

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 5 June 2019 at 6.00 pm in The Telford Suite, Whitehouse Hotel, Watling Street, Wellington, Telford**

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

**In Attendance:** V Hulme (Development Management Service Delivery Manager), A Gittins (Area Team Manager West), I Lowe (Principal Planning Officer), K Craddock (Principal Planning Officer), J Lyall, (Legal Advisor), M Rowley (Principal Engineer) and T Goffe (Highways Development Control Officer) and T Carruthers (Business Support Officer)

**Apologies:** J Jones

#### **PC1      Declarations of Interest**

Cllr A Jhavar declared an interest in planning applications TWC/2018/0957 and TWC/2019/0047 because he was a member of Ketley Parish Council and had been involved in discussions on these applications and he indicated that he would withdraw from the meeting during determination thereof.

In respect of planning application TWC/2019/0228 and TWC/2019/0237, Councillor I Fletcher advised that he was a member of St Georges and Priorslee Parish Council but had not been involved in any discussions on this application.

#### **PC2      Minutes of the Previous Meeting**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 3 April 2019 be confirmed and signed by the Chairman.

#### **PC3      Deferred/Withdrawn Applications**

None.

#### **PC4      Site Visits**

**RESOLVED** – that a site visit takes place at 4.00pm on 3 July 2019 at land adjacent to Bluebell Coppice, Ketley in respect of planning application TWC/2018/0957.

#### **PC5      Terms of Reference**

The Legal Advisor presented the report for the Review of the current Terms of Reference of the Planning Committee. The Council's Constitution required

that Full Council agree at its Annual Meeting the Terms of Reference for each of its Committees in order to efficiently conduct its business. At the Annual Meeting on 23 May 2019, Full Council delegated authority to each Committee to review its own Terms of Reference. The Terms of Reference was before the Committee for their consideration with no suggested changes.

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

**RESOLVED** – that the Terms of Reference set out at Appendix 1 to the Report be agreed.

**PC6 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/2018/1019 and TWC/2019/0047.

**PC7 TWC/2017/0716 - Land rear of 19 Park Street and High View, Park Street, Madeley**

This was an application for the erection of 2no. detached houses and 1no. detached bungalow at land rear of 19 Park Street & High View, Park Street, Madeley, Telford.

The Planning Officer informed Members that an additional condition be added requiring the roof lights, serving bedrooms, in the South elevations of Plots 2 & 3 to be obscurely glazed and non-opening unless the roof light is a minimum of 1.7m above the finished floor level in the room it serves.

Councillor P Watling, Ward Member, had requested that the application be determined by the Planning Committee.

Councillor P Watling, Ward Member, informed Members that whilst he acknowledged the need to build affordable houses and the bungalow was welcomed, he raised concerns regarding overlooking on the houses and gardens of Joseph Rich Avenue, access and egress on to Park Street and he asked if a condition could be imposed for discussions to take place with Madeley Town Council to improve road safety.

Mr J Monk-Hawksworth spoke in favour of the application which was put forward by a community interest company involving local residents. He stated that the design, fabrication and construction of the properties would be undertaken by the community enhancing employment, wellbeing and education for local residents to build their own homes and that all objections had been addressed.

The Planning Officer informed Members that along with the additional suggested condition, due to the positioning of the dwellings would not be overly dominant. A speed survey concluded that vehicles travelling along this

highway were slower than speed limit and Highway Officers were satisfied with the development.

During the debate, some Members asked if anything could be done to improve visibility, had road safety been considered with regards to the nearby School and at peak travel times and if the speed survey was accurate. Other Members felt that with addition of the condition regarding the roof lights and the below average speed of the traffic that this development was acceptable.

The Highways Officer informed Members that the visibility was considered acceptable due to its current B8 status which was for a storage and distribution use and it was preferable to secure this site as residential and remove the B8 usage. The access would serve three dwellings and the highway impact was considered minimal. A speed survey had been undertaken by a reputable company.

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

**RESOLVED** – that in respect of planning application TWC/2017/0716 delegated authority be granted to the Development Management Service Delivery Manager to grant full planning permission subject to:

- a) roof lights, serving bedrooms, in the South elevations of Plots 2 & 3 to be obscurely glazed and non-opening unless the roof light is a minimum of 1.7m above the finished floor level in the room it serves; and
- b) the conditions and informatives set out in the report (with the authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager).

**PC8      TWC/2018/0957 - Land adjacent 10 Bluebell Coppice, Ketley**

Councillor A Jhawar left the room during the determination of this application.

This was an application for the erection of 4no. dwellings on land adjacent to 10 Bluebell Coppice, Ketley, Telford.

Ketley Parish Council had requested that the application be determined by the Planning Committee.

Councillor S Millward-Thomas spoke on behalf of Ketley Parish Council who raised concerns regarding the land being part of the Green Network, impact upon bio-diversity, lack of consultation, pedestrian and highway safety and access for emergency vehicles, poor access, overlooking of existing dwellings, out of character, storage of waste bins, and lack of car parking. It was asked that Members defer this application for a site visit in order for Members to fully consider these concerns.

Mrs S Webb and Mrs S Edmonds, members of the public, spoke against the application raising concerns regarding the complex history of this site, misleading layout, safety concerns, lack of turning circle, bin storage, not in keeping with the local vernacular, scale and overdevelopment, access along a shared driveway, blind bend, 1m clearance of the boundary wall, no pedestrian footpath or safe haven, lack of consultation, inaccurate information and the widening of the strip of land which was not in the ownership of the applicant.

The Planning Officer informed Members that outline planning permission was granted on this site in 2012 but this had since lapsed in 2015. The development was considered to be in a sustainable location with good transport links and although within the Green Network the site had been assessed as not meeting any of the six functions set out in the Local Plan. This included not being assessed as having a high bio-diversity or habitat value. The private access road had been designed as a shared space, which has equal rights for pedestrians and vehicles, and would be widened to 4.5m and 5m and all objections had been addressed in the report. There would be minimal overlooking with sufficient separation distance which would cause no adverse impact on privacy. The dormer windows were considered acceptable as they were not considered to represent a harmful change to the built environment and, in addition, would have a minimal visual impact upon the streetscene due to their location on the rear of the proposed dwellings. Car parking was compliant with Car Parking Standards. The issue of land ownership was not a material planning consideration and access would be 5m at its widest with Fire Safety regulations requiring 3.7m.

During the debate, some Members had concerns regarding the design, size and layout of the application, bin storage, access and the dormer windows and it was suggested that a site visit take place in order to assess the application fully.

It was proposed and seconded that a site visit took place and upon being put to the vote it was, unanimously:-

**RESOLVED** – that in respect of Planning Application TWC/2018/0957 this application be deferred in order for Members to undertake a site visit.

**PC9      TWC/2018/1019 - Land South of Newcomen Way, Woodside**

This was an application for the erection of up to 55no. dwellings on land south of Newcomen Way, Woodside, Telford.

This application had been referred to the Committee as the Council were the applicant and it was subject to a S106 legal Agreement relating to financial contributions.

An update report was tabled at the Committee which referred to additional comments from the Friends of Telford T50 50 Mile Trail asking for safe

passage across the site during construction and a response from the Officer confirming that the public rights of way would be kept open and free from obstruction during the construction period.

During the debate, some Members raised concerns regarding the remaining part of the meadow and if it was safe from future development and that the houses were just above the Neighbourhood Plan amount of 50 houses and if this should be considered. Other Members noted that the Madeley Town Council were in support of this application.

The Planning Officer confirmed that the remaining piece of land was part of Rough Park Local Nature Reserve and that whilst policy did not prevent development per se it would need to satisfy a high test. With regard to the Neighbourhood Plan it stated in the region of 50 units and each application was considered on factors such as density and that this site was not overly cramped.

On being put to the vote it was, unanimously:

**RESOLVED** – that in respect of planning application TWC/2018/1018 that delegated authority be granted to the Development Management Service Delivery Manager to grant outline planning permission subject to:

a) the Applicant/landowners entering into a S106 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) Total Education contribution of £230,948 towards improvements to a local primary and secondary school;
- ii) PROW contribution of £10,720 towards enhancements to footpaths to the north and east of the site
- iii) Children's Play/Recreation contribution of up to £33,000 based on £600 per 2 bed (or more) property;
- iv) Contribution of £25,000 towards the enhancement of the Rough Park Local Nature Reserve;
- v) Affordable Housing to be provided at 25%; and

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

**PC10      TWC/2019/0047 - 10 Quarry Lane, Red Lake, Telford TF1 5EE**

Councillor A Jhawar left the room during the determination of this application.

This was a retrospective application for the erection of a rear conservatory at 10 Quarry Lane, Red Lake, Telford TF1 5EE.

Ketley Parish Council had requested that this application be determined by members of the Planning Committee.

An update report was tabled at the meeting which contained further consultation responses and officer comments in respect of the size and finish of the conservatory.

Councillor S Millward-Thomas spoke against this application on behalf of Ketley Parish Council and local residents and raised concerns with regard to the size of the conservatory which was not in keeping with the local vernacular, it differed to the submitted plans, negative impact on the neighbours, second-hand substandard materials and the build quality although it was noted that some concerns had been alleviated following additional work to the conservatory made by the Applicant.

Mr C Benn, Applicant, spoke in favour of this application and confirmed that originally he had submitted the plans with the wrong height on the application form and he had submitted a new set of plans following concerns raised by neighbours. He did not want a UPVC conservatory and it had been necessary to store the wooden conservatory for about 1 year whilst work to the inside of the house was completed. Footings and rendering had been completed together with a pitched roof and he considered that he was overlooked from his next door neighbours 25ft conservatory.

The Planning Officer informed Members of the differences of permitted development rights and prior approval. The Applicant had started to build the conservatory so the correction to the height could not be dealt with as an amendment to the prior approval and therefore had to have full planning permission. The plans were now accurate and this was a modest conservatory less than 4m in height, which would comply with permitted development rights and prior approval regulations. It was not highly visible and had no adverse impact on the neighbouring properties. Remedial works had taken place and were considered acceptable.

During the debate, some Members felt that this was an attractive conservatory in keeping with the neighbourhood and the house itself. Other Members felt that the Applicant should be commended for using wood and not UPVC.

On being put to the vote it was, unanimously:

**RESOLVED – that in respect of planning application TWC/2019/0047 delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the condition set out in the report (with the authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager).**

PC11 TWC/2019/0228 - Land adjacent to The Shires, Shifnal Road, Priorslee, Telford

This was an application for the erection of a three storey 71 bedroom care home on land adjacent to The Shires, Shifnal Road, Priorslee, Telford

The Planning Officer drew Members' attention to an error in the report at 8.15 which referred to ". . . the current application proposes 27 spaces for 69 bedrooms . . ." which should have read ". . . the current application proposes 27 spaces for 71 bedrooms . . .".

Councillor V Fletcher, Ward Member, had requested that the application be determined by the Planning Committee. It was also before Committee due to financial contributions being sought for the upgrading of nearby publicly accessible open space and towards a traffic regulation order.

Councillor V Fletcher, Ward Member, spoke against the application and raised concerns regarding the clearing of the Japanese Knot Weed from the site which had exposed the embankments leaving loose debris, the lack of a stabilisation plan, lack of car parking spaces, £5000 towards a TRO which would just displace the parking within the vicinity, increased traffic, poor drainage and sewerage system and lack of foul water report.

The Planning Officer informed Members that there was currently a valid consent for 18 extra care apartments and a 69 bedroomed care home and the application before them was a less intensive development with a more suitable layout. It was a carefully considered design which did not dominate the street scene. It was the Planning Officer's view that parking arrangements were satisfactory and there were 10 cycle spaces and 3 motorcycle spaces and was in close proximity to the railway station. Conditions would be put in place to stabilise the slopes and the exposed embankments. The sewers could be connected to the current system in place, albeit some distance away.

During the debate, some Members raised concerns regarding the out of date design and access statement PPS 1 and 3 which no longer exist, parking provision was based on the out of date Local Plan, lack of parking, the distance to public transport and the unsafe footpath conditions, lack of enforcement on the double yellow lines, the increased traffic using the Shifnal Road, poor drainage and how this could connect to the current sewerage system, construction plan and construction traffic parking along the busy road, not meeting CQC requirements, lack of staff parking and visitor parking. Other Members felt that this was a good scheme and a good news story as more care homes were needed in the borough,

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

**RESOLVED** – that in respect of planning application TWC/2019/0228 delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to:

a) the Applicant to pay contributions of £5,000 towards highway infrastructure and £5,000 towards local green space improvements (Tree

**Maintenance and Tree Planting) to be secured by a s.106 Agreement (if not already secured prior to the issuing of the consent) with the Local Planning Authority (subject to indexation from the date of committee with the terms to be agreed by the Development Management Service Delivery Manager); and**

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

**PC12 TWC/2019/0237 - Land at Castle Farm Way, Priorslee, Telford**

This was an application for the installation of a temporary access and sales car parking (12 months) on land west of Castle Farm Way, Priorslee, Telford

Councillor V Fletcher, Ward Member, had requested that the application be determined by the Planning Committee.

Councillor V Fletcher, Ward Member, spoke against the application and raised concerns regarding highway safety and 60mph traffic speed near the access points, lack of conditions, lack of a construction management plan and the condition of the highway. She asked if a 40mph speed limit could be put in place on this fast section of the road.

During the debate, some Members raised concerns regarding the history of the site, the 60mph speed limit, the proposed 4 way junction which may not have been installed prior to this application. Other Members felt that if a temporary 40mph speed limit was in place this would make the application acceptable.

The Highways Officer suggested that they could explore the temporary 40mph speed limit with the Traffic Management Team. The access conformed to Design Manual for Roads and Bridges (DMRB) standards with the necessary visibility splays. It was suggested that part of the yellow hatching was removed to enable a right turn lane.

Some Members felt that the addition of a right turn lane and a 40mph speed limit would be agreeable and it was asked if this could be conditioned.

The Development Management Service Delivery Manager informed Members that the 40mph speed limit could not be conditioned as a consultation process would need to take place, but that this would be passed to Traffic Management and that Members were making a decision on the recommendation as put forward in the report. The ghost right turn and the 40mph speed limit would be considered separately to this application.

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



**RESOLVED** – that in respect of planning application TWC/2019/0237 that delegated authority be granted to the Development Management Service Delivery Manager to grant temporary planning permission for 12 months subject to the conditions set out in the report (with the authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager).

The meeting ended at 7.51 pm

**Chairman:** .....

**Date:** Wednesday, 3 July 2019