

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 4th February 2015 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Telford Whitehouse Hotel), Watling Street, Wellington, Telford TF1 2NJ

PRESENT: Councillors J C Minor (Chair), N G Dugmore, E J Greenaway, A S Jhavar, J Loveridge, C P R Mollett (as substitute for R.T. Kiernan), L A Murray, B J Thompson (as substitute for K R Guy) and C R Turley.

ALSO PRESENT: Councillors A J Eade (for Planning Applications TWC/2014/0434 and TWC/2014/0532), A Lawrence (for Planning Application TWC/2014/1056), J Pinter (for Planning Application TWC/2014/0631), F M Bould (for Planning Application TWC/2014/1030), G C W Reynolds (for Planning Application TWC/2014/1012) and S P Burrell (for Planning Application TWC/2014/0236).

PC-065 MINUTES

RESOLVED – that the minutes of the meeting of the Planning Committee held on 14 January 2015 be confirmed and signed by the Chairman.

PC-066 APOLOGIES FOR ABSENCE

Councillors K R Guy and R T Kiernan.

PC-067 DECLARATIONS OF INTEREST

With regard to planning applications TWC/2014/0434, TWC/2014/0532 and TWC/2014/1056 Councillor B J Thompson advised that he was a member of Lilleshall, Donnington & Muxton Parish Council but had not been involved in any discussions on these applications.

With regard to planning applications TWC/2014/0434, TWC/2014/0532 and TWC/2014/1056, Councillor N G Dugmore advised that he was a member of Lilleshall, Donnington & Muxton Parish Council but had not been involved in any discussions on these applications.

With regard to planning application TWC/2014/0631, Councillor C R Turley advised that he was a member of an adjoining Parish Council but had not been involved in any discussion on this application.

With regard to planning application TWC/2014/1012, Councillor J C Minor advised that he was one of the local Ward members but had not been involved in any discussion on this application.

PC-068 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-069 **SITE VISITS**

None

PC-070 **PLANNING APPLICATIONS FOR DETERMINATION**

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information tabled at the meeting regarding each planning application.

- (a) TWC/2014/0434 - Land adjacent The Croft, Church Road, Lilleshall, Newport, Shropshire

This was an outline application for the erection of 6 dwellings and 2 bungalows, with all other matters reserved for consideration at a later stage via a separate application. The application site was currently agricultural land situated on the eastern edge of Lilleshall off Church Road. An update report was tabled at the meeting which contained further comments submitted from local residents that did not raise any new issues and a further submission from the applicant's agent.

Councillor C Baker, member of Lilleshall, Donnington & Muxton Parish Council, addressed the Committee. The Parish Council had strong objections to this application and the separate application for the adjoining site (TWC/2014/0532), which would effectively form one development and have a significant detrimental impact on the village of Lilleshall. The village school was already full without more families coming to live in Lilleshall on top of the new housing already approved or under construction. Reference was made to the unsuitability of the local road network to deal with the additional traffic that this development would generate, and the hazards that pedestrians, cyclists and motorists would face. This development was not sustainable and should be refused.

Councillor A J Eade, Borough Ward Member, addressed the Committee, and stated that this was inappropriate development on a greenfield site that might facilitate further incursion into the countryside. There was no demonstrable need for this housing, and the development would significantly harm the character of the village. The site was opposite a Grade I listed church and would detract from its setting, and the development would also involve the lowering of a wall of significant character. The application was contrary to a number of Local Plan policies and any benefits of the scheme in terms of affordable housing etc were outweighed by the negative impacts it would bring.

Mr T Morris addressed the Committee on behalf of local residents. He particularly referred to the local road network and the existing traffic issues on Church Road, which was narrow in places with pinchpoints. There was traffic gridlock at times with buses unable to pass each other, and with the bus-stop by the church often filled with cars. The highways issues had not been properly addressed by the applicant nor in the Planning Officer's report, and this development would make matters worse. If the application was approved there would be significant disruption from construction and works traffic, further increasing the danger to pedestrians and all road users.

Mr S Jones, the applicant's agent, addressed the Committee and referred to the key points in his submission set out in the update report. The application site was not in a conservation area and English Heritage had not objected in terms of any impact on the Church. This was infill development close to the centre of the village and local facilities and had been acknowledged by the Planning Officer as sustainable. The plans provided were indicative, but the Duke of Sutherland style would be incorporated in the development. In terms of traffic and highways issues, there were no recorded accidents along Church Road in the last 10 years, and no objections from statutory consultees on technical grounds. The application was in accordance with planning policy, and there were no robust reasons for refusal. Reference was also made to recent decisions made on other housing applications in the immediate and wider area.

The Planning Officer advised on the principle of development, the absence of a demonstrable 5 year supply of deliverable housing sites and the advice in the National Planning Policy Framework for a presumption in favour of sustainable development. He also drew attention to aspects of the report relating to access, design, impact on amenity, drainage, ecology, landscape, impact on trees and section 106 contributions. Following discussions with the applicant, this was a revised scheme, with one fewer dwelling than originally proposed and containing information on the means of access. It was considered that the development could be accommodated without significant impact on nearby residential amenity, the character of the surrounding area, highway safety or the natural environment. It was therefore considered to comply with relevant national and local planning policies, and was recommended for approval subject to financial contributions, affordable housing provision and appropriate conditions.

In response to a question, the Planning Officer confirmed that the proposed affordable housing element was on-site provision and not off-site provision as indicated erroneously in the report. Some Members expressed the view that the application represented building into the open countryside, there was no demonstrable need for housing in this location, and there was concern at some of the comments of the Highways Officer regarding the access arrangements and the traffic situation on Church Road. Concern was also expressed at the reduction in the height of the wall along the front of the site. In response, the Planning Officer advised that the retention and preservation of the wall would be mitigated through appropriate conditions. Other Members expressed the view that the application was for a relatively small number of dwellings that could enhance the village. Government ministers had made it clear that greenfield sites could be developed for housing, and there did not appear to be exceptional circumstance in this case to support a refusal of planning permission.

In light of the concerns raised, it was moved and seconded to defer the application for a site visit. Upon being put to the vote, this proposal was lost. It was then moved and seconded that the recommendation in the report be approved. On being put to the vote, it was:-

RESOLVED – that with respect to planning application TWC/2014/0434 authority be delegated to the Development Management Service Delivery

Manager to grant outline planning permission subject to the applicant entering into a Section 106 Agreement relating to:

- i) Provision of on-site affordable housing constituting 36% of total number of units;**
 - ii) A contribution of £875 per unit towards Highways Improvements;**
 - iii) The conditions as set out in the report.**
- (b) TWC/2014/0532 – Land adjacent The Croft, Church Road, Lilleshall, Newport, Shropshire

This was an outline application for the erection of 12 dwellings and 2 bungalows, with all other matters reserved for consideration at a later stage via a separate application. The application site was currently agricultural land situated on the eastern edge of Lilleshall off Church Road. Following concerns raised about the original outline submission, a revised proposal had been submitted with one fewer bungalow, an indicative layout for the site, revised access arrangements from Church Road and an amended proposal for the diversion of a public footpath. An update report was tabled at the meeting which contained some amendments to the Section 106 contributions and clarification from the Housing Officer that the affordable housing provision would consist of 1 shared ownership and 4 social rented units. Further comments had been submitted from local residents but did not raise any new issues and the update report also included a further submission from the applicant's agent.

Councillor C Baker, member of Lilleshall, Donnington & Muxton Parish Council, addressed the Committee. The Parish Council had strong objections to this application and the separate application for the adjoining site, and many of her comments made earlier in the meeting in respect of TWC/2014/0434 applied also to this proposal. In addition, it was felt that the revised entrance to the site was very poorly situated on the steepest and narrowest part of Church Road approaching the brow of a hill. The development would place strain on an already overburdened sewerage system, and there was concern at the loss of an existing stone wall which should be conserved. This development was not sustainable and should be refused.

Councillor A J Eade, Borough Ward Member, addressed the Committee, and stated that this was inappropriate development on a greenfield site that might facilitate further incursion into the countryside. Many of his comments made earlier in the meeting in respect of TWC/2014/0434 applied also to this proposal. This site was opposite a number of listed buildings and would cause harm to their character and surroundings. It was claimed that the owner of one of the existing stone walls along the boundary of the site would not agree to a reduction in the height of the wall, and this should be investigated before any decision was made. The application was contrary to the National Planning Policy Framework and would cause significant harm to the village.

Mrs S Morris addressed the Committee on behalf of local residents. There was a need to protect green spaces and use brownfield land instead for housing development. This application would have an adverse impact on the visual amenity

of the residents living opposite, there were drainage issues, walkers using the footpath would be effected, the amended access arrangements would make it more hazardous for pedestrians and exacerbate existing traffic problems, and the construction traffic for the development, if approved, would cause nuisance for the village and problems of road safety. Residents believed the amended proposal was ill-conceived and did not address their concerns.

Mr S Jones, the applicant's agent, addressed the Committee and referred to the key points in his submission set out in the update report, and which were broadly the same as those for TWC/2014/0434 discussed earlier. Mains sewer and water connections were available, and a sewer main crossed the application site. The application was in accordance with planning policy, and there were no robust reasons for refusal.

The Planning Officer advised on the principle of development, the absence of a demonstrable 5 year supply of deliverable housing sites and the advice in the National Planning Policy Framework for a presumption in favour of sustainable development. He also drew attention to aspects of the report relating to access, design, footpath, impact on amenity, drainage, ecology, impact on trees/hedging and section 106 contributions. It was considered that the development could be accommodated without significant impact on nearby residential amenity, the character of the surrounding area, highway safety or the natural environment. It was therefore considered to comply with relevant national and local planning policies, and was recommended for approval subject to financial contributions, affordable housing provision and appropriate conditions. The proposed affordable housing element was on-site provision and not off-site provision as indicated erroneously in the report, and the stated contribution towards Education facilities was per unit.

Some Members expressed concerns at the narrowness of Church Road at the proposed access point to the site and the potential impact on highway safety, and it was moved and seconded to defer the application for a site visit. Upon being put to the vote, this proposal was lost. In response to further concerns regarding the access and whether the visibility splays were achievable, the Assistant Director: Planning Specialist advised that Highways Officers were satisfied with the access arrangements. In relation to other issues raised, there had been no objection from Environmental Health, and the issue of school places had been addressed.

Other Members expressed the view that there did not appear to be exceptional circumstance in this case to support a refusal of planning permission. It was therefore moved and seconded that the recommendation in the report be approved. On being put to the vote, it was:-

RESOLVED – That with respect to planning application TWC/2014/0532 authority be delegated to the Development Management Service Delivery Manager to grant outline planning permission, subject to the applicant entering into a Section 106 Agreement relating to:

- i) Provision of on-site affordable housing constituting 36% of total number of units**
- ii) A contribution of £875 per unit towards Highways Improvements**

- iii) **A contribution of £600 per unit towards play/recreation facilities**
- iv) **A contribution of £2108 per unit towards Education facilities**
- v) **The conditions as set out in the report**

(c) TWC/2014/1056 – Site of The Cottage, Wellington Road, Muxton, Telford

This was a full application for the erection of 9 dwellings (6 semi-detached properties and a terrace of 3 dwellings) with access and parking. The application site was currently a vacant piece of land (approx. 0.12ha) following the demolition of the dwelling on the site, formerly known as 'The Cottage'. It was located within a predominately residential area. Access to the site was to be created directly off Wellington Road and there would be 13 car parking spaces provided on-site.

Councillor A Lawrence, Borough Ward Member, addressed the Committee, and stated that local residents strongly disagreed with the Highways Officer's view that the proposed development would not lead to any significant adverse impact on highway safety on Wellington Road. The additional number of vehicle movements would add to the traffic problems that already existed. The number of dwellings being proposed represented over-development of the site, and it would be out-of-character with the surrounding area. The existing drainage system was inadequate, with regular flooding on Wellington Road when it rained. The scheme did not provide enough parking spaces for residents, and was likely to lead to on-street parking on Wellington Road. The application should be refused or at least deferred for an amended scheme with fewer dwellings.

Mr V Rainsford addressed the Committee on behalf of local residents. Recent housing development in the surrounding area was already causing traffic/highways problems and this application would only add to that. It would also create further hazards for pedestrians and motorists and impact adversely on highways safety. The parking provision was inadequate and would result in more on-street parking, and the problems with flooding on Wellington Road needed to be rectified before any further housing development was considered. Reference was also made to previous applications for housing on the site that had been refused.

Mr R Brock, the applicant's agent, addressed the Committee and stated that this was a brownfield site and it was not being over-developed. The site was larger than a neighbouring housing site on the site of the former Sutherland Arms, and the number of dwellings in the scheme had been reduced from 11 to 9. The parking provision was in accordance with the Council's code, and the proposed access entrance was of suitable width. The local flooding issues were being taken seriously and all measures would be taken to ensure the development did not contribute to any further flows of rainwater onto Wellington Road.

The Planning Officer advised on the principle of development, the absence of a demonstrable 5 year supply of deliverable housing sites, the advice in the National Planning Policy Framework for a presumption in favour of sustainable development, and policy H6 (Windfall Sites in Telford & Newport) in the Local Plan. He also drew attention to aspects of the report relating to highways, design and impact on existing amenities, drainage and ecology/arboriculture. It was considered that the

development was sustainable, it could be adequately accessed and sufficient on-site parking would be provided. The layout, scale and design of the proposed dwellings were acceptable and would be in keeping with the surrounding area. It was therefore considered to comply with relevant national and local planning policies, and was recommended for approval subject to conditions.

Concern was expressed at the proposed density of housing, which was considerably more than the average density referred to in the Council's 'Shaping Places' document. There were further concerns about the parking provision and the drainage/flooding issues that had been raised, as well as the ownership of the watercourse that bounded the site. In response to questions, Officers advised that drainage matters/maintenance of the watercourse were covered in the proposed conditions, and that there was no specific standard within the Local Plan relating to number of parking places to be provided. The advice of the Highways Officers was based on the application of national standards and rules, and it would be difficult to defend a refusal on highways grounds. In relation to the density of housing, it was accepted that this would vary from site to site, depending on the specific circumstances of each site.

Other Members noted that the scale and density of the proposed development was similar to that of an adjacent development and that the applicant had reduced the number of dwellings proposed for the scheme. Any drainage issues could be dealt with by conditioning of the application.

RESOLVED – that with respect to planning application TWC/2014/1056 planning permission be approved, subject to the conditions set out in the report.

(d) TWC/2014/0631 – The Red Lion, 15 Holly Road, Little Dawley, Telford

This was a full application for the demolition of the existing public house (currently vacant) which would be replaced by the erection of 8 dwellings (four pairs of semi-detached dwellings) with associated access and landscaping. The properties would front onto Holly Road, with vehicular access from the cul-de-sac (Hafren Road) at the rear. The scheme had been subject to significant amendment in terms of access and parking arrangements. This reflected concerns of Highways Officers regarding the original scheme which proposed access and parking from and at the front of the site onto Holly Road. These concerns related to insufficient visibility splays, inadequate parking provision within the site curtilage, and inadequate provision for the turning of vehicles within the site. Members had undertaken a site visit earlier in the afternoon prior to the meeting.

Councillor A Scott, member of Dawley Hamlets Parish Council, addressed the Committee. The Parish Council now objected to the application due to the revised access arrangements. Hafren Road was a narrow cul-de-sac where there was already little existing parking space for residents, resulting in on-street parking. The proposed development would lead to more on-street parking, leading to increased congestion and a hazard for emergency vehicles. It was felt that the increased traffic flows would make the junction of Hafren Road with Holly Road dangerous. The proposal would mean more noise and pollution for the residents of Hafren Road. It

was suggested that the access to and from the site should be from one of the two existing access points to the public house from Holly Road.

Councillor J Pinter, Borough Ward Member, addressed the Committee. It was accepted that the site needed re-development, but the amended scheme with access to and from Hafren Road was the problem. Hafren Road was a narrow cul-de-sac and not suitable for such additional vehicle movements. It was felt that the proposed 'parallel parking' arrangements for each property would not work, and would lead to more on-street parking on Hafren Road. This was over-development, and the access point for the site should be from Holly Road.

Mr T Young addressed the Committee on behalf of local residents. There were not objections to the development of the site, but it was difficult to understand how Highways could say that the access was better from Hafren Road than Holly Road. The additional traffic would still go out onto Holly Road at the one end of Hafren Road. There was not enough room for existing residents of Hafren Road to access their drives, and this proposal would lead to more on-street parking and congestion. It would also impair access for emergency vehicles and refuse lorries etc.

Mr C Huntley, the applicant's agent, addressed the Committee and referred to the density of the proposed development which was less than that for an application approved earlier in the meeting. The applicants had worked hard with Highways Officers to find an acceptable solution for the access arrangements. It was felt that this amended scheme was the best option, with the access from Hafren Road being much safer than from Holly Road. There would be pedestrian access from the site to Holly Road. Reference had been made to the tandem parking spaces for each dwelling, but there was evidence from other sites that these worked and did not lead to increased on-street parking.

The Planning Officer advised on the principle of development, and drew attention to aspects of the report relating to access and parking, design, highways, drainage, ecology and trees and archaeology. The amended scheme did represent a density of units that was generally higher than the properties in the locality, but was considered acceptable and the scheme generally now provided a much softer approach to development and better amenity. It was considered that Hafren Road could accommodate the predicted vehicle movements arising from the development, and that some of the existing properties had off-street parking provision. In terms of access for emergency vehicles, Shropshire Fire & Rescue had not raised any objections. The access of vehicles during the construction would be controlled through a site management plan. The amended application complied with relevant national and local planning policies and was recommended for approval.

Members referred to the site visit earlier at which there were concerns at the use of Hafren Road for the access to the site, and at potential overdevelopment of the site. While the concern about visibility from one of the existing access points from the pub car park onto Holly Road was justified, it was felt that the other access point might be acceptable. Members felt that other access options should be explored with the applicant, as well as a possible reduction in density, in order to achieve a more acceptable solution. It was therefore moved and seconded that determination of the application be deferred. Upon being put to the vote it was:

RESOLVED – that with respect to planning application TWC/2014/0631 planning permission be deferred to allow for further negotiations with the applicant regarding a reduction in density and the access arrangements for the proposed development.

(e) TWC/2014/1030 – Metal & Waste Recycling Ltd, The Old Smithy, Lightmoor Road, Lightmoor, Telford

This was an application for the erection of a new building for aluminium storage, associated water tank for dust suppression, additional acoustic barriers and removal of a mobile phone mast. The application site was located north of the former disused railway line and houses at Leasowe Green and the surrounding area was a mix of housing and commercial industrial uses. The new building would measure 25m wide x 35m long and would be 12.3m high to the ridge of the roof. This was a larger structure than that previously approved under TWC/2014/0335 but not implemented. The applicant had indicated that a larger building would allow lorries to back into the building and unload more effectively, which would help contain noise from the site. To further mitigate noise, an additional 110 metres of new acoustic fencing would be erected to provide a continuous acoustic barrier around the majority of the site.

Councillor F M Bould, Borough Ward Member, addressed the Committee. She had received a number of complaints about traffic and noise from this site over the last four years. There was concern that a larger building would increase the activity on site, and lead to further problems. Although a further acoustic barrier was proposed, previous promises for measures to mitigate against noise had not been speedily implemented. In any event, noise levels had not decreased since the existing acoustic barrier was built. There may also be increased movement of heavy goods vehicles into and out of the site leading to additional hazards for motorists and pedestrians. Any approval of the application needed to be conditioned carefully to provide reassurance to local residents who had lost faith with Environmental Health and other agencies to do anything to protect them from noise pollution. This was a residential area, and it would be better for all concerned if the company could find an alternative site more suited to their activities.

Ms H Lawrence, a local resident, addressed the Committee. She had three main concerns – i) that this was an inappropriate economic activity within a residential area; ii) disturbance to local residents from the noise from the site, with the existing acoustic barrier failing to reduce noise levels, and any additional barriers unlikely to do so; and iii) dangers to traffic and pedestrians on Lightmoor Road from HGVs accessing the site. She would like the application to be deferred and for assistance to be given to the company to find a more suitable site.

Mr C Dent, the applicant's agent, addressed the Committee and stated that the larger building would lead to a reduction in noise as it would allow lorries to fully back in and the doors to be closed. The new building would not lead to any increase in throughput, and it was agreed that noise emissions needed to be controlled. The new length of acoustic barrier would help achieve this. The company would co-

operate with the Council about re-locating to another site, but in the meantime it needed to have a plan in place to continue operating.

The Planning Officer advised that the application needed to be looked at on its merits and in the context of previous planning approvals granted. The main planning issue in respect of this application was the impact of a larger building on the amenity of the area including its visual impact. There would be no further impacts on highways, drainage, land contamination, ecology or stability than that previously approved which could be adequately controlled through planning conditions. In relation to representations from local residents, it had been concluded that they did not raise any new matters that would reasonably justify refusal of planning permission for this development. It was therefore recommended that permission be granted subject to a suite of conditions and informatives to control noise associated with the development and to restrict the hours of operation.

Members recognised the concerns of local residents regarding noise and traffic from the site, and welcomed any initiatives for the business to be re-located to an alternative site. However, it was noted that the site had a long history of use for scrap metal related activity and was an established use. Reference was made to a perceived lack of response to complaints from residents about the noise problems they experienced. The Assistant Director: Planning Specialist advised that the responsibility for monitoring of noise etc lay with Environmental Health, and that he would raise the concerns that had been expressed with colleagues in that department. Reference was also made to the comments of the Environment Agency set out in the report. Some Members also expressed the view that this application should help to improve the current situation in terms of noise.

RESOLVED – that with respect to planning application TWC/2014/1030 authority be delegated to the Development Management Service Delivery Manager to grant planning permission subject to the conditions set out in the report (and with authority to finalise conditions and reasons for approval).

(f) TWC/2014/1012 – Land opposite Usc Con, 15 Rocfield Terrace, Lincoln Road, Wrockwardine Wood, Telford

This was an outline application for the erection of one dwelling with all matters reserved for later approval. The application site was located off a private road off Lincoln Road within a predominately residential area. The site was a vacant parcel of land which was designated as Green Network within the Wrekin Local Plan.

The Chair expressed concern that Wrockwardine Wood and Trench Parish Council had asked for the application to be heard by the Planning Committee but had not sent a representative to speak

Councillor G C W Reynolds, adjoining Ward Member, addressed the Committee in order to report the concerns of local residents and Wrockwardine Wood Parish Council about this application. There were concerns about the notification process and neighbour consultation for this application, and that the submitted plans were inaccurate. There were concerns about site stability, the loss of privacy and overlooking of properties on Stafford Road, the loss of Green Network and green space, access via a narrow road and issues of highway safety during and after the

construction of the dwelling. If the application was approved, there needed to be suitable replacement planting.

The Planning Officer advised that the main issues for consideration were the principle of residential development in this location, development within the designated Green Network and the impact the development would have on the character of the area and existing residential amenities. Most of the surrounding area was residential in nature, and the application site was close to local facilities and amenities. In terms of the Green Network, it had been demonstrated that the site did not contribute to the core values of this designation, having little or no community benefit. The indicative layout was acceptable, and design and landscaping details would be considered under a separate application at a later stage. Objections from the Parish Council and residents had been taken into account, but it was considered that these matters could be satisfactorily addressed by conditioning of the application. The application was in accordance with national and local planning policies, and it was therefore recommended that permission be granted subject to conditions.

In response to a question about the claims made by objectors about the inaccuracy of the plans submitted with the application, the Planning Officer advised that he was not aware of any land ownership issues or that the boundaries shown on the plans were incorrect.

RESOLVED – that with respect to planning application TWC/2014/1012 planning permission be approved, subject to the conditions set out in the report.

PC-071 URGENCY RESOLUTION – SECTION 100B(4), LOCAL GOVERNMENT ACT 1972

The Chair made the following statement:

“I am of the opinion that the following item of business should be dealt with as a matter of urgency at this meeting in order to avoid any unnecessary delay”.

PC-072 PLANNING APPLICATION TWC/2014/0236 – LAND ADJACENT 12 TIBBERTON, NEWPORT, SHROPSHIRE

The Planning Committee had resolved at its meeting on 2 July 2014 to refuse planning permission for an outline application for up to 60 dwellings with associated infrastructure on the above site. The Committee resolution set out a number of reasons for refusal, and these had been developed by Officers into 3 main refusal reasons, as set out in the report attached to the supplementary agenda.

The Planning Officer reported that the developer had lodged an appeal with the Planning Inspectorate against the Committee’s decision. Legal advice had been obtained from Counsel on defending the appeal, and it had been advised that reasons 1 and 3 of the decision notice could not reasonably be defended at appeal, and to progress with them would potentially expose the Council to the risk of an award of costs. Officers concurred with this view, and it was therefore recommended

that the refusal reasons 1 and 3 in the decision notice should not be pursued at appeal.

Councillor S P Burrell, Borough Ward Member, addressed the Committee. He referred to the widespread support within the local community for the refusal of this application, and reminded Members of the many issues and concerns that had been raised about this application. Tibberton & Cherrington Parish Council had held an emergency meeting to discuss this matter, and felt strongly that all the reasons for refusal in the decision notice should be retained. There were good and valid reasons for the Committee to refuse the application, and this suggestion would dilute the strong case against this development. The Parish Council were prepared to offer assistance in defending any appeal, but were opposed to removal of these reasons for refusal.

The Legal Officer stated that the Parish Council could express its concerns and views independently at an appeal hearing or inquiry. The Committee needed to consider the advice from a barrister, who was aware that this was an application that was refused against the Planning Officer's recommendation.

Members discussed the matter and the wording of the reasons of refusal, and whether the deletion of reasons 1 and 3 would impact on the overall strength of the decision. The Assistant Director: Planning Specialist advised that the Council needed to present the strongest case possible at appeal, and it was felt that following the barrister's advice would strengthen the Council's position.

RESOLVED – that with respect to planning application TWC/2014/0236 reasons 1 and 3 for the refusal of the application in the decision notice be not pursued in the forthcoming appeal.

PB-073 TIME OF NEXT MEETING

It was reported that there were likely to be a large number of applications for determination at the next meeting on 25 February 2015. To be able to conduct all the business and conclude the meeting at a reasonable time, it was suggested that an earlier start time would be needed.

RESOLVED – that the start time of the next meeting of the Committee on 25 February 2015 be changed to 5.00pm.

The meeting ended at 8.54pm

Chairman:

Date: