

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 16 December 2020 at 2.00 pm in Remote Meeting**

**Present:** Councillors N A Dugmore, I T W Fletcher, J Jones, R Mehta, K S Sahota (as substitute for K Middleton), P J Scott, C F Smith (Chair) and C R Turley (Vice-Chair)

**In Attendance:** V Hulme (Development Management Service Delivery Manager), M Turner (Area Team Planning Manager - East), A Gittins (Area Team Planning Manager – West), K Denmark (Principal Planner), G Onions (Tree and Woodland Officer), I Ross (Legal Advisor), J Lyall (Legal Advisor), J Galkowski (Democratic Services Officer) and J Clarke (Democratic Services Officer)

**Apologies:** Councillors J E Lavery and K Middleton

#### **PC125     Declarations of Interest**

Councillor K Sahota declared an interest in planning application TWC/2019/0706 and indicated he would withdraw from the meeting during determination thereof. He also advised that in respect of planning application TWC/2020/0347 he was a member of Great Dawley Town Council but had not been involved in any discussions on this application.

Councillor C Turley advised that in respect of planning applications TWC/2020/0347 as he was a member of the Great Dawley Town Council and planning application TWC/2020/0696 as he was a member of Dawley and Aqueduct Parish Council but had not been involved in any discussions on these applications.

Councillor R Mehta advised that in respect of planning application TWC/2020/0696 as he was a member of Dawley & Aqueduct Parish Council but had not been involved in any of the discussions on this application.

#### **PC126     Minutes of the Previous Meeting**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 18 November 2020 be confirmed and signed by the Chairman.

#### **PC127     Deferred/Withdrawn Applications**

None.

#### **PC128     Site Visits**

None.

## **PC129     Tree Preservation Order**

The Committee considered the report of the Assistant Director: Policy & Governance which sought confirmation of a provisional Tree Preservation Order (TPO) (Borough of Telford & Wrekin (Group of Trees at 6-9 Hobbs Crescent, Wellington, Telford TF1 1RY) Tree Preservation Order 2020. The report detailed an objection received from the owner of 10 Hobbs Crescent property expressing concerns regarding two stumps which had previously been cut down which were in poor condition and were within bushes and surrounded by litter and a rebuttal by the Tree and Woodlands Officer together with photographs that had been circulated to members prior to the Committee meeting.

The Legal Advisor outlined the process and the Tree and Woodland Officer explained the background to the making of the Provisional Order. The objection to the Order appeared to be regarding Trees G1 and G2 which had already been cut down to stumps, rather than the Group of Trees. Members were advised that the focus in this case should be on amenity value. If members were minded to confirm the Order the property owner could apply for consent to lop, prune or fell the protected trees at any time.

Mr Wallace explained to Members that the trees had grown very large and the TPO came through after the trees had been cut back. They wished to take ownership of the area containing the two tree stumps as this area had not been kept in a good state, there was a lot of debris and a rat infestation. Once they had secured the land it would make this area much brighter and better for residents and he asked that the two trees (G1 and G2) to be excluded from the TPO.

The Tree and Woodlands Officer addressed Members and explained that the two trees (G1 and G2) had been 8 and 9 metres high in 2014 and were retained through the Planning Applications in 2014 and 2015 and appeared on the 1882 map. Since they had been cut they had begun to regenerate and given another 100 years they would be similar in nature to that when they were felled. The trees had previously not been subject to a TPO as the trees had not been under threat. The Tree and Woodlands Officer had been contacted by the local Management Committee and asked to protect the two tree stumps and the remaining trees for future amenity value.

Members noted the concerns of the Tree and Woodlands Officer and the objector. Some Members felt that as the trees had already been so heavily cut back it was difficult to protect the stumps and the area may remain a blight. A motion was put forward that the order be confirmed in respect of trees G3-G10 but modified to exclude trees G1 and G2.

The Legal advisor confirmed that as a Committee, Members could confirm the order with modifications.

The motion to confirm trees G3-G10 but exclude trees G1 and G2 was proposed and seconded and upon being put to the vote it was, by a majority:

**RESOLVED** – that Borough of Telford & Wrekin (Group of Trees at 6-9 Hobbs Crescent, Wellington, Telford TF1 1RY) Tree Preservation Order 2020 be confirmed with the modification that trees G1 and G2 be removed from the Tree Preservation Order.

**PC130 Planning Applications for Determination**

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

**PC131 TWC/2019/0806 - Site of former Eden Complex, Telford Snooker Centre, Canongate, Oakengates, Telford, Shropshire**

This was an application to grant full planning permission for the demolition of the existing snooker centre and erection of 70 no. apartments with associated amenity space and parking at the site of the former Eden Complex, Telford Snooker Centre, Canongate, Oakengates, Telford.

Oakengates Town Council had requested that the application be determined by the Planning Committee and it was also before Committee due to a Section 106 Agreement to secure financial contributions.

Councillor S Reynolds spoke on behalf of Oakengates Town Council who supported the regeneration of the brownfield site but raised concerns regarding the overdevelopment, adverse impact of an overbearing and visible development which would permanently dominate the local landscape, design criteria was not in keeping with the street scene, lack of car parking, highway safety, impact on the commercial units, access and egress, privacy and overlooking, damage to commercial units by ground works, drainage and the additional loading of the system and the unsuitable weight of the development on a medium risk coal mining area.

The Planning Officer confirmed that with regard to overdevelopment, access, design and character there were no technical objections or they could be dealt with by condition. There was an extant outline permission which was broadly in line with the application before Members except for the height which was due to viability constraint but sat at a lower floor level than the highway. In relation to the under provision of car parking, the development was in a sustainable location and in close proximity to alternative modes of transport. A bicycle voucher scheme was to be secured by means of a s.106 and Management Plan in order to mitigate the shortfall in car parking and also to promote exercise during the covid pandemic and this was a unique feature to the development. There were no on-site contributions or affordable housing due to the viability of the scheme. With regard to the loss of the community facility, the business could not be operated profitably and there had been a further impact since covid. Due to the boundary treatments and the landscape treatments, there would be no detrimental impact on neighbouring properties.

During the debate, some Members although happy to see this site being developed they raised concerns regarding density, proximity to the A442, noise, car parking, limited funding put aside for the cycle scheme and the scheme may exclude people with mobility issues and those with young families, overdevelopment, cladding, design standards and the impact on the local community. Other Members felt that 1 bedroom developments were needed and it should be supported.

The Planning officer confirmed that people were keen to see a development on the site but that its main constraint was the abnormal costs which resulted in viability and density issues and 70 units was the lowest that could be achieved on the site and that this had meant car parking reductions. New and innovative ideas came forward and this took account of the sustainability of its location with some of the units having available parking. Sufficient funds would be secured for the cycle scheme through a s.106 and thereafter by a management plan. The outline permission established the principles for residential units and outlined that this would need to accord with conditions moving forward. With regard to cladding the development would need to meet building regulation standards.

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

**RESOLVED – that the application be refused.**

The Development Management Service Delivery Manager summarised that this was a brownfield site but it has its constraints. There was a previous approval on the site for a high rise development and brought forward an active measure for transport. Due to viability the application has limited car parking but officer tried to bring forward a different form of accommodation to achieve an appropriate development. Technical solutions such as appropriate glazing, trickle vents could be sought and there had been previous development near to the M54 motorway and the A442 and it would be difficult to sustain a refusal on air and noise pollution. With regard to access on the site highways had no objections to the previous outline consent.

The Legal Advisor explained it would be difficult to sustain a refusal if the refusal of the application went to public inquiry. Technical advisors confirmed that the development was acceptable subject to conditions and a previous permission had been granted and highways had not objected to the original proposal, but it was up to Members to take their own view.

Some members felt that reasons for objections were that it did not meet parking standards laid down in the approved local plan, the effect on the amenity and surrounding area it would overshadow Commercial Way and the whole historic Town Centre and the amenity of Oakengates and it did not meet access and visibility standards.

The Area Planning Officer advised Members that stepping of the development had been used to reduce the visual prominence.

The Chair advised Members that a refusal would be difficult to defend if it went to public inquiry and asked if Members would still like to continue with the refusal. Councillor Mehta asked that he change his vote having re-read the reports.

A motion was put forward that the original vote be retaken which was proposed and seconded.

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

**RESOLVED – that the original vote be re-taken.**

The legal advisor re-took the vote on the recommendations in the report and 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 applicant/landowners entering into a s.106 Agreement with the Local Planning Authority, with terms to be agreed by the Development Management Service Delivery Manager, relating to:**
  - i) **Contribution of £25,000 towards a resident bicycle voucher scheme, and;**
  - ii) **A long-Term Management Plan for the resident bicycle voucher scheme.**
- 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).**

**PC132     TWC/2020/0347 - Former Dun Cow Public House, New Street, Dawley, Telford, Shropshire**

This application was for the erection of a 77 bedroom Care Home (Use Class C2), erection of a 1.8m retaining wall and creation of a new access and car park at the former Dun Cow Public House, New Street, Dawley, Telford, Shropshire.

This application had been referred to Planning Committee as it involved a S106 Agreement. Negotiations had also taken place to agree the type of accommodation proposed and it was agreed that this should be secured by a condition and not within the S106 clause.

Mr Barker, the applicant's Agent, spoke in favour of the application and explained that although issues had been identified with the parking provision, the nature and character of its intended use had not been confirmed. The development was in a good locations and within the nature and character of

the local centre and located on two local bus routes. It was supported by a work place travel plan and the spaces were considered sufficient to meet the peak demand and visitors in a sustainable way under the NPPF and the Local 'Plan. Its proposed designation was for nursing care specialist and supported the Accommodation Strategy 2020-2025. Staffing remained the same as the 2013 consent and was balanced scale development. The development also included rebuilding and repositioning a length of retaining wall and an additional length of footpath.

The Planning Officer advised Members that the scale and design of the development was considered appropriate and measures were in place to protect the tree on site during construction. There were no objections from Highways and 19 parking spaces were considered acceptable as the staff survey demonstrated a lower requirement due to its proximity to local free car parks and on balance the proposed benefits outweighed the potential shortfall in car parking. A S106 agreement for financial contributions towards sports facilities had been agreed and a clause relating to the high level nursing care would be removed as this was not recognised by the CQC to enable the care home to be registered. A condition would be added to agree that this would be a nursing care nursing home.

During the debate some Members felt that the development was welcomed and would support the recommendation to approve and the rebuilding of the retaining wall and the additional piece of footpath. Other Members raised some concerns regarding the extension to the Langley School and the shortfall in the car parking, the ambulance bay was too far from the entrance and the bin store was positioned in the wrong place.

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

**RESOLVED** – that in respect of planning application TWC/2020/0347 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 (with authority to finalise the planning obligations to be delegated to Development Management Service Delivery Manager):
  - £50,000 towards development in respect of recreation and community facilities in the area
- 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).

PC133 **TWC/2020/0680 - Land adjacent Colfresco, Hortonwood 45, Hortonwood, Telford, Shropshire**

This application was an outline application for the erection of 1 no. industrial unit (Use Class B2/B8) up to 15,226 square metres and access with all other matters reserved on land adjacent Colfresco, Hortonwood 45, Hortonwood, Telford, Shropshire.

It had been requested by Hadley & Leegomery Parish Council that this application be determined by Planning Committee. Financial contributions were sought towards strategic highway and pedestrian cycle route improvements.

Mr Butler, a member of the public, raised concerns regarding the lack of need for a big warehouse, the height and size of the building, large number of car parking, noise nuisance, the wildlife being driven to the local housing, the displacement of water on to land belonging to the houses and the impact on the neighbouring residents.

Mr Brumwell, spoke against the application on behalf of the Parish Council who raised concerns regarding the scale and for of the building, hours of operation, volume of traffic and the impact on Horton Lane, no updated transport assessment and the recent Traffic Regulation Order on Horton Lane and parking. It was asked that the acoustic barrier be on the top of any urban barrier and low level lighting to prevent light pollution.

The Planning Officer advised Members that there were two extant consent one from the New Towns Act 1995 for manufacturing and a warehouse. Full planning consent was approved in March 2018 for seven industrial buildings B1, B2 and B8. It was an allocated employment site on the Local Plan. The concern was noted regarding the height and this remained at a maximum height of 14.5 metres. The hours of operation, lighting, boundary treatments and landscaping would be conditioned appropriate at the reserved matters stage. Outline consent was requested for access and there was suitable drainage on the site.

During the debate, some Members felt that it was an industrial unit in an industrial estate with a reasonable distance from residents although it was suggested that instead of contributions towards a cycle/pedestrian route that the funding be put towards a bus service to Hortonwood instead in order to help the Council's carbon footprint. Other Members felt that any outstanding issues could be dealt with at the reserved matters stage.

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

**RESOLVED - that in respect of planning application TWC/2020/0680 that delegated authority be granted to the Development Management Service Delivery Manager to grant outline permission subject to the following:**

**a) The following contributions to be agreed through a S.106 agreement:**

**- £83,412.78 Strategic Highway Contribution**

- **£68,174.07 Pedestrian/Cycle Route Improvement (between the development and Hortonwood 30)**
- **£5,000 towards Travel Plan Monitoring/Support**

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

**PC134     TWC/2020/0696 - Site of former Cheshire Cheese, Doseley Road, Dawley, Telford, Shropshire**

This application is for the demolition of former public house and erection of 10.no dwellings together with access drive, drainage and associated external works at the site of the former Cheshire Cheese, Doseley Road, Dawley, Telford, Shropshire.

Financial contributions were sought towards plan and open space and education.

Mr Harris, applicant's Agent, spoke in favour of the application. A previous application had been refused but extensive discussions had taken place to produce an acceptable scheme. The public house had been in decline due to changes in market habits and the brewery were unable to find tenants and no bids came forward for an alternative use. It was felt there was no longer a community need for the facility and an alternative public house within the vicinity. The property had been subject to arson attacks which had affected the structural integrity of the building and demolition was the only safe option. As the building had no heritage classification and no protection under the NPPF or on the local list it was a balanced judgment and although there would be a change to the built landscape the houses would take inspiration from the existing building and he considered the design to be well thought out.

The Planning Officer advised that he felt that the application had overcome all of the reasons for refusal and there were currently no objections from the Highways Officer. It was a well thought out design and the impact on the street scene and grade II listed building took on board the Heritage Officer's views.

During the debate some Members were saddened at the loss of the public house but it was not a listed building and was in need of tidying up. No other use for the building had come forward. Secondary schools and education would benefit from the application.

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

**RESOLVED** – that in respect of planning application TWC/2020/0696 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:

1. Recreation - £6,500
2. Primary and Secondary Education - £30,738

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

The meeting ended at 4.07 pm

**Chairman:** .....

**Date:** Wednesday, 10 February 2021