remove the permitted development rights on these plots. With regard to the SUDS feature a 1.2m high post and rail fence would be installed and the unfettered access to the SuDS feature was for maintenance purposes.

Councillor K Tomlinson, Ward Councillor, was pleased that the item had been deferred and that the issue relating to garden space had been addressed, but continued to be disappointed in relation to the parking for the gym which she considered an under allocation and that this would cause parking issues on Harley Close. She queried the mini roundabout on the junction of Whitchurch Road and North Road junction and whether there were S106 monies for this due to the hazardous bend. It was asked that the application be rejected and a site visit be held.

Councillor L Jinks spoke on behalf of the Wellington Town Council who raised concerns regarding the junction of Whitchurch Road and North Road and felt that the highway impact had been substantially overlooked and not addressed satisfactorily. Parking on Harley Close was a genuine concern of residents and had been raised on numerous planning applications and she asked that the application be refused and a site visit undertaken for Members to consider the issues.

Ms S Griffiths, Applicant's Agent, spoke in favour of the application which was a key site for the Council and they wished to get it right. They sympathised with the speakers but felt that the highways impact had been considered at the outline stage, the site had been vacant for a long time and the capital receipt was important as it was part funded by the Council. A revised site layout had been undertaken to improve separation distances, the buffer and improve the parking with an improved setback and greater biodiversity. There was a safe and secure access to the SUDS area and the application had been reduced by 5 dwellings with landscaping as a focal point. Highways had not asked for an increase in parking spaces and a financial contribution was sought for off-site highway improvements to impact and mitigate in relation to local traffic. There was a long term management plan and the Local Nature

Reserve and play area would be maintained by the applicant Vistry. She asked that Members approve the application.

The Planning Officer confirmed that the parking had been assessed at the outline stage and had been conditioned for 66 spaces for both the gymnasium and the football pitches. This had been agreed by Members and was sufficient under policy EC2 and there were no objections from highways. Financial contributions had been agreed at the outline stage which included Apley Avenue/Whitchurch Road for strategic highway network improvement. The applicant had addressed the garden sizes and the fencing to the SUDS pond.

The Chair confirmed to Members that Condition 4 contained in the recommendation would need to be removed as the permitted development rights no longer needed to be removed as the gardens now met the required standards.

During the debate, some Members were pleased that the dwellings now complied with the standards and the SuDS pond would be fenced off. The car parking could be increased if there were a few less trees planted and raised concerns in regard to the issue of the mini roundabout which had not been resolved and they felt that this should have been negotiated prior to coming to Committee. Other members felt that as the condition relating to the car park had been approved at outline stage and there was no objection from highways and due to the explanation in relation to Whitchurch Road/Harley Close they felt the application could be approved.

The Planning Officer confirmed that there was no one size fits all on gardens and that Officer strived to meet the standards where they could. In relation to the gymnasium car park, due to the differences in levels the car park could not be made any larger and that it met the parking requirements.

The Development Management Service Delivery Manager informed Members that Local Plan Standards allowed for 59 spaces and this was increased to 66 and conditioned at outline consent and this was over and above the standards.

On being put to the vote it was, unanimously:

**RESOLVED – delegated authority be granted to the Development Management Service Delivery Manager to grant reserved matters subject to the following (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-**

- 1. A02 – Time Limit - Reserved Matters**
- 2. C020 – custom highways condition – parking and turning areas to be provided**

3. **C076 – Landscaping implementation Hard and Soft**
4. **C076 – Landscaping implementation Hard and Soft**
5. **B130 The tree protection plans Drawing Ref 1255-TPP-005H & 007H can be used as the approved tree protection documentation for the application.**
6. **B139 The Arboricultural Method Statement featured on pages 12 - 16 of the AIA January 2022 is a condition of the scheme, including pre-commencement meetings with the Arb Clerks of Works (ACW) and the site manager. The ACW will also be required to oversee the tree removals from G12 to facilitate the attenuation basin & drainage connection which is routed through TWC owned trees G13, G14 & T22 and the formation of the path through G8 & G12. In addition to the above the ACW will also be required to make 3 visits to the site during the build and complete three site supervision records as featured in Appendix 5 of the AIA, these are then to be sent to the Local Authority.**
7. **C020 Unfettered vehicular access to SuDS feature for maintenance.**
8. **C38 – In accordance with approved plans and the informatives contained within the report.**

**PC272 TWC/2021/0968 - Land West of Household Recycling Centre, Hortonwood 60, Hortonwood, Telford, Shropshire**

This application was for the erection of 3no industrial units for general industrial and storage/distribution units with associated parking, attenuation pond and hard standings on land West of Household Recycling Centre, Hortonwood 60, Hortonwood, Telford, Shropshire.

The Application was before Committee due to a Section 106 Agreement to secure financial contributions.

The Planning Officer informed Members that this was a full planning application for three industrial units Use Classes B2 and B8 on land set aside for employment purposes within the Local Plan. A previous consent had been granted on the site which had expired in 2021.

Mr J Brumwell spoke against the application on behalf of the Hadley & Leegomery Parish Council who raised concerns regarding the transport and travel plan and the availability and practicality of public transport which went against Policy C1 which promoted alternatives to use of the car which was not satisfied by this application. He raised further concerns with regard to the local road network and the Horton Lane closure. It was requested that a restriction of operations to 7am to 6pm Monday to Friday and 7am to 1pm on Saturdays with no working on Sunday and public holidays. Further concerns

were raised regarding the site traffic routing plan for HGVs and he asked that the residential amenity be protected.

The Planning Officer informed Members that the design and appearance of the application was typical of the area with additional features such as solar panels and electric vehicle charging points and there were no technical objections in relation to drainage or highways. In relation to ecology and trees, £172,000 had been set aside for off-site mitigation measures due to the biodiversity net loss and on balance this was accepted by the Ecology Specialist. There would be a loss of several mature trees and £50,000 had been set aside for off-site replacement trees. Since the preparation of the Committee Report there had been a revised biodiversity net loss which had slightly improve and an updated layout plan. In respect of the residential properties, a noise impact assessment had been submitted and the application was considered satisfactory on balance subject to conditions. With regard to the travel plan this was an identified site that had previously been granted permission. Unit 1 had an end user and additional travel plans would need to be submitted for Units 2 and 3. The hours of operations were set out in the report and would be conditioned and highway movements could not be conditions as they would not be enforceable.

During the debate some Members raised concerns regarding the loss of trees which was contrary to Policy NE2 and felt that the financial contribution did not fully compensate their loss and as the previous application retained some trees they could not support the application. Other Members felt that although they valued trees highly, that this application was for an industrial unit on an industrial estate and on balance it could be supported due to the creation of jobs and it was on a key site and previous consent had been granted. It was further felt that conditions relating to operating hours needed to be carefully considered in order to attract business. The solar panels and charging points were welcomed. With regard to the £20,000 towards footpaths and cycleway it was asked if this contribution could be used to subsidise public transport and a bus route and a query was raised regarding the location of the drainage on the maps. Other Members asked if the conditions would be the same for all units, where would the biodiversity go and what would the gains be and how had the hours of operation changed. With regards to transport a lot of companies were investing in their own transport.

The Planning Officer confirmed that the drainage modelling was based on the site and the local knowledge. Contributions towards footpath improvements was a proportionate figure and was required to provide a footway link and cannot be used as a bus subsidiary. The biodiversity was assessed via a matrix system and was dependent on the site and the age of the trees to determine what mitigation was put in place. The hours of operation were negotiated with developers but they were mindful of the concerns raised by local residents and assessed on their own merits and where necessary a noise assessment would take place.

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

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

a) The following Contributions to be agreed through a s.106 Agreement:

- £87,487.57 towards the Strategic Highway Network;
- £19,914.23 towards footway/cycleway linkages;
- £49,600 towards Tree Replacement;
- £176,360 towards Biodiversity Net Gain;
- £73,295.65 towards Strategic Newt Licencing;
- £4066.57 s.106 Monitoring Fee (1% of total s.106 Contributions)

b) The condition(s) and Informative(s) (with authority to finalise Condition(s) to be delegated to Development Management Service Delivery Manager) contained within the report.

**PC273**     **TWC/2021/1201 - Site of former Stirchley Recreation Centre, Grange Avenue, Stirchley, Telford, Shropshire**

This application was for the erection of a 67no. 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.

As the Council was the current landowner and this was a major application it was a requirement that Planning Committee determine the application.

The Planning Officer informed Members that all units were compliant with NDSS standards and the development included sustainable construction with solar panels and electric charging points.

During the debate some Members felt this was a big development and asked if the windows overlooking the nursery would be opaque or frosted. They welcomed the electric charging points and solar panels but felt the parking provision was barely adequate and raised concerns regarding the traffic survey. They further queried why there was a three bedroom apartment and where the bay for emergency vehicles was and the reference to the Community Infrastructure Levy (CIL).

The Planning Officer confirmed that the windows overlooking the nursery were not habitable rooms although this was corrected but that they were of sufficient distance at 9.5m to preserve privacy it was noted that the nursery submitted no comments in relation to the application. There were 4 electric car charging points in front of the communal gardens. Reference to CIL was in reference to a test in relation to developer contributions and to govern whether contributions through S106 could be sought. Ambulance bay was not a dedicated space and had access outside the entrance in front of the disabled

spaces.

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

**RESOLVED – that Delegated Authority be granted to the 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:**

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

**PC274     TWC/2022/0040 - Land rear of Wrap Film Systems Ltd, Hortonwood 45, Hortonwood, Telford, Shropshire**

This application was for the erection of storage and distribution unit (Use Class B8) including ancillary offices, access, servicing yard, car parking, landscaping and drainage infrastructure on land to the rear of Wrap Film Systems Ltd, Hortonwood 45, Hortonwood, Telford, Shropshire.

This application was before Committee due to a Section 106 Agreement to secure financial contributions.

Hadley & Leegomery Parish Council had requested that the application be heard by Planning Committee.

The Planning Officer informed Members that this was a single storey distribution unit including parking, service yard and landscaping. It was an occupier led scheme for a warehouse ancillary offices and with three pick up and delivery fingers. Financial obligations would be secured for highways, trees and ecology. At 1.1 of the report there was an error within the recommendation detailing the planting specification which would need to be amended, this was to be omitted.

Councillor J Parkin spoke on behalf of Hadley & Leegomery Parish Council who were fully supportive of economic growth and employment and although this application was on employment land designated for manufacturing it was critical that each application was assessed for the impact on residents and local environment together with the nature of the business and the operating hours applied. A distribution warehouse would mean unlimited vehicular movements for HGVs and an unfettered level of activity and noise and light pollution. He raised concerns regarding the hours of operation, increased traffic and the impact on the roundabouts and road junctions. He asked that this be rejected.

Mr D Green, Applicant's Agent, spoke in favour of the application which he felt was a good news story with the occupier being a parcel delivery company. This was the only suitable site that could accommodate the operation. It

would bring capital investment of around £17m with the creation of 90 jobs which would increase by a further 50 jobs in time. It would mean the loss of trees and hedgerows, but this was not uncommon across the area. A package of biodiversity and planting would take place to mitigate against this. There were no technical objections and they were committed to delivering a highly suitable development with a sustainable travel plan promoting the use of car sharing, together with cycle parking and e-charging points. The site was not adjacent to any houses and it was felt a suitable site for a 24/7 operation which was critical to the Company and a noise assessment had been undertaken. There were overall significant benefits which met local strategies and local planning policy.

The Planning Officer informed Members that this was an allocated site for B8 use and was compliant with the local plan. The traffic impact had been assessed for such sites and the relevant contribution towards the strategic network requested. There would be an enhanced footway/cycleway and a noise impact assessment undertaken with the nearest residents being some 230m to the east separated by landscaping. There was an impact on the trees and biodiversity, but it was felt on balance that this would be off-set by the biodiversity net gain contributions being sought. The design was acceptable and it was recommended that the application be granted subject to conditions.

During the debate some Members felt that it was necessary to protect the environment and the trees and they could not support this application due to the loss of trees. Other Members felt that although they felt sad at the loss of the trees, the site was designated as industrial and would bring local jobs and support the local economy and would therefore be difficult to refuse. With regards to operation hours the neighbouring units operated around the clock with little impact. A question arose as to which area the new trees would be planted.

The Development Management Service Delivery Manager confirmed to Members that an infrastructure statement was produced relating to S106 Agreement spending on an annual basis.

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 planning permission subject to the following:**

**a) The following Contributions to be agreed through a s.106 Agreement:**

- **£65,719.16 towards the Strategic Transport Network;**
- **£15,665.24 towards enhancement of footway/cycle links along Hortonwood 60;**
- **£5,000.00 towards Travel Plan Monitoring;**
- **£153,000.00 towards Biodiversity Enhancements;**
- **£84,000.00 towards Tree Replacement;**



- **£3,233.84 s.106 Monitoring Fee (1% of total s.106 contributions)**

**b) The condition(s) and informative(s) contained within the report (with authority to finalise Condition(s) to be delegated to the Development Management Service Delivery Manager.**

**PC275 TWC/2022/0070 - Land South of A518/West of A41, Newport, Shropshire**

This application was for the erection of 2no buildings for workshop, storage, office, agricultural retail with external display of agricultural machinery on land South of A518/West of A41, Newport, Shropshire.

The application was determined by Planning Committee as it required financial contributions via a S106 Agreement and the Council was the landowner.

The Planning Officer informed Members that this was Phase 2 of the Newport Innovation Park and the application was for a workshop, storage and an office for the sale of agricultural machinery with 1,500 sq metres of floor space, 25 parking spaces, three electric charging points and fuel tanks. This application was hybrid and required full planning permission rather than reserved matters consent. It sought permission for a pair of building workshops, storage and external display typical of the development in the area and although it deviated slightly from the masterplan in respect of the layout and access to the plot officers were in support subject to conditions. Contributions of £28,000 for strategic and £5,000 for travel monitoring were sought together with further financial contributions via a Memorandum of Understanding towards the strategic highway network and travel plan.

During the debate some Members felt that there was no reason to refuse this application as it was important to attract business to the area, the solar panels, electric vehicle charging points and the geothermal heating were welcomed and it was whole heartedly supported.

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 following Contributions to be agreed through a S106 Agreement:**

- **£28,254.15 towards the Strategic Transport Network;**
- **£5,000.00 towards Travel Plan Monitoring;**
- **£332.54 s.106 Monitoring Fee (1% of total s.106 Contributions)**

**b) The Condition(s) and Informative(s) (with authority to finalise Condition(s) to be delegated to Development Management Service Delivery Manager)**

**PC276 TWC/2022/0103 - Rushmoor Lodge, Rushmoor Lane, Bratton, Telford, Shropshire TF5 0DA**

This was a retrospective application for a change of use from office/storage to a holiday let at Rushmoor Lodge, Rushmoor Lane, Telford, Shropshire TF5 0DA

This Application had been referred to Planning Committee at the request of Councillor J Seymour.

Councillor J Seymour, Ward Councillor, spoke against the application and gave a brief history of the site. The stables and office store area included domestic features such as a balcony and kitchen contrary to policy HO10. She raised concerns that this application was previously turned down and was now before Members for approval and this could set a precedent. Concerns were raised regarding surface water drainage and incorrect paperwork, and that the application was contrary to Policy BE1.

Mr G Moss, Applicant's Agent, spoke in favour of the application which was for a rural activity. All businesses change or evolve after time and the change of use was a logical step forward for an evolving successful business. It was a facility that worked with the business and was not a new or separate enterprise on the site. There was a right to drain which came with the original sale and full approval of the drainage work had been approved by the Council and he asked that the application be approved.

The Planning Officer informed Members that objections had been received regarding the principle of the development; the need for the accommodation; highways; biodiversity and drainage. With regard to setting a precedent, the application was subject to a condition which allowed occupation for no more than four consecutive weeks per year and future applications would be judged on their own merits. There were no comments from Highways. In relation to drainage, the conditions had been discharged in February 2022 and the legal right to discharge water over adjoining land was not one that Planning Committee could take into account as it was a civil matter.

During the debate some Members felt they could fully support the application. Other Members did not like retrospective applications and asked what the splits for residential purposes would be and if there were issues with the drainage and the septic tank.

The Planning Officer informed the Members that there was a split of accommodation across the existing caravan which was a workers dwelling with the rest used for storage and stable purposes. There would be no weight given from the holiday let if an application came forward to a conversion to a permanent dwelling. With regard to drainage, it was more about the water

entering into the watercourse and crossing third party land. There was a septic tank on site but surface water was going into the watercourse.

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 planning permission subject to the following:

- a) The conditions contained within the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager)

The meeting ended at 7.36 pm

**Chairman:** .....

**Date:** Wednesday, 1 June 2022