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## PLANNING COMMITTEE

### Minutes of a meeting of the Planning Committee held on Wednesday, 19 May 2021 at 2.00 pm in AFC Telford United, New Bucks Stadium, Watling Street, Wellington, Telford, TF1 2TU

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

**In Attendance:** C Bebb (Highways Project Engineer), J Clarke (Democracy Officer), C Edgington (Planning Officer), A Gittins (Area Team Planning Manager – West), V Hulme (Development Management Service Delivery Manager), L Lycett (Drainage and Flood Risk Team Leader), K Robinson (Democracy Officer), I Ross (Legal Advisor), M Rowley (Principal Engineer), M Turner (Area Team Planning Manager – East)

**Apologies:** Councillors J Jones, J Loveridge, R Mehta and K Middleton

#### **PC155     Declarations of Interest**

In respect of planning application TWC/2021/0046, Councillors N A Dugmore and J Lavery stated that they were members of Muxton Parish Council but neither had been involved in any discussions on this application.

Councillor N A Dugmore also stated that he was the Chair of the Granville Country Park Management Committee.

#### **PC156     Deferred/Withdrawn Applications**

None.

#### **PC157     Site Visits**

**RESOLVED** – that a site visit takes place at 16:00 on 2 June 2021 at Land opposite, 15-22 Woodside, Coalbrookdale, Telford, Shropshire, in respect of planning application TWC/2020/1076.

#### **PC158     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 each planning application.

#### **PC159     TWC/2010/0828 - Land at Ironstone, Lawley, Telford, Shropshire**

This was an application seeking a reduction in the number of affordable properties as a part of the development from 25% to 10% on viability grounds. An external, independent consultant had assessed the viability of the development.

The 10% affordable provision would be delivered in the form of discounted homes on the open market with a 30% discount on the market value. It was proposed that this provision would be kept in perpetuity. The Government had consulted on a new "First Homes" model that would also allow first time buyers to purchase at a 30% discount. Even though details of the First Homes scheme were still awaited, it was proposed that scope should be given to the owner to switch to the First Homes model if the government has introduced it in time.

Provisions in the Deed of Variation would ensure that the proposed affordable units remain affordable in perpetuity.

Affordable units would number 60 dwellings, all of which would be two bed properties. It was noted that this was unusual and a variety of properties was preferable.

Under the circumstances, Officers recommended to accept the reduction.

Members expressed their disappointment at the reduction in the number of affordable homes being delivered by the development, however, noted that 10% was preferable to none.

Members asked officers to clarify the position regarding obligatory affordable housing.

The Council could not ignore the viability position. If an independent viability assessment agreed with a developer that a development would be unviable then the Authority had to give that due weight. The site in question was originally approved for development in 2003, at a high point for the market followed by a downfall, at which point the site was sold. This was followed by a market crash in 2007/08. There had been a viability impact as a result. On site constraints had also been uncovered and had to be mitigated against.

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

**RESOLVED – That authority be delegated to the Development Management Service Delivery Manager to agree terms to vary the original Section 106 agreement dated 21st October 2005, insofar as it relates to Phase 11, to**

**(i) Secure 10% affordable housing as discounted open market affordable housing, and**

**(ii) To enable, if appropriate, the 10% affordable housing to be provided as First Homes under any future government scheme, should one come forward before the affordable housing has been delivered**

**PC160 TWC/2020/0047 - Lawley Phase 11, Lawley, Telford, Shropshire**

This was a reserved matters application for the erection of 600 dwellings. The development lay within the redline application boundary for the Lawley Sustainable Urban Extension. The site was previously used for mining works; there were a number of mineshafts still on the site, which required filling.

The application, which was Phase 11 of the Lawley Development, would provide 122 two-bed, 320 three-bed, 139 four-bed, and 19 five-bed units. No affordable housing units were proposed.

Members had received a written update on the proposed access to the site. A further 14 representations had been received, none of which raised any material considerations beyond those that had been addressed in the written update.

Discussions had been held with the steam railway to provide a play area on land by the railway. It was understood to have been agreed at the start of 2020; the Local Planning Authority had been notified that the Railway Trust no longer wished to accept the play area.

Members heard a number of representations from members of the public.

Councillor J Yorke, Parish Councillor, spoke against the application raising concerns over access to the development in relation to the need for the proposed estate roads to cross the restricted byway known as Ladygrove.

Councillor J Greenaway, Ward Councillor, spoke against the application raising a number of objections, including flooding, access, mining and impact on the steam railway.

Ms C Williams, a member of the public, spoke against the development raising concerns around the legality of the development and the ownership rights over Ladygrove.

Mr C Wilson, the Applicant's agent, spoke in favour of the application, and stated that the site was well planned and there had been no technical objections.

Approximately 195 public representations had been received concerning trees, highways, and built heritage, amongst other issues. The principle of development had been accepted for the site and outline consent had been granted.

Highway considerations had been determined at the outline stage and could not be revisited. The development provided car parking spaces in excess of that required by the Council. The Applicants had confirmed that the landowner of Ladygrove Lane had been identified and all access rights had been identified. This access issue was a civil matter. The attenuation ponds would improve overall drainage and existing flooding and run off issues.

The development was considered acceptable in reference to the impact on existing residents. Phase 11 would contribute 600 dwellings to the Borough's housing supply, 10% of which would be affordable. The Applicants had liaised regularly with the public and had accommodated their desire to retain Martingale Circus. They had also volunteered to reduce construction hours in response to residents' concerns and comments.

The Legal Advisor informed members that the Council did not have to question or investigate the ownership of Ladygrove. Planning authorities did not have to double check information provided by developers. Concerns over whether the developers had identified the correct landowner did not prevent members determining this application. Further, residents' concerns over private rights were an issue for the developer and, again, were not an issue preventing the Committee from determining the application at this time.

Public Restricted byway rights over Ladygrove Lane would remain; the developer did not propose to remove any rights. The public would not be prevented from using the byway. The design of the three crossing points for motorised vehicles would preserve the lane's ongoing use as a restricted byway. No rights would be lost because of the creation of crossings. Regarding a suggestion from one of the public speakers that people crossing Ladygrove would be committing an offence, it was pointed out that the Applicants had said that they had identified the landowner who had given authority to cross the restricted byway in motorised vehicles.

Members posed a number of questions:

In response to a question, the planning officer confirmed that the most recent statement from the Coal Authority stated that they were satisfied by the development as submitted. The written update provided to Members contained additional information that showed risks had been investigated and addressed.

Members discussed the impact on the Steam Railway and it was confirmed that the developers would be providing enhancements for the railway as part of the scheme. The developer had a responsibility to deliver the scheme within the sites boundaries.

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

**RESOLVED – That delegated authority be granted to the Delivery Management Service Delivery Manager to grant reserved matters subject to:**

a) No further representations being received during the consultation period to advertise that notice has been served on a landowner within the application site, which raise material considerations that are, in the opinion of the Development Management Service Delivery Manager after consultation with the Chair of Planning Committee, of such significance that the application should be reported back to Planning Committee for re-consideration and determination.

b) The Applicants entering into a Deed of Variation to the Section 106 legal agreement with the Council to provide 10% Affordable Homes on site as discounted market homes.

c) that delegated authority be granted to the Development Management Service Delivery Manager to agree the conditions and informatives contained within the report and the update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

**PC161 TWC/2020/1087 - Site of Fernlea, Barrack Lane, Lilleshall, Newport, Shropshire**

The application was for two dwellings and the conversion of a single bungalow into two bungalows. Parking provision was in line with standards and protection around trees on the site was proposed.

A site visit had taken place earlier that day.

Councillor A Eade, Ward Councillor, spoke against the application and raised concerns regarding scale, impact during construction and access.

Councillor D Shaw, a Member of the Parish Council, spoke against the application and raised concern in respect of the proposals being out of character with the local area, access and parking

Mr P Hill, a member of the public, spoke against the application and raised concerns in respect of access, parking and visibility.

Mr A Williams, the Applicant's Agent, spoke in favour of the application. He stated that amendments had been made to the scheme and there had been no objection from Highways. Objections had been received in respect of the development, which were in the main related to the development being out of keeping with the area and amenity detriment. The scale of the development had been reduced and the design revised. The development respected the character of the lane and a tracking exercise had demonstrated that vehicles could access the road. He added that there may be some scope to move the plots back a couple of feet to make more space for vehicles using the road.

In regards to the Lilleshall Neighbourhood Development Plan, Officers confirmed that the proposals were not contrary to the plan.

Members requested that the delegation be reworded to reflect the desire of the Committee that the car parking spaces be moved, in line with the comments of the Applicant's Agent.

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

**RESOLVED** - that delegated authority be granted to the Delivery Management Service Delivery Manager to grant full planning permission subject to amendments for the relocation of car parking spaces and the set back of the dwellings, and to finalise conditions and informative contained within the report.

**PC162     TWC/2021/0010 - Land opposite Wrap Film Systems Ltd, Hortonwood 40, Hortonwood, Telford, Shropshire**

This was a full application for an industrial development with a B2/B8 use class with ancillary offices. Officers noted that the applicant was incorrectly listed as Greenhouse Group (Holdings) Ltd on the report that had been circulated and should read Portion Solutions Limited / Homes England / Stoford Telford Limited.

The application was subject to a S106 agreement and was therefore, referred to the Planning Committee for determination. It was proposed that the money from the s106 agreement be made available from the outset for an extended area in the vicinity of the development rather than simply the site frontage. The size of the unit had dictated the need for a car park management plan.

An amendment was proposed to the recommendations; recommendation 'a trigger to request £5,000 towards a traffic management scheme along the section of Hortonwood 40 / 60 that fronts the proposed development should it be required' would be replaced with '£5,000 towards a traffic management scheme along Hortonwood 40, 45, and 60 in the vicinity of the site should it be required'.

Ms F Norfolk, the Applicant, and Mr K Fenwick, the Applicant's Agent, spoke in favour of the application. They stated that the site would be a major step forward for the company.

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

**RESOLVED** – That delegated authority be granted to the Development Management Service Delivery Manager to grant full planning permission subject to:

**A.) The applicants/landowner entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to the following:**

**i. Highways contributions of:**

- a. £23,095 towards the creation of a new footway/cycleway along Hortonwood 60
  - b. £74,565 towards Strategic Highway works
  - c. £5,000 for provision of support and monitoring of the required Travel Plan
  - d. £5,000 towards a traffic management scheme along Hortonwood 40, 45, and 60 in the vicinity of the site should it be required.
- ii. Trees and Ecology (combined) contribution of:  
£20,000 for off-site tree replacement.

**B.) The Conditions and informatives as set out in the report (with authority to finalise Conditions to be delegated to Development Management Service Delivery Manager).**

**PC163 TWC/2021/0046 - Land North/East of Lodge Road Caravan Site, Donnington Wood Way, Donnington Wood, Telford, Shropshire**

This was a full application for the erection of 233 no dwellings, a 76-unit Care Home (Use Class C2), 20 unit supported accommodation and associated works.

The development comprised of three distinct parcels of land bounded by trees and fencing. There were no heritage assets on site, the site was not within a Conservation Area and had a flood risk rating of 1, the lowest level of flood risk. An adopted footpath ran through the site to Granville Park.

The application was for 233 dwellings, 76 Care Home units, 20 units of supported accommodation, and areas of public open space, access, drainage and associated works. Of the 233 units, 90 would be let at affordable rates. Across the development, there would be 596 car parking spaces

A series of public representations had been received on a variety of issues. Donnington and Muxton Parish Council welcomed the development but noted concerns. No technical objections had been received.

Councillor A Lawrence, Ward Member, spoke against the application. Councillor Lawrence accepted development but raised concerns regarding overdevelopment.

Mr S Thompson, Director of Development at the Wrekin Housing Group, spoke in favour of the application, noting the number of affordable units proposed, and stated that the extra care facility and supported living units would meet the needs of local residents.

The Planning Officer informed Members that the Parish Council's neighbourhood development plan was broadly supportive of this residential development. The traffic works raised by the public speakers were separate from the application but were suitable for the development.

Affordable housing had been subject to a viability appraisal and was deemed unviable. The Authority's understanding was that the applicant was seeking affordable housing outside of the planning process.

Members discussed the application and it was confirmed that each dwelling would have dedicated, on plot parking, all of which would include electric vehicle charging points.

Members noted their disappointment in respect of the lack of affordable housing, however, it was noted that discussions were in progress with the applicant, Homes England and a local housing trust.

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

**RESOLVED – That delegated authority be granted to the Delivery Management Service Delivery Manager to grant full planning permission subject to:**

**A) The applicant/landowners entering into a Memorandum of Understanding 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) £109,953 towards local highway infrastructure improvements, in accordance with the Telford Transport Growth Strategy;**

**(ii) £98,700 towards the upgrade of footpath routes in Granville Country Park, in accordance with the emerging Green Routes Strategy;**

**(iii) Primary School Education £600,002.00;**

**(iv) Secondary School Education £262,598.00;**

**(v) POS @ £650 per 2-bed property - £138,450;**

**(vi) £10,365.04 towards Great Crested Newt District Licencing;**

**(vii) £15,050 Contribution towards Net Gain off-site.**

**B) The Conditions and informatives as set out in the report (with authority to finalise Conditions to be delegated to Development Management Service Delivery Manager).**

The meeting ended at 4.40 pm

**Chairman:**  
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**Date:** Wednesday, 2 June 2021

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