

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 12 August, 2009 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors I.T.W. Fletcher (Chairman), R.G. Chaplin, N.A. Dugmore, J.A. Francis, G.M. Green, F.R. Picken, H. Rhodes and M.J. Smith

ALSO PRESENT: Adrian Fox (Retail Planning Consultant – White Young Green) for planning applications W2008/1308 and W2009/0313.

PB-23 MINUTES

RESOLVED – that the minutes of the Plans Board held on 22nd July, 2009 be confirmed and signed by the Chairman.

PB-24 APOLOGIES FOR ABSENCE

None.

PB-25 DECLARATIONS OF INTEREST

None.

PB-26 PLANNING APPLICATIONS FOR DETERMINATION

W2008/1308 - Land at, Mere Park Garden Centre, Stafford Road, Newport, Shropshire and W2009/0312 – Parkland House & Classic Furniture, Audley Avenue, Newport, Shropshire

These two applications were presented together. In considering them Members were referred to the Board's resolution at its meeting on 1st July 2009 to grant delegated authority to the Head of Planning & Environment to grant outline planning permission for a mixed retail/employment application at the Classic Furniture/Parkland House site on Audley Avenue (W2009/0312), subject to conditions and to there being no new issues raised during the departure consultation period. The Mere Park applicant had submitted a letter of objection to W2009/0312 and, subsequently, had submitted a letter during the departure period advising of his intention to take the Council to Judicial Review on the basis that it had acted unfairly and unlawfully in determining the application before his own retail application, which had been submitted first and that in doing so the Council had prejudiced the success of his application and that in resolving to grant planning permission for Audley Avenue the Board had not been advised by officers of his retail planning application for the Mere Park Garden Centre. Therefore, he had requested that the decision on the Audley Avenue application (W2009/0312) should not be issued and that both application W2008/1308 and application W2009/0312, together with any other relevant applications, should be taken to the same meeting of the Plans Board so that Members could make fully informed decisions.

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In order to facilitate the consideration of the two applications together both applications were brought before Members on the same agenda.

The officer report for Mere Park (W2008/1308) and the revised report for Audley Avenue (W2009/0312) had both been written to cross reference the issues between them. The officer presentation was also made on this basis as was the subsequent Member discussion and determination of both applications.

The Mere Park planning application was a full application for comparison retail (932 sq.m.) with café (500 sq.m.) with storage/administration and a covered walkway at the Mere Park Garden Centre located north-east of Newport adjacent to the junction with the A41(T) and A518. It had been submitted in October 2008. The Audley Avenue application had been a revised resubmission of W2008/0885 (that was submitted in June 2008 and refused by officers in November 2008). Therefore, it had been dealt with more quickly as not all of the issues needed to be revisited. In addition, the Audley Avenue applicant had advised officers that, if planning permission were forthcoming for the revised resubmission which no longer included the convenience retail element, he would withdraw the appeal and Public Inquiry, scheduled for 2nd September 2009 in respect of W2008/0885. Officers had acknowledged that there had been some delay in bringing the Mere Park application to decision but refuted that this had been done to favour the Audley Avenue application. Members' attention was brought to the other impending retail applications at Mere Park, as set out in the report, and which the applicant had agreed did not require consideration at this point in time.

The Audley Avenue application was for outline permission, including access, landscaping, layout and scale, for a mixed retail/employment development involving the erection of buildings for comparison retail (3,252 sq.m. gross) on the Classic Furniture part of the site and erection of a building to provide industrial/employment floorspace (3,344 sq.m. gross) on the Parkland House site, following the demolition of all of the employment/manufacturing/retail buildings on the Classic Furniture site and demolition of the warehouse/car auction buildings at Parkland House.

Mere Park Garden Centre lay outside of the built-up area of Newport, as shown on the Wrekin Local Plan proposals map and, therefore, was considered to be an "out-of-town" location in retail planning terms. Retail advice contained in national guidance PPS6 sought to promote the vitality and viability of town centres and adopted a 'centre-first' approach to retail development by seeking to focus development in existing centres. PPS6 also required retail proposals outside centres to demonstrate that such proposals would be appropriate to local circumstances. By contrast the Audley Avenue site lay within the built-up area of Newport and within an existing employment/industrial estate and was considered to represent an "out-of-centre" location in retail planning terms. Both sites were considered equidistant from the town centre.

The report attached to the agenda set out in detail for both applications the planning considerations in respect of need, scale, sequential sites, access, and impact together with other material considerations. In addition there were updated reports for both applications which included information from the Mere Park applicant relating to suggested planning conditions from the applicant (and officers) and the free bus service that the applicant provided.

With regard to need, the Telford & Wrekin Retail Leisure Study (TWRLS) commissioned from White Young Green (Consultants) had identified a capacity need of 501–538sqm of comparison retail floorspace up until 2011, which the Mere Park proposal for 500 sqm comparison retail would meet. Whilst PPS6 placed greater weight on the quantitative need of a retail development, it also required Local Planning Authorities to take into account the qualitative need for retail development, which both the Mere Park and the Audley Avenue retail proposals would meet by providing the new modern retail floor space that was currently lacking in Newport. The TWRLS had also identified that some shopping expenditure was being directed elsewhere and that there was scope to improve Newport's share of the market facilities by improving the retail facilities on offer, which had been a material consideration when assessing the Audley Avenue application for bulky good comparison retail goods. Whilst that proposal had exceeded the identified quantitative need for comparison retail floorspace, the Audley Avenue applicant had submitted evidence to show that such bulky goods retail would help claw back some spending currently being directed to competing centres elsewhere outside the Newport area. However there would be no need for the Mere Park scheme given there were sequentially preferable sites in locations that were not out-of-town, such as Audley Avenue.

As required by PPS6 the Mere Park applicant had taken a sequential approach by considering a number of alternative sites, some of which had also been considered by the Audley Avenue applicant, details of which were set out in the report. However, having undertaken a sequential test, as described in the report, the applicant had concluded that the "out-of-town" site at Mere Park was the only available, suitable and viable site to accommodate the type of development he proposed and was sequentially equal to all out-of-centre sites. On further analysis of the sequential sites, officers observed that, if realistic walking routes were taken into account, then some of the applicant's sites would be beyond the 300m distance and hence would be classed as out-of-centre sites. Therefore the applicant had considered some out-of-centre sites.

However, Mere Park Garden Centre's location outside the built-up area and beyond the A41(T), together with poor pedestrian linkages, would make it inferior to a number of edge-of-centre sites and out-of-centre sites. Officers also considered that, as out-of-town locations were not referred to in the PPS6 order of sequential sites they were not usually considered appropriate and out-of-centre sites should be considered before allowing further out-of-town sites to come forward. Whilst the Audley Avenue and Mere Park sites were located relatively equidistant from the town centre, in PPS6 terms one site was considered out-of-centre (Audley Avenue) whereas the other was

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considered out-of-town (Mere Park) and it was considered that the Audley Avenue site was sequentially preferable to the Mere Park site in terms of accommodating further retail floorspace, subject to the relevant tests of need and impact. The applicant had questioned the Council's approach to the sequential test and whether the right approach had been applied, whether out-of-centre sites should be sequentially equal to out-of-town sites and whether out-of-town was better. Even if the Council was wrong about the nature of the sequential test, officers were of the view that the balance lay in favour of Audley Avenue for the reasons set out in the reports and reiterated by the officer's presentation and included below (and the need argument mentioned previously).

With regard to access, the Mere Park applicant considered the site to be more accessible by modes of transport given its location adjacent to the A41(T) and the A518 and on a regular bus service between Newport and Stafford. In addition, the applicant provided an unofficial 'Park & Ride' bus scheme and delivery van service to customers' homes to encourage those that wished to walk or cycle to the Garden Centre. Whilst these were material factors in terms of helping to provide a sustainable facility and to off-set the 'out-of-town' location of the site, access to the site for pedestrians and cyclists was not easy. Whilst there was a footpath from Stafford Street and a refuge on the A41(T), cyclists and pedestrians would need to negotiate and cross either the A518 and A41(T) roads and, in some instances, would also need to negotiate the roundabout at the end of Stafford Road.

In comparison, there was no bus service directly past the Audley Avenue site, which reduced its accessibility by public transport and the existence of bollards meant that there was no direct route for motorists from the town centre. Whilst there were no known end users of the retail units proposed at Audley Avenue, it was likely that some retailers would also operate a delivery van service to customers' homes to help encourage those customers who walked or cycled. However, both sites would probably attract a fair share of car borne customers and, generally, for the purchase of "bulky goods" bus travel might not always be the most appropriate means of travel. The Audley Avenue site was, however, better and more safely accessed on foot and by bike than was the Mere Park site for both customer and employees. Cyclists and pedestrians could use the quieter residential approach streets and Audley Avenue itself to reach the site from the town centre with no need to cross or pass along the A518 and A41(T). In considering accessibility to the site, it was important to note that PPS6 stated that in assessing new development, local planning authorities should consider whether the proposal would have an impact on the overall distance travelled. With the single comparison retail unit set within the Garden Centre complex officers considered it unlikely that customers would not travel elsewhere for comparison goods thus not significantly reducing the overall need for local residents to travel. In contrast, the Audley Avenue proposal would help to reduce the need for local residents to travel significant distances for comparison bulky retail goods to competing facilities elsewhere, such as Telford, and would, therefore, reduce the overall distance travelled.

The Council accepted that there was a lack of larger retail units within Newport and that a significant level of comparison goods expenditure generated in the local area was currently being directed to competing facilities elsewhere. However, in considering the potential impact of the proposal on the town centre, the retail consultants considered that the level of impact had been understated by the applicant, due to his estimated turnover of the town centre being overstated at £60m. Consequently, this lower turnover would mean that the potential impact on the town centre would be higher than that identified by the applicant. Some garden centres were mainly retail, as was Mere Park, as they did not operate a horticultural element by growing their own plant stock on site. Local Plan Policy S5 served to acknowledge that garden centres were generally different retailing entities and allowed some retail provision in a location that otherwise would be contrary to policy, but there was no green light in Policy S5 for general retail. As the other existing retail units at Mere Park were currently restricted to selling only garden centre, farm shop or outdoor camping equipment type products, officers considered that this served to retain some connection and compatibility between the units and the Garden Centre as a whole and limited the impact on Newport town centre.

The applicant considered that the existing operation of the Mere Park Garden Centre and its various retail units had not adversely impacted on Newport town centre. However, officers contended that this may well be due to the fact that these units had conditions limiting the goods that could be sold and there were no general or comparison retail units currently operating from the site to compete or take trade from the town centre. Similar concerns had been expressed that the Audley Avenue application would impact on the town centre but this would be mitigated by the imposition of appropriate planning conditions, as described in the report. Officers considered that unrestricted comparison goods retail consent in an 'out-of-town' location such as the Mere Park Garden Centre complex, was likely to compete with existing businesses within the town centre and would undermine its continued vitality and viability. As with the Audley Avenue site, the range of goods that could be sold should be restricted in order to off-set the potential impact on Newport town centre and should be limited to those typically sold from garden centres and similar to the range of goods already conditioned to be sold at the site. Such a restriction would ensure that the retail unit complemented the town centre retail provision, not competed with it and did not create effectively an 'out-of-town' retail park. Without a goods condition restricting sales to garden centre type products officers considered that the retail unit should be refused but the applicant did not want such a restriction, although he was prepared not to sell certain items, details of which were tabled at the meeting. Officers considered that the applicant's suggested condition would allow a wide range of goods to be sold that would adversely impact on Newport town centre.

One significant difference between the Mere Park and the Audley Avenue applications was that the Mere Park proposal did not involve the loss of employment buildings/land. The Mere park applicant considered that, as the Audley Avenue site was within an existing industrial estate and would involve the loss of employment land, it was an inappropriate location for retail

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development while the Mere Park site was within an existing retail site. In previously considering the suitability of the Audley Avenue site for retail, officers and Members had weighed up the loss of employment land within the material considerations of the relevant employment benefits of new improved quality employment floorspace together with the Council's indicated intention to further increase employment land provision in Newport and the 3.5ha. allocated employment site on which there had been no take-up for almost a decade. In addition, the other material considerations, such as the proposed highway and access improvements to Audley Avenue and the overall reduction in travel (itself a sustainability aim of the Core Strategy), would serve to off-set the loss of employment floorspace from the Classic Furniture part of the site. Whilst job creation from retail uses should not be considered an important criterion upon which to judge retail proposals, both applications would see a potential increase in jobs.

In conclusion, officers considered that whilst there was a quantitative and qualitative need for such a comparison unit in isolation, the identified need could be met by the Audley Avenue application hence there was no need for the Mere Park proposal especially in this out-of-town location. In addition, they considered that there were locationally preferable sites within the built up area of Newport for comparison retail, including the Audley Avenue site. The Mere Park proposal would not serve to reduce the need to travel significantly or at all and, whilst the site might be located on a bus route that served the town centre, this was unlikely to attract significant numbers of people and the A41 (T) served as a barrier to pedestrians and cyclists, both customers and workers, who had to cross it. Officers also considered that a retail unit in an 'out-of-town' location selling unrestricted or limited comparison goods would have an adverse impact on Newport town centre. Without restrictions on the range of goods that could be sold, a precedent would be set and an 'out-of-town' retail park may develop with a resulting adverse impact on Newport town centre. Whilst this could be mitigated against and brought into line with the retail nature of a garden centre complex by imposing planning conditions to limit the range of goods sold to those typically sold at a garden centre, as had been done with the other retail units at Mere Park, the applicant was unwilling to accept such a restriction.

In order to provide the Board with all relevant information in coming to a decision, officers had drawn up a condition which could be imposed so as to make any planning permission acceptable by ensuring that the retail proposal did not adversely impact upon Newport Town Centre and which had been imposed on some of the existing retail units at Mere Park. The officers' condition was tabled at the meeting. Also tabled at the meeting were details of the type of goods the applicant would agree not to sell. In officers' opinion this was not restrictive enough and so was not considered to be acceptable by officers.

In discussing the application some Members expressed concern at the impact that it could have upon retail in Newport Town Centre, the potential for Mere Park to develop into a retail park and issues with enforcement of any goods conditions. However, other Members were of the view that approval would

not have such a detrimental impact upon Newport Town Centre and could serve to attract customers from surrounding areas such as Gnosall.

The Council's Solicitor drew Members' attention to the proposed condition, which officers thought could be imposed so as to make the planning application acceptable. He asked the Board to consider whether it thought this condition to be reasonable and said that the applicant might question its reasonableness bearing in mind that the application did not mention any such restrictions. He advised the Board that, if it considered that the imposition of the proposed condition would make the proposal not worth pursuing, for example because it would be unreasonably restrictive so as to make the proposal not viable, then it should not impose the condition. That would mean that the Board could approve the officers' recommendation to refuse or approve the application without the condition. Alternatively, if they thought the condition was reasonable and appropriate, they could approve the permission with that condition. Adrian Fox of White Young Green also explained that the conditions would be complementary to the existing conditions on Mere Park and together they would provide good control over future use. If approval of an open A1(non-food) retail use were to be approved, that would set a precedent and would compete with the Newport Town Centre and it was for this reason that the Audley Avenue application would be subject to restrictive conditions on the type of goods that could be sold and why the impact upon Newport town centre would be lessened if the Mere Park application was approved subject to the officers' proposed conditions restricting goods to those typically sold at a Garden Centre.

Members determined that the officers' suggested condition tabled at the meeting restricting the types of goods to be sold was reasonable and appropriate to apply this proposal in all the circumstances.

On being put to the vote the recommendation for refusal, as set out in the report, was not approved. The Chairman then proposed, seconded by Councillor M.J. Smith, that application W2008/1308 be approved subject to appropriate conditions and to the proposed condition relating to the types of goods that could be sold, as tabled. On being put to the vote, this was unanimously agreed.

RESOLVED:

- (a) **that with respect to planning application W2008/1308 (Mere Park) delegated authority be granted to the Head of Planning & Environment to grant planning permission subject to appropriate conditions and to the condition restricting the type of goods to be sold to garden centre type goods.**

Reason for Approval

The retail unit hereby approved at this existing out-of-town garden centre (allowed under Wrekin Local Plan policy S5) outside the urban area of Newport shall be restricted to sell goods associated

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with garden centres (along with the other retail units at Mere Park that have permission and are restricted to sell garden centre/farm shop products and one unit restricted to only sell outdoor camping/walling equipment) to ensure that the retail proposal will not adversely impact on the vitality and viability of Newport town centre. The single storey building is of an appropriate design, character and appearance that will complement the other single storey buildings on the site in this semi-rural site beyond the built up area of Newport.

(b) that with respect to planning application W2009/0312 outline planning permission be granted subject to the conditions, as set out in the report, and to any other conditions officers subsequently deemed necessary.

(b) W2009/0506 - Lawley Common Roundabout, Lawley Drive, Lawley, Telford, Shropshire

This application by Telford & Wrekin Council sought advertisement consent to display four non-illuminated advertisement signs on the central island of the roundabout. The proposed signs would be 1200mm across with a total height of 900mm, which the Council's Highways Officer had agreed as being acceptable as they would not detract from highway safety.

The Council's Highways Officer had not reported on this application to date and any recommendations would be reported to the Plans Board in an update. Lawley & Overdale Parish Council had submitted an objection to the proposals on the grounds that the signs would be a distraction to motorists and, therefore, posed a safety issue.

The four proposed signs were to replace the existing advertisements on the roundabout and would not result in an unacceptable amount of visual clutter. They were, therefore, considered acceptable in this urban location and would not detract from the amenity and character of the surrounding area.

RESOLVED – that with respect to planning application W2009/0506 advertisement consent be granted subject to the conditions as set out in the report.

(c) W2009/0528 - Priorslee Primary School, Priorslee Avenue, Priorslee, Telford, Shropshire

The application by Telford & Wrekin Council was for a single storey extension to part of the school main building for general purpose use following internal reorganisation of the administrative accommodation within the school, together with the installation of a glazed canopy. Determination of the application had been deferred at meeting of the Board held on 22nd July, 2009 to allow for consultation responses to be confirmed.

The single storey extension would be built on a small area of incidental grass adjoining the main school building and would not result in a loss of play areas. It would be finished with brickwork and tiles to match the existing building and, therefore, the appearance would be satisfactory.

The proposed external canopy would cover part of the small courtyard area created by the new extension and would feature a curved roof with the metal framework having a powder coated finish to match existing metalwork on the school building. Given the siting of the main school building on a lower land level relative to the surrounding area, the proposed extension and canopy would not be visually intrusive and would have little impact on the street scene.

RESOLVED – that with respect to planning application W2009/0528 planning permission be granted subject to the conditions as set out in the report.

PB-27 SITE VISITS

None.

PB-28 PLANNING APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The Board received for information details of planning applications that had been determined under delegated powers.

The meeting ended at 6.48 p.m.

Chairman:

Date:

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In comparison, there was no bus service directly past the Audley Avenue site, which reduced its accessibility by public transport and the existence of bollards meant that there was no direct route for motorists from the town centre. Whilst there were no known end users of the retail units proposed at Audley Avenue, it was likely that some retailers would also operate a delivery van service to customers' homes to help encourage those customers who walked or cycled. However, both sites would probably attract a fair share of car borne customers and, generally, for the purchase of "bulky goods" bus travel might not always be the most appropriate means of travel. The Audley Avenue site was, however, better and more safely accessed on foot and by bike than was the Mere Park site for both customer and employees. Cyclists and pedestrians could use the quieter residential approach streets and Audley Avenue itself to reach the site from the town centre with no need to cross or pass along the A518 and A41(T). In considering accessibility to the site, it was important to note that PPS6 stated that in assessing new development, local planning authorities should consider whether the proposal would have an impact on the overall distance travelled. With the single comparison retail unit set within the Garden Centre complex officers considered it unlikely that customers would not travel elsewhere for comparison goods thus not significantly reducing the overall need for local residents to travel. In contrast, the Audley Avenue proposal would help to reduce the need for local residents to travel significant distances for comparison bulky retail goods to competing facilities elsewhere, such as Telford, and would, therefore, reduce the overall distance travelled.

The Council accepted that there was a lack of larger retail units within Newport and that a significant level of comparison goods expenditure generated in the local area was currently being directed to competing facilities elsewhere. However, in considering the potential impact of the proposal on the town centre, the retail consultants considered that the level of impact had been understated by the applicant, due to his estimated turnover of the town centre being overstated at £60m. Consequently, this lower turnover would mean that the potential impact on the town centre would be higher than that identified by the applicant. Some garden centres were mainly retail, as was Mere Park, as they did not operate a horticultural element by growing their own plant stock on site. Local Plan Policy S5 served to acknowledge that garden centres were generally different retailing entities and allowed some retail provision in a location that otherwise would be contrary to policy, but there was no green light in Policy S5 for general retail. As the other existing retail units at Mere Park were currently restricted to selling only garden centre, farm shop or outdoor camping equipment type products, officers considered that this served to retain some connection and compatibility between the units and the Garden Centre as a whole and limited the impact on Newport town centre.

The applicant considered that the existing operation of the Mere Park Garden Centre and its various retail units had not adversely impacted on Newport town centre. However, officers contended that this may well be due to the fact that these units had conditions limiting the goods that could be sold and there were no general or comparison retail units currently operating from the site to compete or take trade from the town centre. Similar concerns had been expressed that the Audley Avenue application would impact on the town centre but this would be mitigated by the imposition of appropriate planning conditions, as described in the report. Officers considered that unrestricted comparison goods retail consent in an 'out-of-town' location such as the Mere Park Garden Centre complex, was likely to compete with existing businesses within the town centre and would undermine its continued vitality and viability. As with the Audley Avenue site, the range of goods that could be sold should be restricted in order to off-set the potential impact on Newport town centre and should be limited to those typically sold from garden centres and similar to the range of goods already conditioned to be sold at the site. Such a restriction would ensure that the retail unit complemented the town centre retail provision, not competed with it and did not create effectively an 'out-of-town' retail park. Without a goods condition restricting sales to garden centre type products officers considered that the retail unit should be refused but the applicant did not want such a restriction, although he was prepared not to sell certain items, details of which were tabled at the meeting. Officers considered that the applicant's suggested condition would allow a wide range of goods to be sold that would adversely impact on Newport town centre.

One significant difference between the Mere Park and the Audley Avenue applications was that the Mere Park proposal did not involve the loss of employment buildings/land. The Mere park applicant considered that, as the Audley Avenue site was within an existing industrial estate and would involve the loss of employment land, it was an inappropriate location for retail

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development while the Mere Park site was within an existing retail site. In previously considering the suitability of the Audley Avenue site for retail, officers and Members had weighed up the loss of employment land within the material considerations of the relevant employment benefits of new improved quality employment floorspace together with the Council's indicated intention to further increase employment land provision in Newport and the 3.5ha. allocated employment site on which there had been no take-up for almost a decade. In addition, the other material considerations, such as the proposed highway and access improvements to Audley Avenue and the overall reduction in travel (itself a sustainability aim of the Core Strategy), would serve to off-set the loss of employment floorspace from the Classic Furniture part of the site. Whilst job creation from retail uses should not be considered an important criterion upon which to judge retail proposals, both applications would see a potential increase in jobs.

In conclusion, officers considered that whilst there was a quantitative and qualitative need for such a comparison unit in isolation, the identified need could be met by the Audley Avenue application hence there was no need for the Mere Park proposal especially in this out-of-town location. In addition, they considered that there were locationally preferable sites within the built up area of Newport for comparison retail, including the Audley Avenue site. The Mere Park proposal would not serve to reduce the need to travel significantly or at all and, whilst the site might be located on a bus route that served the town centre, this was unlikely to attract significant numbers of people and the A41 (T) served as a barrier to pedestrians and cyclists, both customers and workers, who had to cross it. Officers also considered that a retail unit in an 'out-of-town' location selling unrestricted or limited comparison goods would have an adverse impact on Newport town centre. Without restrictions on the range of goods that could be sold, a precedent would be set and an 'out-of-town' retail park may develop with a resulting adverse impact on Newport town centre. Whilst this could be mitigated against and brought into line with the retail nature of a garden centre complex by imposing planning conditions to limit the range of goods sold to those typically sold at a garden centre, as had been done with the other retail units at Mere Park, the applicant was unwilling to accept such a restriction.

In order to provide the Board with all relevant information in coming to a decision, officers had drawn up a condition which could be imposed so as to make any planning permission acceptable by ensuring that the retail proposal did not adversely impact upon Newport Town Centre and which had been imposed on some of the existing retail units at Mere Park. The officers' condition was tabled at the meeting. Also tabled at the meeting were details of the type of goods the applicant would agree not to sell. In officers' opinion this was not restrictive enough and so was not considered to be acceptable by officers.

In discussing the application some Members expressed concern at the impact that it could have upon retail in Newport Town Centre, the potential for Mere Park to develop into a retail park and issues with enforcement of any goods conditions. However, other Members were of the view that approval would

not have such a detrimental impact upon Newport Town Centre and could serve to attract customers from surrounding areas such as Gnosall.

The Council's Solicitor drew Members' attention to the proposed condition, which officers thought could be imposed so as to make the planning application acceptable. He asked the Board to consider whether it thought this condition to be reasonable and said that the applicant might question its reasonableness bearing in mind that the application did not mention any such restrictions. He advised the Board that, if it considered that the imposition of the proposed condition would make the proposal not worth pursuing, for example because it would be unreasonably restrictive so as to make the proposal not viable, then it should not impose the condition. That would mean that the Board could approve the officers' recommendation to refuse or approve the application without the condition. Alternatively, if they thought the condition was reasonable and appropriate, they could approve the permission with that condition. Adrian Fox of White Young Green also explained that the conditions would be complementary to the existing conditions on Mere Park and together they would provide good control over future use. If approval of an open A1(non-food) retail use were to be approved, that would set a precedent and would compete with the Newport Town Centre and it was for this reason that the Audley Avenue application would be subject to restrictive conditions on the type of goods that could be sold and why the impact upon Newport town centre would be lessened if the Mere Park application was approved subject to the officers' proposed conditions restricting goods to those typically sold at a Garden Centre.

Members determined that the officers' suggested condition tabled at the meeting restricting the types of goods to be sold was reasonable and appropriate to apply this proposal in all the circumstances.

On being put to the vote the recommendation for refusal, as set out in the report, was not approved. The Chairman then proposed, seconded by Councillor M.J. Smith, that application W2008/1308 be approved subject to appropriate conditions and to the proposed condition relating to the types of goods that could be sold, as tabled. On being put to the vote, this was unanimously agreed.

RESOLVED:

- (a) **that with respect to planning application W2008/1308 (Mere Park) delegated authority be granted to the Head of Planning & Environment to grant planning permission subject to appropriate conditions and to the condition restricting the type of goods to be sold to garden centre type goods.**

Reason for Approval

The retail unit hereby approved at this existing out-of-town garden centre (allowed under Wrekin Local Plan policy S5) outside the urban area of Newport shall be restricted to sell goods associated

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with garden centres (along with the other retail units at Mere Park that have permission and are restricted to sell garden centre/farm shop products and one unit restricted to only sell outdoor camping/walling equipment) to ensure that the retail proposal will not adversely impact on the vitality and viability of Newport town centre. The single storey building is of an appropriate design, character and appearance that will complement the other single storey buildings on the site in this semi-rural site beyond the built up area of Newport.

(b) that with respect to planning application W2009/0312 outline planning permission be granted subject to the conditions, as set out in the report, and to any other conditions officers subsequently deemed necessary.

(b) W2009/0506 - Lawley Common Roundabout, Lawley Drive, Lawley, Telford, Shropshire

This application by Telford & Wrekin Council sought advertisement consent to display four non-illuminated advertisement signs on the central island of the roundabout. The proposed signs would be 1200mm across with a total height of 900mm, which the Council's Highways Officer had agreed as being acceptable as they would not detract from highway safety.

The Council's Highways Officer had not reported on this application to date and any recommendations would be reported to the Plans Board in an update. Lawley & Overdale Parish Council had submitted an objection to the proposals on the grounds that the signs would be a distraction to motorists and, therefore, posed a safety issue.

The four proposed signs were to replace the existing advertisements on the roundabout and would not result in an unacceptable amount of visual clutter. They were, therefore, considered acceptable in this urban location and would not detract from the amenity and character of the surrounding area.

RESOLVED – that with respect to planning application W2009/0506 advertisement consent be granted subject to the conditions as set out in the report.

(c) W2009/0528 - Priorslee Primary School, Priorslee Avenue, Priorslee, Telford, Shropshire

The application by Telford & Wrekin Council was for a single storey extension to part of the school main building for general purpose use following internal reorganisation of the administrative accommodation within the school, together with the installation of a glazed canopy. Determination of the application had been deferred at meeting of the Board held on 22nd July, 2009 to allow for consultation responses to be confirmed.

The single storey extension would be built on a small area of incidental grass adjoining the main school building and would not result in a loss of play areas. It would be finished with brickwork and tiles to match the existing building and, therefore, the appearance would be satisfactory.

The proposed external canopy would cover part of the small courtyard area created by the new extension and would feature a curved roof with the metal framework having a powder coated finish to match existing metalwork on the school building. Given the siting of the main school building on a lower land level relative to the surrounding area, the proposed extension and canopy would not be visually intrusive and would have little impact on the street scene.

RESOLVED – that with respect to planning application W2009/0528 planning permission be granted subject to the conditions as set out in the report.

PB-27 SITE VISITS

None.

PB-28 PLANNING APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The Board received for information details of planning applications that had been determined under delegated powers.

The meeting ended at 6.48 p.m.

Chairman:

Date: