

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 2 July 2014 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Whitehouse), Watling Street, Wellington, Telford TF1 2NJ**

**PRESENT:** Councillors J C Minor (Chairman), F M Bould (as substitute for K R Guy), N A Dugmore, I T W Fletcher, E J Greenaway, A S Jhavar, J Loveridge, L A Murray and C R Turley.

#### **PC-007      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 11 June 2014 be confirmed and signed by the Chairman.

#### **PC-008      APOLOGIES FOR ABSENCE**

Councillor K R Guy

#### **PC-009      DECLARATIONS OF INTEREST**

TWC2014/0451 – Cllr N Dugmore declared an interest as Parish Councillor but confirmed that he had not taken part in any discussion regarding this application.

TWC/2014/0256 – Cllr N Dugmore declared an interest in this application as his son attended Burton Borough School, but would be taking part in the debate and vote

W2006/0608 – Cllr N Dugmore declared an interest as a Parish Councillor but confirmed that he had not taken part in any discussions regarding this application.

#### **PC-010      DEFERRED/WITHDRAWN APPLICATIONS**

None

#### **PC-011      SITE VISITS**

**RESOLVED** – that site visits take place on Wednesday, 23 July 2014 as follows:

TWC/2014/0271 - Land adjacent 9 Hillside, Lilleshall, Newport, Shropshire

TWC/2014/0366 - 3 Cherry Tree Hill, Coalbrookdale, Telford, Shropshire, TF8 7EQ

TWC/2014/0113 - The former British Sugar site, Allscott, Telford, Shropshire;

#### **PC-012      PLANNING APPLICATIONS FOR DETERMINATION**

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

tabled at the meeting regarding planning applications TWC/2013/0950, TWC/2013/0887, TWC/2014/0230, TWC/2014/0451 and TWC/2014/0430.

(a) TWC/2013/0887 - Former Focus DIY Ltd, Audley Avenue, Newport, Shropshire, TF10 7DW

This was an application for full planning permission for the demolition of the existing Focus DIY store and its redevelopment with a new building to provide a foodstore (Use Class A1) together with associate car parking, servicing and landscaping. Highway improvements. The food retailer behind the application was named as Aldi.

A competing application for a proposed Lidl food store at the Mere Park Garden Centre off Stafford Road (TWC/2013/0959) had also been submitted and was considered separately by Members as part of this agenda. The Local Planning Authority had received advice from WYG consultants regarding both applications and their published report had informed the officers' report. The consultants had agreed with the Council's view that neither application required a retail impact assessment in relation to the viability of Newport town centre. This was because both proposed foodstores fell below the floorspace threshold for such a test contained in NPPF guidance.

Mrs R Barsley, a resident of Newport, spoke in favour of the application. She considered that there was a need for a quality discount foodstore in Newport, particularly as the town was continuing to grow. The proposed store would be on a brownfield site with good access, and was not likely to impact on the town centre. It would also mean less people having to travel outside Newport to access such a store.

Mr G Brown, on behalf of the applicant, advised that the proposed foodstore would represent a considerable investment in Newport and create around 40 jobs. It would be complementary to the existing foodstores in Newport, and would not affect the viability of the town centre. There was widespread support locally for the proposal, with over 500 letters of support for the application being submitted. The applicants would provide a mini-bus service to and from residential areas of the town, making the store accessible to the elderly and those without transport. The application was in compliance with planning policy and guidance.

The Planning Officer referred to an update report which contained further representations from competing retailers. He also advised that paragraph 1 of the update report had been included in error and should be deleted. The additional representations received had further questioned the rationale that had been used by officers in assessing the application, and the Planning Officer responded to those. In terms of the sequential test that had been applied to assess whether alternative sites closer to the town centre could accommodate the Aldi store requirements, it had been accepted, following comments from the Council's retail consultants, that there were too many existing and potential constraints to development of the Water Street site for retail development of this nature.

During the ensuing debate, Members were supportive of the application in terms of its location on a brownfield site, its accessibility and the provision of a minibus

service, and noted that the application appeared to have widespread support from Newport residents. In respect of the proposed Section 106 contributions, concern was expressed that not all the sums offered by the applicant would be included in the Agreement. The Assistant Director: Planning Specialist advised that the formal Section 106 Agreement had to conform to the Community Infrastructure Levy regulations. The applicant had offered a further sum of £44k to benefit a number of community initiatives and projects – this would be outside the S106 agreement, and administered as a separate Fund by the applicant.

**RESOLVED** – that with respect to planning application TWC/2013/0887 permission be granted, subject to the applicants entering into a Section 106 Agreement requiring the obligations as set out in the report, and subject to the conditions summarized in the report – with authority being delegated to the Development Management Manager to determine the exact wording and extent of conditions.

(b) TWC/2013/0959 - Land adjacent, Mere Park Garden Centre, Newport, Shropshire

This was a full application by Growing Enterprises Limited and Lidl UK for the construction of a new foodstore with associated car parking, servicing and landscaping on land fronting the Newport by Pass (A41) at the Mere Park Garden Centre complex.

A competing application for a proposed Aldi food store at the former Focus DIY Ltd at Audley Avenue (TWC/2013/0887) had also been submitted and was considered separately by Members as part of this agenda. The Local Planning Authority had received advice from WYG consultants regarding both applications and their published report had informed the officers' report. The consultants had agreed with the Council's view that neither application required a retail impact assessment in relation to the viability of Newport town centre. This was because both proposed foodstores fell below the floorspace threshold for such a test contained in NPPF guidance.

Mr A Hughes, the applicant's agent, reminded the Committee that his clients could operate from the existing garden centre building without needing planning permission for a change of use. If the application was refused, his clients would take up this 'fall back' position. It was considered that the application site was not in open countryside and its accessibility would be enhanced by the offer of a free bus service to and from the town centre for a period of five years.

The Planning Officer referred to an update report which contained further representations from competing retailers. He advised that having taken this information into account, it was still recommended that the Committee refuse the application, but that the reasons for refusal be amended by deleting reason 3 and amending reason 2 as shown in the update report. The additional representations received had further questioned the rationale that had been used by officers in assessing the application, and the Planning Officer responded to those. In terms of the sequential test that had been applied to assess whether alternative sites closer to the town centre could accommodate the Aldi store requirements, it had been

accepted, following comments from the Council's retail consultants, that there were too many existing and potential constraints to development of the Water Street site for retail development of this nature. There had been a number of objections to the application as set out in the report.

During the ensuing debate, Members sought further clarification on the 'fall back' position should this application for a new foodstore building be refused. The Planning Officer advised that the existing Mere Park Garden Centre premises had been granted on appeal a Certificate of Lawfulness of Proposed Use for Development that provided for unrestricted retail use. This meant that the applicant could operate from the existing Garden Centre building with almost immediate effect without needing planning permission for a change of use. The applicants had submitted plans showing alterations they would need to make to the existing building, but it was considered that these works would require separate planning permission. It was confirmed that if the 'fall back' position was implemented by the applicants, it would not mean that the Council would be obligated to fund any highway improvements to the local road network.

Members gave consideration to the Planning Officer's recommendation for refusal. Some Members felt that the application did constitute sustainable development; that the issues about accessibility could be overcome; and that if the application was refused and the "fall back" position invoked, there would be a loss of contributions to the local community. Conversely, other Members were concerned at the accessibility to the application site for non-car users, particularly the crossing of the busy A41 and A518, and noted the comments of the Inspector at the 2010 Mere Park appeal that the site was not accessible enough. It was also noted that the 'fall back' position had been in existence for some time and had so far not been implemented. Following a full debate, it was

**RESOLVED** – that with respect to planning application TWC/2013/0959 permission be refused for the following reasons:

- 1. Notwithstanding the existing bus service close to the site, the application site is not accessible by a choice of means of transport to a satisfactory level for food retailing, where good access for those without a car is key and where social exclusion issues are to be avoided. The proposed development is therefore contrary to NPPF and Core Strategy policies CS7 and CS9.**
- 2. The proposed development would unnecessarily extend built development into the countryside on this greenfield site where development is strictly controlled and would tend to consolidate a mixed use, out of centre location which would be undesirable in terms of creating an alternative retail focus to the town centre and hence would be contrary to the NPPF, saved Wrekin Local Plan policy S1 and Core Strategy policy CS7.**

(c) TWC/2014/0230 - Land at Back Lane/Plantation Road, Tibberton, Newport, Shropshire, TF10 8NX

This was an outline application for residential development on an existing site at the junction of Back Lane and Plantation Road. The applicant had initially proposed 25 market dwellings on the site but this had subsequently been increased to 34 units to accommodate affordable housing. All matters except access were reserved. The officer asked members to consider the principle of development, the impact on infrastructure and ecology.

Cllr E Ashcroft, Parish Councillor for Tibberton and Cherrington, addressed the Committee and raised concerns regarding the development which would increase the size of the village by 47% and was a substantial and controversial growth. This was a greenfield site. The sewerage system within the village would need to be replaced and would cause a massive disruption as the water mains may need to be replaced. Mr Ashcroft suggested that this development was moved to a brownfield site.

Cllr S Burrell, Ward Member for Edmond, noted the Tree Preservation Orders on the development site and asked for their inclusion if the development was approved. He also raised the concerns of local residents and the Parish Council which included the lack of infrastructure, the amount of S106 contributions which would be needed to improve highways, public rights of way, footpaths, passing places and for education contributions. Further concerns were raised regarding the drainage. Cllr Burrell referred the Committee to the paragraph on p86 of the Agenda which referred to Tibberton being "a small settlement that is detached from other parts of the Borough, with a small number of local services, few employment uses, narrow roads, limited bus services, poor access to telecommunications, known drainage issues and a fully subscribed primary school".

Mrs J Berry, a local resident, also addressed the Committee with regard to the environmental impact on this green corner of the village and the effect it would have on the natural habitat. Mrs Berry also raised concerns regarding the seepage of water and the slow drainage of surface water together with the effect on the character of the village. Mrs Berry further stated that 220 comments had been submitted to the Council regarding the selection of the site in the Shaping Places Proposed Options document, and these needed to be considered in the drafting of the Local Plan. Mrs Berry therefore opposed the development on the grounds of the environment and on points of procedure.

Mr M Parrish, the Applicant's Agent, stated that this land was included as a potential site for development in the draft Shaping Places Local Plan, and was included in the Strategic Housing Land Availability Assessment in 2012. It was compliant with sustainability tests with the NPPF which gave a presumption of development. The applicant had complied with the 40% affordable housing requirement and would make improvements to infrastructure and highways. There had been discussions with officers around the possibility of placing a sewerage plant on site.

The Planning Officer referred to the NPPF and that the Council was currently unable to demonstrate a 5 year housing supply, and that Tibberton was one of 3 rural

settlements that had been included in the adopted Local Plan as suitable for development. Members were asked to consider the principle of development and that the number of units and density would be dealt with under reserved matters. A S106 agreement would be used to accommodate visibility splays and passing places on narrow roads if consent was granted. Conditions for further contributions with regard to rights of way and traffic and speed management could also be imposed. Severn Trent was planning to undertake an investigation into service improvements. Drainage issues could be overcome with the use of conditions. Education provision was dealt with by way of the S106. A habitat assessment had been undertaken and there were no ecological issues or likely effects. Play space and facilities would be moved off site and upgraded. There was an offer of 40% affordable housing in line with the Core Strategy. A tabled update report reflected additional comments that had been received from the Council's Arboricultural Officer, who was seeking to protect a number of trees on and adjacent to the site. Members were recommended to grant the permission subject to the S106 agreement and updated conditions.

During the ensuing debate, Members raised concerns regarding the 40% affordable housing and the community infrastructure. Further concerns were raised regarding a cramped and over-developed site, the lack of public transport, telecommunications issues and the lack of a development plan. Members suggested that the application be deferred pending receipt of further information to include:

- Information regarding the position, location and proposed density of the development within the village
- Information regarding the impact on the natural environment, in particular the adjacent woodland, hedges and wildlife.
- Information regarding the provision of school places, both primary and secondary.
- Information regarding drainage and the position of Seven Trent Water in respect of future investment in water-related infrastructure.
- Information regarding the design and access statement, including density and numbers and types of units
- Information regarding the impact on traffic movement in and around the village, road safety and the capacity of local roads to accommodate the potential additional traffic

**RESOLVED** – that with respect to planning application TWC/2014/0230 the application be deferred for the receipt of further information.

(d) TWC/2014/0236 - Land adjacent, 12 Tibberton, Newport, Shropshire

This was an outline application for the erection of up to 60 no. dwellings with associated infrastructure. All matters (access, appearance, landscaping, layout and scale) were "reserved matters" for consideration at a later stage via separate application(s). Members were asked to give consideration to the principle of development, infrastructure, ecology and the impact on listed buildings.

Cllr J Wright, Parish Councillor for Tibberton and Cherrington, addressed the Committee and raised concerns regarding the development. This was a greenfield site which encroached into the open countryside and was not sustainable. He also

raised concerns regarding the sewers to the east of the village which were not suitable for further development. The highway proposals would do little to alleviate the traffic issues and this large development would seriously affect the living conditions of the village.

Cllr S Burrell, Ward Member for Edgmond, highlighted concerns regarding the single track roads, poor visibility, lack of passing places and the dangerous roads and junctions around Back Lane and the B5062. Concerns were raised regarding the drainage and the Committee were referred to the information raised in the previous application on p86 of the Agenda which referred to Tibberton being “a small settlement that is detached from other parts of the Borough, with a small number of local services, few employment uses, narrow roads, limited bus services, poor access to telecommunications, known drainage issues and a fully subscribed primary school”.

Mr J Berry, a local resident, expressed concern to the Committee that this site was not an area for development identified in the draft Shaping Places Local Plan, and that this application failed to adhere to the required regulations.

Mr A Sheldon, the Applicant's Agent, informed the Committee that Tibberton was one of three villages that had been identified as being suitable for development for the 5 year land supply. The Applicant had worked with the Planning Officers and no technical, design or amenity issues had been identified. There would be significant improvements to the poor road junction at Cherrington Road and details of the safety benefit could be found in the application. Passing places and footways would be provided for the benefit of school children and a contribution towards upgrading the bus service and there would be no cost to the residents. There would be no reduction of the 40% affordable housing. The full details and layout would be decided at the reserved matters stage.

The Planning Officer informed the Members that the application was sustainable and that the proposed development would contribute to the 5 year housing supply. The infrastructure did have narrow roads which had been observed on the site visit but the development could produce improvements to the highways through the conditions of the S106 agreement. There would also be footpath and road junction improvements. Severn Trent was planning to undertake an investigation into the drainage issues. This development was adjacent to listed buildings, the application was in principle only and all other details would be dealt with under the reserved matters. The application offered a mix of housing with 40% affordable which complied with policy. The Section 106 agreement proposed open spaces, education and highway contributions although there were some character issues. The Planning Officer recommended that the Members grant outline planning permission subject to the S106 and planning conditions.

Members discussed the application and concerns were raised regarding the development encroaching on the open countryside; that the application was unsustainable and unsuitable due to the infrastructure, drainage, school places, highway issues, the lack of employment and environmental issues; and that it went against the NPPF.

The Legal Advisor and Assistant Director: Planning Specialist noted the concerns of Members and suggested that if Members were minded to refuse the application, clear reasons for refusal which would need to be defensible at appeal needed to be provided. During the ensuing discussion, Members highlighted their main areas of concern, and the Assistant Director summarised these as follows:

- The site was not included in the recent Shaping Places consultation and was not an area for development proposed by this Authority
- Scale of development was disproportionate in scale and size
- Significant and detrimental impact on the character of the area
- Impact on services generally, including education
- Impact on the infrastructure and the utility infrastructure, in particular the uncertainty about drainage investment from the utility company STW
- Inappropriate encroachment into the countryside and beyond the current shape and form of the village
- Road safety in and around the village

It was then proposed, seconded and

**RESOLVED** – that with respect to planning application TWC/2014/0236, the application be refused, with the reasons for refusal being:-

- 1. The site is not included in the recent Shaping Places consultation and is not an area for development proposed by this Authority**
- 2. Scale of development is disproportionate in scale and size**
- 3. Significant and detrimental impact on the character of the area**
- 4. Impact on services generally, including education**
- 5. Lack of community infrastructure and, in particular, the utility infrastructure to support the proposed development**
- 6. Inappropriate encroachment into the countryside and beyond the current shape and form of the village**
- 7. Concerns regarding the impact on traffic movement and road safety in and around the village**

- (e) TWC/2014/0271 - Land adjacent 9 Hillside, Lilleshall, Newport, Shropshire

This was an outline planning application with all matters reserved for the erection of 2no. detached dwellings with garages. Members were asked to consider the principle of development, access and highway safety and the amenities.

Cllr A Baker, Parish Councillor for Lilleshall ward - Lilleshall, Donnington & Muxton Parish Council, addressed the Committee regarding Lilleshall being excluded as an area of development within the Core Strategy. An application for one dwelling had previously been refused on this site as being highly unsuitable. The new application was for two dwellings for which the access was along a lane with a blind bend with no pavements and no passing places. Further along the lane, which was a dead end, there were 2 further narrow bends which led on to a road with a deteriorating condition. There was no right of way over this land. There were issues of safety for school children who used the lane and the development would affect the visual

impact to the north side of Lilleshall Hill. It was requested that, if this application be approved, that the type of dwelling be changed to that of low rise or dorma style bungalows.

Cllr A Eade, Ward Member for Church Aston and Lilleshall, highlighted to the Committee that a planning application was refused in 2012 due to its unsuitability and it was contrary to Policy H10 due to being outside of the local boundary, to sustainability issues and to protect the rural area. The lane was not a through road and degenerated into a track. It was difficult to get traffic up the lane and it was used as a walking bus route for school children. This development was on a greenfield site and would irreversibly affect the character of the surrounding area. Cllr Eade asked the Committee if they would consider a site visit on this application.

Ms E Attwood, Applicant's Agent, highlighted to Members that this was an outline planning permission for 2 dwellings on garden land which belonged to Hill House. She noted the issues which had been considered in the Officer's report. The previous refusal had been undertaken before the NPPF and before the land supply issues had arisen, and this development would contribute towards the target of 700 homes per year. The development was contained in garden land and not open countryside. The narrowness of the lane was beyond the proposed site and there was no adverse impact on highway safety.

The Planning Officer confirmed to Members that Lilleshall was not one of the three rural settlements identified for development, but due to the lack of the deliverable land supply this development was suitable for 2 dwellings. It was contained within garden land and not in the open countryside so was sustainable within that context. The development was within core strategy and the NPPF. There would be a limited increase of traffic from 2 new dwellings and this would not cause any adverse impact. Any concerns raised during building works could be managed through conditions. With regard to the request for single or one and a half storey dwellings, the Planning Officer advised that the proposed outline development had no adverse effect on the surrounding area, and it would be difficult to justify a requirement for bungalow dwellings. The recommendation was to grant outline planning permission subject to the conditions.

In the ensuing discussion Members raised concerns with regard to the single track and exceedingly narrow lanes without passing or turning places. They were also mindful that there was nowhere for pedestrians to step out of the way. There was further concern regarding the increase of traffic that would be generated from two family houses. It was proposed and seconded that a site visit be undertaken on this application.

**RESOLVED – that determination of planning application TWC/2014/0271 be deferred to allow the Committee Members to make a Site Visit.**

(f) TWC/2014/0430 - Land at 1 Dawley Road, Arleston, Telford, Shropshire

This was a full planning permission for the erection of 7no. 2 bed properties comprising 4no. semi-detached dwellings and a terrace of 3 houses with each

dwelling providing two bedrooms. Councillor A D McClements had requested that the application be determined by the Planning Committee.

The Planning Officer informed Members that this application was for full planning consent and that the units would be of brick and tile form with parking for 14 vehicles.

Cllr A McClements, Ward Member, addressed the Committee, and stated that she had called in this application due to the number of concerns from local residents with regard to the access in and out of this development. One formal objection had been raised and other objections had been raised informally on a number of occasions. The development was only metres away from one of the busiest traffic light junctions in Telford and had 14 car spaces which would mean up to 14 cars going in and out of the development at busy times of the day. It had previously been a Council yard with vehicles in and out but this was before the junction was so busy. There were concerns regarding traffic flow and limited visibility together with concerns around the parking at the One-Stop Shop and the bus stop outside the proposed development. Although there was a contribution of £3,000 within the proposed S106, visitors to the 'One-Stop' did not use the car park to the rear of the shop and ignored the double yellow parking restrictions. It was suggested to Members that a site visit and thorough investigation of the application be undertaken.

The Planning Officer informed the Committee that one letter of objection had been received, and this was summarised in the update report that had been tabled. The proposed development was within the Wrekin Local Plan and a previous consent was granted in 2006. A further scheme came forward in 2008 for 14 flats and although the S106 was approved the developer withdrew. There had now been a change of situation due to the 5 year land supply and the proposed development being on white land with a boundary close to local facilities and sustainable transport. The developer had come forward with a viable scheme with parking to the front with boundary wall facilities and highway visibility splays and railings. There was sufficient space for cars to manoeuvre within the car parking area. There would be a traffic regulation order to ensure that 'One-Stop' customers used the car park to the rear of the shop and a contribution of £3,000 was within the S106. Monitoring and enforcing the traffic regulation order was a Police matter. Offers of further support to monitoring could be subject to the S106 agreement.

A discussion took place and Members were satisfied with the proposed development itself as this area needed to be tidied up, but had concerns regarding the position of the access and egress from the site. Members were minded to support the application if amendments could be made to move the access to the car park to as far away from the adjacent busy junction as possible – ie: towards the 'One-Stop' Shop but not to interfere with the bus stop. A further concern was raised regarding the bin store and the obstruction to the bus stop by the refuse truck when emptying the bins. It was suggested that delegated authority be given to Officers to negotiate the access and egress away from the junction. It was then proposed, seconded and

**RESOLVED** – that in respect of Planning Application TWC/2014/0430 that delegated authority be granted to the Service Delivery Manager of Development Management to grant planning permission, subject to further

**negotiations with the applicant on a change to the position of the access and egress to the proposed development, and subject to the applicants entering into a Section 106 Agreement requiring the obligations as set out in the report, and subject to the conditions summarized in the report – with authority being delegated to the Service Delivery Manager of Development Management to finalise and impose additional conditions.**

(g) TWC/2014/0451 - Land to rear of, 49, 51, 53, 55, 57, 59 & 61 Muxton Lane, Muxton, Telford, Shropshire

This was a full planning permission for the erection of 5no. detached dwellings with garages and associated access and landscaping. Councillor A Lawrence had requested that the application be determined by the Planning Committee.

The Planning Officer asked Members to consider the full application for 5 detached dwellings following the granting of outline planning permission in January 2014. The full application contained an amendment to the layout which increased the distances between the houses near to the site as an offer of improvement to the scheme.

Cllr A Lawrence, Ward Member for Muxton, had called in the application due to concerns raised by local residents on some aspects of the development. The key concerns were access with the main worry being Muxton Lane. It was considered that the number of additional vehicular movements using the access and Muxton Lane would have significant impact on an already dangerous road and would add to the local residents' concern. It was suggested that if the development was approved that signage to the concealed entrance, mirrors or traffic calming for safety of local residents could be considered.

Mr S Clinton, a local resident, highlighted the key aspects with regards to the concern of local residents. The lane was narrow and not wide enough for the extra traffic. There had been several near misses by local residents and it was difficult to see pedestrians when turning into the lane. Children used the private driveway to get to the local primary school. The application failed to address the key safety issues with regard to the driveway and Muxton Lane. Mr Clinton supported new houses but asked if the proposed application could be refused on safety grounds.

Mr A Williams, Applicant's Agent, informed the Committee that outline planning permission had been granted and this was an important material consideration. The issues of access and highway safety were considered at outline stage. The application was acceptable on design and appearance, with a number of changes made to improve the layout of the development, such as the increase in separation distances between the dwellings. Plots 1 to 5 had been repositioned with the road layout further away from the trees. The Applicant had worked with the developer and planning officers with regard to the dormer windows and the gables and this added richness and value to the merits of the scheme.

The Planning Officer referred the Committee to the lengthy debate at outline stage regarding access and the highways planning consent which was still considered to be acceptable. The recommendation to Members was to grant full planning permission subject to the conditions and informatives.

A discussion took place and Members were mostly satisfied that following the changes to the separation distance that there was no reason to refuse the application. It was proposed and seconded that the application be approved subject to the conditions.

**RESOLVED** – that in respect of Planning Application TWC/2014/0451 that full planning permission be granted subject to the conditions set out in the report.

(h) TWC/2014/0256 - Burton Borough School, Audley Avenue, Newport, Shropshire, TF10 7DS

This was a Council application for minor material amendments to planning permission TWC/2013/0832 to include changes to roof plant and flues, roof lights, gable end feature, plant screen wall, fenestration of gable end and alterations to doors.

The Planning Officer asked Members to consider these technical changes. No other changes had been made to the application. Members were also asked to note that some conditions had been discharged on this application due to the building works having started.

Members were satisfied with the minor amendments to the application and it was proposed and seconded to grant planning permission subject to the conditions.

**RESOLVED** – that in respect of Planning Application TWC/2014/0256 that full planning permission be granted subject to the conditions set out in the report.

(i) W2006/0608 - Land off, Church Walk, Donnington, Telford, Shropshire.

This was a proposal for a Deed of Variation to the S106 agreement to allow provision of no affordable units on a residential development that had commenced but due to ongoing financial difficulties had stalled. A new applicant had taken over the site and was keen to complete development within the next 6 months if the reduction in affordable housing could be agreed. The full background to the request was set out in the report. The Planning Officer informed the Members that this development had almost been completed but currently stood empty and had been the target of vandalism and anti-social behaviour. The Planning Officer had worked closely with the builder and it was thought appropriate in this instance for the zero affordable housing upon the provision of evidence that this development could be completed within 6 months of the S106 being signed.

Members were satisfied that this development needed to be completed but were slightly concerned with the 6 month timescale.

The Planning Officer and the Legal Advisor confirmed that the six month timescale would not begin until the date of the signing of the S106. There needed to be a degree of pressure and a firm time limit in order that development was completed. However, there was some flexibility for a short extension of time if necessary.

It was proposed and seconded that the application be granted with a further review, if necessary, to be undertaken by the Chair of the Planning Committee and the Service Delivery Manager for Development Management.

**RESOLVED** – that a further Deed of Variation to amend the Section 106 Agreement be entered into, so removing the requirement of affordable housing, provided that the development is completed within 6 months of the signing of the Deed of Variation. However, delegated authority is granted to the Assistant Director: Planning Specialist , in consultation with the Chair, subject to receipt of appropriate evidence, to extend the 6 month time period as appropriate.

The meeting ended at 9.44pm

**Chairman:** .....

**Date:** .....