

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 16<sup>th</sup> December 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 A Dugmore, I T W Fletcher, J Loveridge, N C Lowery, P J Scott, M J Smith and C R Turley.

**ALSO PRESENT:** Councillors G H Cook and J M Seymour (for Planning Application TWC/2015/0364), Councillors C F Smith and S A W Reynolds (for Planning Application TWC/2013/0861), Councillor C P R Mollett (for Planning Applications TWC/2015/0488 and TWC/2015/0682) and Councillor R T Kiernan (for Planning Application TWC/2015/0562)

#### **PC-064      APOLOGIES FOR ABSENCE**

None

#### **PC-065      DECLARATIONS OF INTEREST**

With regard to planning applications TWC/2015/0830 and TWC/2006/0608 Councillor N A Dugmore advised that he was a member of Donnington & Muxton Parish Council but had not been involved in any discussions on this application.

With regard to planning application TWC/2015/0364 Councillor C R Turley advised that he was a Council appointed representative on the Shropshire AONB Partnership Management Board but had not been involved in any discussions on this application.

#### **PC-066      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 18 November 2015 be confirmed and signed by the Chairman.

#### **PC-067      DEFERRED/WITHDRAWN APPLICATIONS**

The Development Management Service Delivery Manager reported that there were no deferred or withdrawn applications on the Schedule at Appendix D of the agenda.

#### **PC-068      SITE VISITS**

There were no Officer recommendations for site visits.

#### **PB-069      TREE PRESERVATION ORDERS**

The Chair reported that as TWC/2015/0859 on the Schedule at Appendix D related to a Tree Preservation Order, it was proposed to deal with that application as part of this agenda item.

- (a) TWC/2015/0859 – Land adjacent 21 Priorslee Village, Priorslee, Telford

This was an application for consent to fell a Blue Cedar tree that was on Highway land in the Council's ownership adjacent to residential properties and a communal garage court. The tree was individually listed as part of a group Tree Preservation Order made 22 years ago.

The applicant lived at a dwelling adjacent to the tree, and was requesting the tree be felled because the branches were overhanging the garage roof and the highway, roots were growing on the surface and beginning to lift the tarmac and kerb stones, needles were falling from the tree and blocking drains, and it was blocking out light to the house. The applicant had also submitted a tree report and a petition containing ten signatures in favour of felling the tree. Seven letters of support had been received following neighbour consultation, and the points raised were summarised in the report.

The Arboricultural Officer stated that the tree was an attractive specimen which helped to soften the hard landscaped area adjacent to 21 Priorslee Village. It was early mature and would continue to provide a significant local amenity value for the foreseeable future. The tree had been inspected annually in recent years and was considered to be healthy and in no danger of falling. It had suffered no damage in the recent storms. No evidence had been submitted to substantiate the claim that the tree had caused structural damage. There was no arboricultural reason to justify felling the tree, and therefore the application was recommended for refusal.

Members considered the information that had been provided, including photographs of the tree, and comments were made in support of retaining the tree.

**RESOLVED** – that with respect to planning application TWC/2015/0859, Tree Preservation Order consent to fell the Blue Cedar tree be refused for the following reason:

- 1. It is considered that the tree is still healthy and provides continuing amenity value, and there has been no arboricultural reason given to justify felling the tree and therefore would conflict with Policy OL11 of the Wrekin Local Plan and CS12 of the Core Strategy.**

- (b) Borough of Telford & Wrekin (Ash Tree within the boundary of 4 & 5 Stockton Close, Stirchley, Telford TF3 1RR) Tree Preservation Order 2015

The Arboricultural Officer presented the report of the Assistant Director: Law, Democracy & People Services, which informed Members about the making of a provisional Tree Preservation Order (TPO), and whether, following the receipt of an objection, the TPO should be confirmed.

The Provisional TPO related to one ash tree on the boundary of numbers 4 and 5 Stockton Close, Stirchley. The owners of 4 Stockton Close had objected to the

making of the Order, and their correspondence was appended to the report. The Arboricultural Officer reported that he had given advice to the objectors that deadwood could be removed from the tree and that a 20% crown thinning operation would be acceptable subject to gaining the necessary consent. He did not accept that the TPO had been made in an “underhand way”, as claimed by the objectors. It was believed that the tree did provide amenity value, as it could be clearly seen from a number of local vantage points. An update report had been tabled which contained representations from the co-owners of the tree at 5 Stockton Close in support of the retention of the tree and its protection.

During consideration of the matter, the owners of 5 Stockton Close who were in attendance at the meeting, made clear their dissatisfaction with the process and reiterated their concerns. The Solicitor advised that such interventions were not appropriate within the rules of debate. Some Members were concerned that no photograph of the tree had been provided and, in view of the issues that had been raised, it would be beneficial to defer a decision for a site visit. It was moved, seconded and

**RESOLVED** – that consideration and determination of this matter be deferred to allow the Committee to make a site visit.

#### **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/2015/0364 – Land to North of Haygate Road, Wellington, Telford

This was an outline application for the erection of up to 290 dwellings with associated access, with all other matters reserved. The application included 25% affordable housing, 5.84ha of green infrastructure including formal and informal open space, a play area, a skate park, a ball court, the introduction of a sustainable drainage system and associated landscaping. The application site amounted to 15.2ha to the north of Haygate Road, a principal entry point into Wellington. The land was currently in agricultural use in the vicinity of Wellington Cricket Club, the historic Orleton Hall and Park and the Old Orleton Inn, as well as residential development to the east/north-east. The application was a near identical twin-track application to TWC/2013/1033, which was currently the subject of an appeal for non-determination – although the Planning Committee had indicated they would have recommended the application for refusal. This application differed from the initial application in terms of a reduction of 40 dwelling units, additional drainage culvert, additional 1.23ha of open space and landscaping, and re-routing of no.55 bus service along Haygate Road. An update report was read out, which largely related to further comments received from West Mercia Police requesting a Section 106 contribution for £49,157, which was sought to mitigate against the impacts of the development, towards the additional staffing, police vehicles and police accommodation.

Councillor G H Cook, Borough Ward Member for Haygate, addressed the Committee and stated that this application was essentially the same as the previous one, and

nothing had changed in terms of its impact on traffic congestion in Haygate Road and the pressure such a development would put on local schools.

Councillor J M Seymour, Borough Ward Member for Wrockwardine, advised that there were many reasons to object to this application. The site was in a rural area on Grade 1 and 2 agricultural land, and could be refused on policy grounds now there was a demonstrable 5 year housing land supply in the Borough. It would impact on nearby Listed Buildings and gardens, and would be visible from The Wrekin AONB. There would be a significant adverse impact on neighbouring roads, and it was not believed that the suggested junction improvements would mitigate the number of additional vehicle movements.

Councillor M B Hosken, Borough Ward Member for Ercall, stated that increased traffic was the main issue. Haygate Road was a major through route into and out of Wellington to the M54, and this development would lead to unacceptable congestion and inconvenience.

Mr J Pattinson addressed the Committee on behalf of the Save Haygate Fields Group. The amendments to the original application were slight and there were still three fundamental objections – the site had never been allocated in any Local Plan, it was high quality agricultural land, and it sat within a unique, high quality landscape that should be protected. He further outlined the concerns about the additional traffic that would be generated and its impact on the local roads network. There were no primary schools in the immediate area, and the fields in question were prone to surface water flooding, for which there seemed to be limited information as to how this would be resolved.

The Planning Officer advised on the principle of development, encroachment onto open countryside, loss of agricultural land, impact on heritage assets, impact on landscape character and Shropshire Hills AONB, highways and transport, flood risk and drainage, and other infrastructure impacts. There had been objections to the application from the Council's Planning Policy team, Conservation Officer and Urban Townscape Officer, as well as objections from local town and parish councils, the MP for The Wrekin, the Save Haygate Fields Group, 154 individual objections and a further 62 objections in response to the submission of amended plans. It was considered that the amendments to the scheme from the original application did not overcome the principal policy issues relating to development in the rural area, encroachment onto open countryside, the loss of high quality agricultural land and harm to local heritage and landscape. The Officer also advised that there was no current policy basis in which to request the additional funding for policing, and as such officers did not consider the request by West Mercia Police was reasonable or justifiable, and S106 contributions remained that agreed with the applicant. This provided contributions towards education facilities, off-site upgrade of sports pitches and highway mitigation works – however, these did not overcome the fundamental flaws in the application. It was considered that the application was contrary to the provisions of the National Planning Policy Framework as the adverse impacts would significantly and demonstrably outweigh the benefits assessed against the policies in the Framework. The application was therefore recommended for refusal.

During the ensuing discussion, Members concurred with the Officer's conclusions that the additional contributions sought by West Mercia Police were unjustified. Furthermore, Members did not feel that the extra open space and landscaping offered in this application was sufficient to overcome the principal objections on policy grounds, the loss of agricultural land and its impact on an important 'gateway' to the Borough. The development was not considered to be sustainable, and it was believed that there were defensible reasons for refusal.

**RESOLVED** – That with respect to planning application TWC/2015/0364, that Outline planning permission be refused for the following reasons:

- 1) The proposal represents unacceptable encroachment into the open countryside and would involve the loss of an extensive area of high quality agricultural land without sufficient justification. Such an impact would result in significant harm to the character and appearance of the area at a key and highly visible approach into Wellington and the Telford built-up area. Any benefits are limited and would be significantly and demonstrably outweighed by the harm identified and the proposal therefore fails to constitute a sustainable form of development. The proposal fails to accord with adopted Core Strategy Policies CS1, CS3, CS7, CS11, CS12, CS13 and CS14, saved Policies UD6, OL6 and HE24 of the Wrekin Local Plan and the requirements of the NPPF, with particular regard to paragraphs 14, 17, 112, 132, 133.
- 2) The proposal would involve the loss of important incidental open space at the edge of the settlement which plays an important function both in terms of its landscape character and in separating the Grade II listed Orleton Park and Gardens from the edge of the built-up area. The proposed development would therefore result in significant harm to the setting of the listed park together with the character and appearance of the area at a key and highly visible approach into Wellington and the Telford built-up area. Any benefits are limited and would be significantly and demonstrably outweighed by the harm identified and the proposal therefore fails to constitute a sustainable form of development. The proposal fails to accord with adopted Core Strategy Policies CS1, CS3, CS7, CS11, CS12, CS13 and CS14, saved Policies UD6, OL6 and HE24 of the Wrekin Local Plan and the requirements of the NPPF, with particular regard to paragraphs 14, 17, 112, 132, 133.

- b) TWC/2013/0861 – Sutherland Business & Enterprise College, Gibbons Road, Trench, Telford

This was an Outline application for the erection of up to 123 dwellings together with open space, sports pitches, landscaping and associated infrastructure, and the demolition of the existing school buildings with all matters reserved. The application site was formerly the Sutherland School/Academy, whose pupils had now moved to the newly opened Telford Priory School which had replaced both Sutherland and Wrockwardine Wood schools. The re-development of the Sutherland site formed part

of the Council's overall 'Building Schools for the Future' programme, in terms of generating capital funding for the new School(s). An indicative layout had been submitted in support of the application, showing where vehicular access could be provided, and how the development (including open space and sports pitches) could fit on the site.

The Planning Officer reported that the last sentence of paragraph 5.9 of the report should be deleted. An update report had been tabled setting out a late representation from the Trench Tots Nursery, who were located in a demountable building to the north of the existing school buildings and had concerns about the location of the access road to the proposed development. An additional plan was also attached to the update report showing the location of the existing and proposed sports pitches.

Councillor C F Smith, on behalf of Wrockwardine Wood & Trench Parish Council, addressed the Committee and raised a number of concerns about the application. It was believed that community open land had been incorrectly included within the application site boundary. The existing football pitches had not been in use for some time, and it was not clear how this justified placing a new pitch on the old community centre site which would impact on local residents. The scheme did not provide for any affordable housing or bungalows, and there was concern about overlooking if any three storey dwellings were built. It was suggested that the Committee should undertake a site visit to look at the rise/slope of the land.

Councillor S A W Reynolds, Borough Ward Member, stated that the development needed to be sensitive, and would benefit from some affordable bungalows for elderly residents. The open space could be used for other purposes apart from sports pitches, which had caused problems and nuisance for local residents in the past. Three storey houses would be totally out of character for the area, trees around the site should be retained, and the proximity of the nursery to the main access road should be looked at.

Mrs L Madeley, local resident, addressed the Committee regarding the Trench Tots nursery which was a cherished part of the local community. The safety of children would be put at risk by having a main access road to the site so close to the nursery entrance. Local roads were already congested at busy times. It was suggested that there was a better location for an access road. There was also concern about the location of two sports pitches next to the nursery, and that alternative uses for this land should be investigated.

Members considered the request for a site visit and, taking into account the issues raised about the site boundary, the access arrangements, siting of sports pitches and the ground levels of the site, it was believed that a site visit would be beneficial.

**RESOLVED - that determination of planning application TWC/2013/0861 be deferred to allow the Committee to make a site visit.**

(c) Site of Oakleigh, Lawley Village, Telford

This was an Outline application for the demolition of an existing dwelling and erection of 6 dwellings with all matters reserved except for access. The application

was deferred at the last meeting on 18<sup>th</sup> November 2015 for a site visit, which had taken place earlier in the day, and for Officers to speak to the applicant to see whether the number of proposed dwellings could be reduced in light of concerns of over-development expressed by the Committee. A revised scheme had subsequently been submitted, with a reduction in the number of dwellings from nine to six and a revised indicative layout which was appended to the report. The amendment to the layout raised no new material planning considerations, and the original report to Committee from 18 November was attached for information. An update report had been tabled which contained further comments from the Council's Highways Officers in relation to the visibility splays that could be provided. Officers were satisfied that, once improvement works had been carried out, the site access would be able to achieve the requisite visibility splays, and had recommended an additional condition to manage this.

Councillor D Blackburn, on behalf of Lawley & Overdale Parish Council, addressed the Committee and, while welcoming the reduction in the number of dwellings, it was felt that the overall footprint on the site was largely the same and that there would still be an adverse impact on the residents of Glendale. It was believed that there should be a further reduction in the number of dwellings to make it compatible with the character of the surrounding area. Reference was also made to bus passengers currently being dropped off on the grass verge in front of Oakleigh.

Councillor C P R Mollett, Borough Ward Member, stated that he still had concerns about this application as over-development in an area that did not need any further housing. The number of proposed parking spaces was inadequate, the road running past the site was narrow and not suitable for the increased traffic that would be generated by this development, and there was concern about highway safety arising from the movement of vehicles into and out of the parking area adjacent to the shop on the other side of the road.

The Planning Officer referred to the planning considerations in the original report. In addition, it was considered that the revised scheme provided a more spacious layout that would better represent the density of surrounding existing residential development. Details of the layout and design would be considered at reserved matters stage. The concerns that had been raised about access and highway safety had been addressed through a number of amendments to the original proposal – eg: footpath at the front of the site, reconfiguration of parking spaces outside the shop. A Section 106 agreement was proposed to provide a financial contribution of £43,090 for the highway improvement works. The application was therefore recommended for approval subject to completion of the S106 agreement and conditions.

The Committee welcomed the reduction in the number of proposed dwellings, which addressed some of the concerns raised at the previous meeting. Some Members, having visited the site and seen the traffic movements along Glendale, were satisfied that the proposed highways improvements would be sufficient to address concerns about highways safety. Other Members believed that in one direction from the access point onto Glendale, it was impossible to meet the required standard for distance of a visibility splay. The number of proposed parking spaces in the scheme was also questioned. In response, the Planning Officer stated that Highways had

looked at the scheme again and, with the additional highways condition, it was believed that adequate visibility onto the highway would be secured.

Upon being put to the vote, by a majority it was

**RESOLVED** - that with respect to planning application TWC/2015/0488, authority be delegated to the Development Management Service Delivery Manager to grant outline planning permission subject to:

**A) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority relating to:**

**(i) A financial contribution of £43,090 to highway improvement works adjacent to the application site.**

**B) The conditions and informatives set out in the report, along with the following additional condition relating to the vehicular access to the site:**

**18. Notwithstanding the details shown on the approved plans no development shall commence until full details of the vehicular access to the site have been submitted to and approved in writing by the local planning authority. The vehicular access shall be implemented (and completed) in full accordance with the approved details prior to the commencement of any development on the approved dwellings and it shall be retained as such thereafter for the lifetime of the development.**

**Reason: In the interests of highway safety.**

(d) TWC/2015/0682 – The Old Vicarage, St Lukes Road, Doseley, Telford

This was an application for the erection of a single storey rear extension at The Old Vicarage, a building of local interest. The extension would provide additional space to the existing kitchen, and planning permission was required because the extension would be attached to an existing side extension that linked the main dwelling to a two storey annex. The Old Vicarage was a prominent building in the surrounding residential area, with a number of historical design features. Objections had been submitted by the Council's Conservation Officer, and one letter of support had been received from an adjacent resident.

Councillor C P R Mollett, Borough Ward Member, spoke in support of the application. The building had already been heavily altered and extended, and this proposed extension would not make any significant difference particularly as it would not be visible from outside the site. The current owners were not aware that the building was of historic local interest, and this small development should be allowed to proceed.

Mr D Pritchard, the Applicant's agent, addressed the Committee and stated that the proposal did not affect any of the historic features of the property. Planning Officers

had suggested an alternative design for the extension (an example of which had been tabled), but the Applicant did not want such a modern design. There was no historic association of the building to the local area, and the comments of the Conservation Officer in relation to the function of the kitchen and the need for further floor space was challenged.

The Planning Officer advised on the principle of an extension, the impact on a Local Interest building, and the design, scale and mass. Amendments in the design had been asked for, and efforts had been made to engage positively with the applicant and his agent, but this had not been successful. It was considered that the proposed extension would not respect or relate to the original building, with poor and inappropriate design which caused detrimental impact on the fabric of a Local Interest building. The development would mask major features of interest and would adversely affect the traditional frontage. The application was therefore recommended for refusal.

During the ensuing discussion, a suggestion for a site visit was made but, upon being put to the vote, this was lost. Some Members believed that the proposed design of the extension was not out of character or scale with the existing building, and would not be visible except to the rear of the property. Other Members questioned the need for a further extension on an existing extension, and believed that the proposal would have an adverse impact on the character of a locally listed building. Upon being put to the vote, by a majority it was

**RESOLVED** – that with respect to planning application TWC/2015/0682, that planning permission be refused for the following reason:

- 1. The Local Authority considers that the proposed development would have an adverse impact upon the character, form and fabric of the Local Interest building contrary to ‘Saved’ Policy HE25 of the Wrekin Local Plan which seeks to ensure that the buildings of local interest are preserved or enhanced. Furthermore no justification has been provided to demonstrate that the harm caused by the proposed extension is outweighed by the need for the additional accommodation. The Local Planning Authority therefore considers that the proposal is contrary to policy HE25, UD2 of the Wrekin Local Plan, CS14 and CS15 of the Core Strategy and guidance contained within the NPPF.**

(e) TWC/2015/0562 – Land at the rear of 18,19 & 20 Bratton Road, Bratton, Telford

This was an application for the erection of 2 semi-detached dwellings and associated works. The site formed part of the curtilage belonging to 18 Bratton Road which wrapped around the rear of the gardens at neighbouring 19 and 20. An unadopted access track running along the south side of the site would be used to access the development. The report contained the relevant planning history within the immediate area relating to a number of applications for dwellings to the rear of properties at Bratton Road, most of which had been refused. An Inspector’s report on an appeal decision for an application at 9 Bratton Road provided a helpful direction in setting out the Council’s approach towards applications for residential

development in this location. The Inspector dismissed the appeal citing impact upon the appearance and character of the area and adequacy and safety of the proposed means of access as being the main issues. Outline permission for 5 dwellings on land at 21 Bratton Road had been previously granted, but that application was considered to be materially different from the application currently before the Committee.

Councillor R T Kiernan, Borough Ward Member, addressed the Committee in support of the application. It was felt that this development could easily be accommodated on the site, and the access and visibility issues onto Bratton Road had been resolved by the Highways department. The site had previously received permission for a dwelling, and the precedent for backland development had already been established in this area, particularly with the permission given for 5 dwellings on a site next door. It was suggested that Members should undertake a site visit.

The Planning Officer advised on the principle of development, impact on development pattern and the character of the area, access and parking issues, and residential amenity. In relation to concerns raised previously about the poor visibility at the junction onto Bratton Road, the applicants had submitted amended plans which included provision of a visibility splay that would extend across the frontages of 18, 19 and 20 Bratton Road including removal of a section of boundary fence and reduction in height of the boundary wall. The Highways Group Manager was satisfied that this was acceptable in terms of highway safety, subject to conditioning. The main remaining issue was around the principle of development in this location. It was considered that the proposal was not in keeping with the development pattern in the area, and would result in backland development located behind the main development line along Bratton Road. This was also the conclusion of the Planning Inspector for the appeal on TWC/2006/0265, and it was considered that this Inspector's decision was a material consideration and provided helpful direction in determining applications for residential development in this location. The application was therefore recommended for refusal.

In response to a question about the approval of residential development at 21 Bratton Road and the potential precedent this set, the Planning Officer advised that only outline permission had been granted for that development. However, its relationship to the existing development and building lines was different. In response to a question about the principle of development already being established on this site, the Planning Officer advised that the application that was approved in 2005 was for one bungalow on the western end of the current application site, whereas this application was for two 2-storey properties and represented a more substantial form of development. Following further discussion for and against the proposed development, it was by a majority

**RESOLVED** - that with respect to planning application TWC/2015/0562, that planning permission be refused for the following reason:

- 1. In the opinion of the Local Planning Authority, the proposal would result in unacceptable backland development, located behind the continuous built up frontage along Bratton Road. The provision of a dwelling in this location would be out of keeping with the ribbon development pattern along the**

**west side of Bratton Road and in this respect, the proposal would therefore fail to respect the context, character and appearance of the existing area, contrary to Core Strategy Policy CS15 and Saved Policies UD2 and H6 of the Wrekin Local Plan together with the requirements of the NPPF.**

- (f) TWC/2015/0830 – Land adjacent to Caravan Site, Lodge Road, Donnington Wood, Telford

This was an application for the change of use of grazing land to a gypsy and traveller transit site including access roads, provision of toilet block and landscaping. The site was adjacent to the recently extended permanent Gypsy and Traveller site at Lodge Road, and was currently used as grazing land. The access road would be taken directly from Lodge Lane to the south east of the site. The site would provide 11 pitches each of which would have the potential to accommodate two caravans and two cars. The site would replace the existing gypsy and traveller site on land off Holyhead Road, Snedshill. This latter site was the subject of a separate application (TWC/2015/0973) for a temporary extension of existing planning consent pending the construction of the new site at Lodge Road. The two applications were therefore considered in tandem.

The Planning Officer advised on the principle of development and need, design and layout of the proposals, impact on neighbours and highways matters. One letter of objection had been received, and the issues raised were summarised in the report. The site was currently designated for Employment Development in the saved Wrekin Local Plan. However, there had been no take-up for an employment use since its allocation in 2000, and saved Policy E9 allowed for the development of non-employment uses in such areas. In addition, the site formed only a small part of a much wider employment land allocation. There was evidenced need for a gypsy and traveller transit site to meet the Borough's needs, and this outweighed the designation of the site for employment uses. The application was therefore recommended for approval.

Members considered that the proposed site at Lodge Road would be a good location for the transit site, and it would help to reduce incidences of illegal encampments in the Borough.

**RESOLVED – that with respect to planning application TWC/2015/0830, planning permission be granted, subject to the conditions set out in the report.**

- g) TWC/2015/0973 – Land adjacent to Kiyokuni Europe Ltd, Holyhead Road, Snedshill, Telford

This was an application to extend the change of use of vacant employment land to a temporary gypsy and traveller caravan site with the provision of 15 pitches and portable toilet facilities until February 2016. The previous two year temporary

permission expired on 18 December 2015, and it was proposed to extend this for a further three months to allow for a new transit site at Lodge Road, Donnington Wood to be constructed and made available. This latter site was the subject of a separate application (TWC/2015/0830), and the two applications were therefore considered in tandem. 15 letters of objection had been received, and the issues raised were summarised in the report.

The Planning Officer advised on the principle of development/need, the impact on neighbours, and highways matters. The principle of a gypsy and traveller site at this location had been previously found to be acceptable, and there was still a need for transit pitches pending the opening of the new site at Lodge Road. Issues raised by objectors had been addressed in detail previously, and therefore the application was considered to be acceptable, subject to it being limited to a three month extension.

During the ensuing discussion, a comment was made that the transit site had been empty for the last six months and therefore there did not seem to be much need to grant a further three month extension to the permission. The Planning Officer advised that irrespective of take-up, the Borough needed to have transit site capacity for the reasons explained in the report.

**RESOLVED - that with respect to planning application TWC/2015/0973, planning permission be granted for a temporary period of three months, subject to the conditions set out in the report.**

(h) W2006/0608 – Land off Church Walk, Donnington, Telford

The Planning Officer reported that this was a request for a Deed of Variation to the Section 106 agreement attached to this application to allow provision for no affordable units on a residential scheme that had commenced but was not yet complete.

Since the original granting of planning permission for 18 dwellings on this site in 2006, the scheme had not been completed due to the recession. The site remained unfinished and was an eyesore for local residents in properties surrounding the site. Three earlier variations for the relaxation of affordable housing provision on this site had been agreed in order to help the development get completed, but despite several developers trying to complete the scheme, funding had been an issue. The current owner had appointed a new contractor (Fielding & Beaumont) who had a track record of rescuing development schemes and completing them ready for occupation. They had submitted information in support of their intentions, some of which was attached to the report.

In the light of few other alternatives, it was recommended that the Section 106 Agreement be varied to allow no affordable housing, provided the development was completed to a state that the dwellings were ready for occupation by 30 April 2016. If after that time the scheme was not fully completed, then the affordable provision would revert back to the 38%.

Members recognised that something needed to be done about this development, and that the present state of the site was both an eyesore and a potential danger. The loss of affordable housing was unfortunate, but it was a price worth paying.

**RESOLVED** - that with respect to planning application TWC/2006/0608, authority be delegated to the Development Management Service Delivery Manager to amend the Section 106 agreement so that there is no requirement for affordable housing on the site, but that if the development is not completed and ready for occupation by 30 April 2016, then the affordable provision reverts back to 38%.

**PC-071      ADOPTION OF A TELFORD & WREKIN PLANNING ENFORCEMENT POLICY**

The Development Management Service Delivery Manager presented a report regarding the adoption by Cabinet of a Local Planning Enforcement Policy, which would provide transparency and certainty to the public concerning the Council's handling of potential planning breaches. A copy of the Policy was appended to the report.

The Policy set out what things the Council could investigate and what it did not investigate. It set out the standard of service and timescales that complainants could expect, and these would be monitored at the end of each month. The Policy had been subject to external consultation, and had been amended to reflect any appropriate comments.

The adoption and publication of the Policy had enabled the Council to access the new Planning Enforcement Fund which had been implemented to support local authorities with legal proceedings against unlawful breaches of planning control. This Fund would run until 31 March 2016, and would give access to grants of up to £10,000 or 50% towards the costs of a legal injunction (whichever is the lesser).

**RESOLVED** – that the Telford & Wrekin Planning Enforcement Policy, as approved by Cabinet on 15 October 2015, be endorsed.

The meeting ended at 8.40pm

**Chairman:** .....

**Date:** .....