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PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Tuesday, 18 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, J E Lavery (as substitute for K Middleton), R Mehta, S J Reynolds (as substitute for J Jones), K S Sahota (as substitute for J Loveridge), P J Scott and C F Smith (Chair)

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

Apologies: Councillors J Jones, J Loveridge and K Middleton

PC149 Declarations of Interest

Cllr I Fletcher declared an interest in planning application TWC/2019/1046 as he indicated that Buildwas School was part of the Multi-Academy Trust that he was a Board Member of.

Cllr R Mehta declared an interest in respect of planning application TWC/2019/1046, as his wife was a GP in the medical practice in Ironbridge.

PC150 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Planning Committee held on 10 March 2021 be confirmed and signed by the Chairman.

PC151 Deferred/Withdrawn Applications

None.

PC152 Site Visits

None.

PC153 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/2019/1046.

PC154 TWC/2019/1046 - Ironbridge Power Station, Buildwas Road,

Ironbridge

This was a cross boundary application for outline permission to consider access off the A4169, up to 1,000 dwellings, retirement village, employment land comprising classes B1(A), B1(c), B2 and B8, retail and other uses comprising classes A1, A2, A3, A4, A5, D1 and D2, allotments, sports pitches, a railway link, leisure uses primary/nursery school, a park and ride facility, walking and cycling routes and associated landscaping, drainage and infrastructure works.

This application had been referred to the Committee as it was the subject of a S106 Legal Agreement to secure financial contributions and on-site affordable housing.

An update report had been circulated prior to the meeting.

A short video was presented to Members giving an overview of the site and the proposals.

Councillor C Healy, Ward Member, spoke on behalf of residents in Coalbrookdale and Ironbridge. She raised concerns regarding number of dwellings and commercial units which would have a huge impact on the community, although it was appreciated that this site would be developed. It was also recognised that this was a brownfield site and a key development site for Shropshire Council and this would be difficult to refuse as under the NPPF it was suitable for development and a Planning Inspector would find in favour of development if it went to appeal. Further concerns raised were additional traffic, gravel extraction and the impact on the highway, foul water flooding. In respect of the passenger light railway she remained sceptical but happy to be proved wrong. The increase in population was recognised but was mitigated against and she welcomed the improved traffic calming, the school and healthcare as this was an issue. On balance it was felt due to mitigation measures that this was a sensible and appropriate application and asked Members to support the conditions set out in the report and the update report.

Councillor I Fletcher read out a statement on behalf of Councillor J Greenaway (adjoining Ward Member), who was unable to attend the meeting. There had been a number of objections as the site sat within the Shropshire area but the impact would be felt within Telford and Wrekin with regard to services, facilities and infrastructure. She raised concerns regarding increased highway traffic along the A4169, Jiggers Bank and the B5223 to junction 6 of the M54 and the capacity for additional traffic and HGV movements for site clearance and the impact on traffic from the proposed development. It was felt that the Castlefields Way island would become backed up at peak times, there were no safe footpaths along the A4169 and there had been little emphasis on the impact on Lawley Way at peak time together with pollution and capacity on Lawley Cross Roads and West Central Way. Further concerns were raised with regard to the impact on primary and secondary schools and the displacement of children to Much Wenlock schools

and the impact on the residents of Horsehay who attended William Brookes School. There was no expansion plan for William Brookes school or a new on-site primary school. This must be agreed prior to the development and carried out in the appropriate timeframe. There would be a further impact to existing resident in South Telford with regard to the provision of health care. Applications have a duty of care to work with the CCG to provide this and the details were sketchy on this cross boundary application. This was a significant expansion to the area and should be supported by the necessary infrastructure as set out by the NPPF.

Mr S Ashton, the Applicant, spoke in favour of the application on behalf of Harworths. The development would become a new attractive and desirable community and would have a positive impact on leisure, the economy and homes. It would produce electricity and contribute to the National Grid, the power station having stopped production in 2015. The buildings had started to deteriorate and demolition began in spring 2019 with the remaining chimney due to be demolished in 2021. All scrap metal and asbestos had been safely removed and work had taken place around the national grid building which housed switching gear with health and safety remaining key as this building remained live. Public consultation had taken place which included two on site design workshops in 2018/2019 and a land rover tour which exchanged idea. They met with councillors and presentations were also made to all local parish councils. The public and 80 key consultees contributed to a professionally designed masterplan with education, health, heritage, ecology, landscape and transport all being discussed. A website was also set up. The development was supported by a masterplan and environmental statement and all statutory consultees raised no objections subjects to conditions and it was in compliance with the Telford Strategic Travel Plan up to 2036. The masterplan sought to be innovative within its constraints and promoted the site. The three organisations had worked collaboratively together to solve any issues and it was asked that Members support the proposals to create a new community to be proud of.

The Planning Officer gave a short overview of the application which had been the subject of consultation. It was situated primarily within Shropshire but had an impact in Telford and Wrekin and therefore needed to be considered as a whole with parties at Telford & Wrekin and Shropshire Council working collaboratively. This development was outside of the built up area in Telford the local plan but was a proposed allocated strategic site in Shropshire Council's emerging Local Plan Review. There had been limited objection to this allocation and Shropshire Council's reviewed Local Plan was due to be submitted to the Secretary of State in Summer 2021. The site was brownfield land which was currently derelict. This was a material consideration of the NPPF and Local Plan Policy S20 Paragraph 8.3. The masterplan had been amended to meet the guidelines set out within Shropshire Council's draft Policy S20. Mitigation measures with regard to the off-site work have been considered in the context of Telford & Wrekin's Local Plan.

The Highways Officer informed Members that this was a large development which would impact local highways. The highways were bound to the same

parameters of the NPPF as if it was within our borough and could only be prevented or refused if there was an unacceptable impact or cumulative impact. Officers has assessed the matter accordingly. . They considered the impact and sought mitigation and betterment wherever possible. A computer transport model had been analysed and travel patterns on the permitted development and the new development and a holistic approach was taken up to 2036. Testing on pre-covid data from 2019 and sensitivity testing had been undertaken and the overall conclusion was presented at 8.4 of the report. Traffic Management had been considered within The Gorge and had been developed in partnership with stakeholders. There would be a ban on the physical right turn onto Buildwas Road and traffic would have to double back and encourage people to use the main A route up Buildwas Bank. The cost of implementation would be £1m-£1.5m and the access route into the site over the existing road bridge would be closed to domestic traffic once the first 250 houses had been built. Castlefields Way would be signalled and a controlled pedestrian crossing installed – this scheme costing £900k. There would be a £500k-£600k enhancement to the Severn Valley Way with a new multi-user route benefiting current users and visitors and £1m toward the provisional of a financially sustainable bus service. These sums of money would be used to mitigate the NPPF test but gave net highway gains for residents and visitors. Concerns regarding junction infrastructure works, diversions or rat-running an effort to keep roads open via lane switching and traffic management would take place and £100k had been set aside for a travel plan to be split between Telford and Wrekin and Shropshire. With regards to the highway corridor along the A5223 Wellington Road and Lawley Drive, together with Lightmoor and Lawley had been considered but severe impact could not be demonstrated as this Bridge was under capacity.

The Drainage Engineer addressed Members. The Environment Agency were a statutory consultee on the site. A risk assessment had been undertaken to address the flooding from the River Severn and the masterplan with within Flood Zones 1, 2 and 3. Surface water flow paths were across the site and identified and set out as corridors. A limit rate of surface water discharge would drain into the River Severn and the existing site doesn't have any restrictions and the proposals could be conditioned. There were no details regarding SUDS on the site at this stage. Concerns were raised regarding the foul drainage and recent events on the sewage system in Dale End. Discussions had taken place and Harworths had submitted a technical note in response to this as the Developer has a right to connect to Severn Trent who cannot legally refuse. Severn Trent had carried out modelling with some sewers being at capacity and in the medium term work would be undertaken to upsize and replace part of that system and conditions to mitigate were set out in detail. The off-site work would take place prior to the start and consideration would be given to pumping rates at the point of connection. This was set out in the conditions as it stood with flood risks being discussed at the reserved matters stage.

The Planning Officer addressed members regarding ecology. A 50 metre buffer would be created to protect the SSSI and the ancient woodland and contributions requested to mitigate the increased footfall on land managed by

Severn Gorge Countryside Trust. A bat house had already been provided for the bats on site and mitigation measures were working well, as are the 20 great crested new ponds with deer and amphibian fencing. The loss of and mitigation of the peregrine falcon nesting location was subject to a separate application to Shropshire Council. Three pairs of little ringed plovers were breeding on the site and an area would be managed for their continued use. Some badger sets had been closed and some more would have to be closed, this would be monitored through licensing/update surveys. Otters were using the site on the embankment in that area and their protection/continued use would be monitored. There was limited net gain in the current calculation but there was a potential to increase this through the conditions/reserved matters application. There would be significant retention of trees although these were currently subject to poor tree management. There were a number of poplar trees set out in linear fashion and it was conditioned that these trees would be kept in their entirety to naturally screen the existing buildings. With regard to noise impact, it was considered that there would be no more noise impact through the Gorge than already existed on the current site and a management plan to minimise this would be put in place, together with a dust management plan. With regard to Heritage and archaeology it was considered there would be a less than substantial harm and the NPPF was weighed up against the public benefits and it was considered that the site would become derelict and dangerous and the benefit was housing, commercial units and leisure. It was an appropriate design and the public benefits met the test. Archaeology conditions were imposed in recognition of the site and the potential for findings under the PFA mounds. A request had been received from the Healthy Spaces Officer to provide allotments, a village green and sports pitches as well as enhancements for Dale End Park. Education capacity at Buildwas School would be increased with the use of a demountable building and the relocation of the nursery to the Village Hall and this had no impact on primary pupils in the short-term whilst the new school was being built. One hundred houses would fill the secondary capacity but the S106 Agreement mitigated against this by providing a larger extension at William Brookes School. There would be no pushback of Telford & Wrekin pupils. Healthcare was not a decision that the local authority could make and this was under the guidance of the CCG who had not yet made a formal review of healthcare facilities and/or a formal monetary contribution. However the applicants have committed to onsite facilities and financial contributions of £0.5m. Network Rail had been reviewing the listed building application which was imminent and a passenger light railway was being considered by the applicant and feasibility studies taking place. The passenger railway was an aspiration and not part of the planning consent. Onsite footpaths would also be created connecting to existing public rights of way and substantial contributions had been achieved for the Severn Valley Way. Although there was some impact on residents there was no direct residential impact due to the boundary being located in excess of 50m from all existing properties. Mineral extraction would be undertaken over a period of 5 years with access to the quarry across a private road to the processing plant and minerals would be transported by a dump truck with only 25% being transported via HGV. There was a mineral resource masterplan which included screening for A&B and the ancient monument and no consultees had objected. The S106 Agreement and Memo

of Understanding had been independently reviewed and a viability assessment undertaken and the development would have 5% affordable housing and a S106/CIL contributions equating to £16.75 million. The contributions were much greater than the affordable housing element with major infrastructure work, £5.1m towards primary education on site, £4.4m for secondary education, £250k for the Gaskell Arms junction, £65k for highways, £870k Castlefields Way, £10K Ironbridge, £1m for the roundabout, £1m for sustainable transport, £640k for sports pitches £550k for the Severn Valley Way, £500k healthcare, £96k public realm, £128k for Severn Gorge Countryside Trust for enhancement to woodland and the neighbourhood fund of £1m, S106 monitoring of £87k and 5% affordable housing. This mitigated against issues, education, healthcare, play and recreation and the public rights of way. This was a cross boundary application and it was essential that a Memorandum of Understanding was approved in order to ring fence the financial contributions and the mitigation measures. At the heart of the NPPF (paragraph 11) is a presumption in favour of sustainable development and (paragraph 117/118) giving substantial weight to the value of using suitable brownfield land. The financial contributions proposed recognised some of the impacts and sought to mitigate against these and contributed towards the local area where it was deemed necessary, this had been carefully considered between Shropshire and Telford & Wrekin Council. The impact had been considered and mitigated through conditions, sustainable development, the design code and the masterplan and the recommendation was for approval.

During the debate, some Members raised concerns regarding the sensitive location to the entrance of the World Heritage Site, the creation of another town, 80% of the traffic and the highway impact being in Telford and Wrekin, the creation of a rat-run through Ironbridge and Coalbrookdale, energy considerations and why there was no gas on site, the consequences of the bus service not coming to fruition, a more robust solution to flooding was needed and some of the proposed housing was close to the river and the effect on residents and businesses over the last two years, land stability and conditions regarding pile driving and shoring up, extensive earthworks and the removal of ash and contamination to the watercourses, affordable housing and lack of affordable housing, education and school places and ensure the places are included in the budget setting in order for the funding to come forward. It was noted that the Development Management Service Delivery Manager was given delegated authority to finalise 40 conditions without the Committee having knowledge of what had been agreed and what effect it would have on the area. Other Members felt that although there were concerns regarding the infrastructure, that if it went to the Secretary of State it would be nodded through, it was difficult to see what the alternative would be although at the reserved matters stage it may look different, it was difficult to refuse. The provision of a light railway would be welcomed.

The Planning Officer responded in respect of the gas, the application was just for outline permission at this stage and the application would be brought back for further consideration at the reserved matters stage at which point updated Sustainable Design Briefs would be provided. Officers had been involved in

negotiations with Arriva with regards to the bus service. With regard to flooding this would come forward at the reserved matters stage as it was just indicative at present. There were no records of landslides in the area but that ground condition assessments would take place at the reserved matters stage. The affordable housing at only 5% could be re-considered at the reserved matters stage if the viability review mechanism demonstrated that additional contributions could be achieved without impacting on viability. The allotments were on 0.4 hectares of land but there were no specific numbers at this stage.

The Highways Officer confirmed that Shropshire Council would secure the money towards the bus contribution and that it would make no sense for the money to be spent on alternative routes and it was hoped that there would be a Lightmoor/Lawley circular and that would need to be viable in the long term. An extensive modelling exercise had been undertaken with regard to highways and there was no impact from passer by trips to Ironbridge or trips to the shops and those trips would be sustained by the economy. A sum of £150k had been secured for traffic calming measures with a possibility of extending the 20mph speed limit. There would be some impact on the highway not modelling had not raised a material consideration or concerns and the £150k was sufficient to mitigate issues.

The Drainage Engineer confirmed that water in Dale End comes from a number of sources and the development did not have an impact on the flood management as the flooding would not come from the proposed development, but there would be a sewer risk. Each phase would need a Flood Risk Assessment and there would be a betterment on the site as it would hold back the water and release it slowly. Ash and pollution was addressed under the minerals.

Further questions were raised as to what the Memorandum of Understanding was, whether this was legally binding and had the traffic modelling been done anywhere else in the country to use as a benchmark and with regards to the bridge and weight limit would vehicles have to travel a long distance to get around and create a bottle neck in the system.

The Development Management Service Delivery Manager confirmed that delegated authority, if approved, would be to finalise the terms and conditions for the Section 106 Agreement and Memorandum of Understanding (MOU). This was the agreement between Shropshire Council and Telford and Wrekin Council on how the monies and contributions come forward and to mitigate any impact and set out the timeframes for when monies needed to come forward and how it would be delivered. The contributions would initially go to Shropshire Council and then come to the Borough Council, as agreed by the MOU. She also confirmed that this would be legally binding. It was a cross boundary application but was split into two – Telford and Wrekin had one application and Shropshire Council had their application - but once approved it would come together as a whole permission with one set of conditions. Delegated authority would give the Service Delivery Manager the ability to negotiate conditions. The conditions had been drafted but if there was

anything specific Members required they could be added in and appropriately worded giving the Service Delivery Manager flexibility to make sure everything was included and legally binding.

The Highways Officer confirmed that there was a wider Telford model which had been established for a number of years; benchmarking did take place. A newer developing model had also been undertaken using up to date data and when compared to the old model, the older model was more robust. There was no perfect solution and this site was a compromise. Brownfield sites were a priority of the Government and there was always some element of disruption. It was felt that Telford was getting a good deal from the proposed development.

The Legal Advisor highlighted that a lot of officer effort and discussion had taken place to mitigate and address all areas of concern and carefully work up suitable conditions and obligations to mitigate harm. Members had heard from their highways, drainage and other experts and the planning officer's recommendation of approval was before them. The planning conditions, S106 agreement and Memorandum of Understanding would be part of the package of provisions which would secure the appropriate outcomes and mitigate harm.

On being put to the vote it was, unanimously:

RESOLVED –

- 1. that in respect of the cross boundary Planning Application TWC/2019/1046 that the application be approved, subject to a Section 106 agreement imposing the planning obligations outlined in A below, conditions and informatives set out in the report and update report and, if required, Telford & Wrekin and Shropshire Council entering in to a Memorandum of Understanding relating to the planning obligations, the distribution of CIL contributions and other arrangements (outlined in 3 below) to ensure that the Borough Council receives the appropriate distribution of developer contributions as set out in this report and the update report;**
- 2. that delegated authority be granted to the Development Management Service Delivery Manager to negotiate and agree the detailed terms of the Section 106 planning obligations and any Memorandum of Understanding as outlined at A below and in the report and the update report**
- 3. to note that arrangements would need to be entered into whereby the Council would authorise Shropshire Council to issue a planning permission in respect of the determination of this cross-boundary planning application following written confirmation from**

the Development Management Service Delivery Manager that the permission can be issued and subject to the Section 106 planning obligations and conditions and (if required) a Memorandum of Understanding as agreed by the Development Management Service Delivery Manager, as in the report and update report, be noted;

A.

- I. Financial contribution of £5,100,000.00 together with a serviced plot for the provision of an On-site primary/nursery school;**
- II. Financial contribution of £4,400,000.00 towards expansion at William Brookes School for 160 pupils;**
- III. On-site provision of affordable housing (5%);**
- IV. Financial contribution of £250,000.00 towards improvements at the A4169 Smithfield Road/Victoria Road/Bridgnorth junction (i.e. the Gaskell Arms at Much Wenlock);**
- V. Travel Plan Monitoring at a cost of £100,000.00**
- VI. Financial contribution of £1,000,000.00 towards Transport/Bus Strategy (in liaison with Arriva) and to include education transportation requirements;**
- VII. Financial contribution of £640,000.00 towards provision of Sports Pavilion and Sports pitch upgrades including implementation timetables**
- VIII. Financial contribution of £550,000.00 towards Severn Valley Way improvements to provide improvements/upgrades to facilitate a multi-use route;**
- IX. Financial contribution of £200,000.00 towards Severn Way improvements to provide connection to Buildwas (towards Buildwas only);**
- X. Financial contribution of £500,000.00 towards healthcare requirements highlighted by the CCG;**
- XI. On-site serviced plot for healthcare facility;**
- XII. Financial contribution of £96,000.00 towards Public Realm improvements for Play/Recreation;**
- XIII. Financial contribution of £350,000.00 towards Public Realm improvements for Heritage;**
- XIV. Financial contribution of £128,226.00 towards tree management/safety inspections/planting relating to increased pressure/footfall within land under the management of SGCT;**
- XV. Financial contribution of £262,509.12 towards tree management/safety inspections/planting relating to increased pressure/footfall in the Gorge, in addition to climate change offsetting and biodiversity net gain;**
- XVI. Financial contribution of £1,000,000.00 towards Buildwas Parish Neighbourhood Fund;**
- XVII. Financial contribution of £87,064.88 towards S106**

- Monitoring;**
XVIII. On-site serviced plot for potential Park & Ride Facility;
XIX. Implementation timetable for NEAP/LEAP;

- 4. 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).**

The meeting ended at 3.41 pm

Chairman:

Date: Wednesday, 19 May 2021