

PLANNING COMMITTEE

**Minutes of a meeting of the Planning Committee held on
Wednesday, 18 May 2016 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), I T W Fletcher, R T Kiernan (as substitute for Councillor N A Dugmore) J Loveridge N C Lowery, P J Scott, M J Smith and C R Turley.

PC-109 Apologies for Absence

Councillor N A Dugmore

PC-110 Minutes

RESOLVED – that the minutes of the meeting of the Planning Committee held on 27 April 2016 be confirmed and signed by the Chairman.

PC-111 Declarations of Interest

In respect of planning applications TWC/2015/0862, TWC/2015/0863 and TWC/2015/0864 Councillor C R Turley advised that he was a member of Hollinswood and Randlay Parish Council but had not been involved in any discussions on these applications.

In respect of minute number PC-115 Cllr P J Scott advised that he was a member of Newport Town Council but had not been involved in any discussion on planning applications TWC/2015/1003 and TWC/2015/1024.

In respect of minute number PC-115 Councillor I T W Fletcher declared an interest due to his wife owning shares in Redrow and withdrew from the meeting during determination thereof.

PC-112 Deferred/Withdrawn Applications

None.

PC-113 Site Visits

None recommended.

PC-114 Planning Applications for Determination

Prior to consideration of this item, the Development Management Service Delivery Manager updated Members on the current position with regards to certain High Court challenges. The Council intended to challenge the Planning Inspector's decision in relation to planning application TWC/2013/1003 Haygate. The Inspector's decision in respect of the larger planning application at Muxton Lane had

been successfully challenged by the applicants and was likely to be re-heard as a single Public Inquiry along with the smaller application on the same site.

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/2015/0359 and TWC/2016/0147

(a) TWC/2011/0575 – Land to the South of St Michaels Church, Waters Upton, Shropshire TF6 6NP

This application was for an amendment to the existing S106 Agreement which had been approved during the outline application in March 2013 for the erection of 8 no dwellings with associated access and amenity space and the provision of 40% affordable housing, the provision of community car parking facilities and the contribution of £5,000 towards a Traffic Regulation Order.

A reserved matters application had now come forward and following a viability assessment it was considered that the proposed scheme would be undeliverable and negotiations had taken place which had led to the proposed Deed of Variation which was comprehensively detailed in the report.

Councillor S Bentley, Ward Councillor for Edgmond and Ercall Magna spoke in support of the application on behalf of the Parish Council and the wider community, who recognised the effort that had been made to achieve the agreement on this application.

During the ensuing debate Members recognised that the negotiations had gone a long way to protect the sandstone wall, to secure £45,000 towards the maintenance of the car park and to protect the £5,000 allocated for the Traffic Regulation Order.

Upon being put to the vote, it was unanimously:-

RESOLVED – that with respect to planning application TWC/2011/0575 delegated authority be granted to the Development Management Service Delivery Manager to vary the S106 agreement signed by the parties on 12th August 2013, to:

- a. remove the requirement to provide affordable housing; and
- b. pay £45,000 to the Parish Council on the transfer of land for the maintenance of the community car park, associated pathways, walls and verge

NB for the avoidance of doubt the clause for the provision of £5000 towards the Traffic Regulation Order remains unaltered; and indexation for point (b) above is taken from the date of this resolution.

(b) TWC/2015/0359 – Angel Centre, Osbaston, Telford, Shropshire
TF6 6RB

This application was for change of use from a residential training facility (use class C2) to land and buildings for the storage and distribution of vehicles (use class 8) prior to their onward sale and had been through three rounds of consultation. The development would be undertaken on a phased basis and this application, which was part retrospective, related to Phase 1 to establish storage and distribution focussed on the western and southern areas of the site. The Planning Officer drew particular attention to aspect of the report relating to on site facilities, highways and hours of operation.

A site visit had taken place in the afternoon prior to the meeting and had considered the roads, the routes to the south and north, Walton bend, issues and arrangements regarding the size of the road and the width of the verges and the information contained in the S106 Agreement.

An update report was tabled at the meeting which set out further consultation responses and the representations received regarding a deferment of the application, the highway infrastructure and the hours of operation

Councillor R Wickson spoke on behalf of Ercall Magna Parish Council on the grounds that whilst the Parish Council encouraged business and recognised the site as brownfield, this development would be detrimental to the area and the environment in its present form. He raised concerns regarding traffic movements, hours of operation, pinch point along the access routes, passing places and the lack of maintenance of the roads.

Councillor S Bentley spoke as Ward Councillor for Edgmond and Ercall Magna. Whilst he accepted the historic use of the site and noted the negotiations which had taken, he remained concerned about the traffic management plan, highways, loss of hedgerow and the protection of the natural habitat.

Mrs E Bates spoke on behalf of the Local Residents who were concerned about the cumulative impact on the community particularly regarding access, ecology, employment, the S106 Agreement and planning conditions. She considered that there was insufficient information before the Committee for them to make a decision.

Mr S Buckley, the Applicant's Agent, informed Members that the Company had outgrown its current provision and had insufficient storage space which was impacting on growth. A limited amount of cars were being stored on site which had been brought in individually. The site had been previously developed the proposals were compliant with the NPPF. A new access had been agreed with Highway Officers. He concluded that the application would create new local jobs and support a successful business.

The Planning Officer referred Members to aspects of the report including consultation responses, site and surroundings, principle of change of use, highways and impact of infrastructure, air quality, drainage and impact on the character and appearance of the area.

During the debate some Members suggested a deferment of the application to allow further consideration to be given to concerns raised regarding hours of operation, the route through Longdon on Tern, the number of vehicle journeys within Phase 1 and Phase 2, speed of traffic, width of passing points, hedgerows, flood risk, the structural integrity of the listed bridge and general highway maintenance, access and safety concerns. Other Members supported the re-development of a brownfield site as the site needed to be used.

In response to some Members' comments the Group Manager, Development Team advised Members regarding the structural integrity of the bridge and confirmed that regular inspections were undertaken. The Engineer was satisfied that the bridge was more than adequate as a public highway and was currently used by agricultural vehicles and the maintenance of public highways was a statutory duty. Financial contributions from the S106 Agreement would be used to improve the current signage.

The Development Management Service Delivery Manager agreed to speak to colleagues and ask them to consider a further inspection of the bridge.

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

RESOLVED – that with respect to planning application TWC/2015/0359 delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the applicant entering into a Section 106 Agreement with the local planning authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:

a) (i) A Routing Agreement:

The routing of all vehicle transporters associated with the movement of cars to and from the site shall be in accordance with those routes indicated on submitted drawing number M14074-C-025 Rev A [please note plan no. revision from Planning Committee Report, in line with latest information cited elsewhere in the report]; in that no transporters are permitted to travel through the Walton Bend on the B5063 and therefore all transporters may only turn left out of Crabtree Lane onto the B5063 and right into Crabtree Lane from the B5063.

(ii) £5,000 towards the monitoring of this routing agreement.

(iii) Measures for the provision of the sum of £100,000 to be called upon to install shuttle operation traffic signals on the Walton Bend if there are three proven instances of transporters defaulting on the routing agreement within a 6 month period. Upon any installation of traffic signals on the bend the routing agreement from the junction of Crabtree Lane/B5063 shall become null and void.

(iv) Control of existing access for usage by office staff and as a welcome

type facility for visitors only.

- (v) £7,500 towards signing and lining improvements on the B5062 Cotwall Lane at New Cottages bend (Grid Ref. 361106, 317721) and the stone bridge 240 metres to the west of the A442 (Grid Ref. 362821, 318019)**
- (vi) £10,000 towards a speed review on the B5063 between High Ercall and Walton with a view to reduce the speed limit from 60mph to 40mph. Works will include all associated lining, signing and legal orders**

NB. Any indexation shall be taken from the date of this resolution.

- b) The conditions and informatives set out in the report and the update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).**
- (c) TWC/2015/0836 – Land between Arleston Lane & Dawley Road, Arleston, Telford, Shropshire**

This was a reserved matters application for layout, scale, appearance and landscaping for the erection of an Extra Care Facility containing 50 no self-contained flats and associated communal/public facilities including a shop, restaurant, café, hair & beauty salon and hobbies/meeting room and for the erection of 95 no residential dwellings. Consideration of the application had been deferred by the Committee at the meeting on the 27 April 2016 to enable further negotiation to take place with the applicant in relation to a number of concerns as set out in the report.

The application had been referred to Planning Committee for determination by the local Ward Member, Councillor A McClements, who spoke against the application. Whilst she welcomed the deferral on the 27th April and subsequent negotiations, she remained concerned regarding parking for the facilities and accommodation, the continued over-development on the western boundary, the impact of the design on the unique character of the village, the impact of the Extra Care Facility on the skyline and the location of the LEAP.

Mr G Devey, local resident raised concerns regarding lack of consultation, the outline permission which had been granted prior to the Council having a 5 year housing land supply, the ridge level of the dormer towers, the bright colours of the Extra Care Facility and the housing layout, the extra traffic, car parking and space for deliveries, the LEAP situated next to the M54 the rights of way and that this application did not fit within the setting of the village.

Mr M Sitch, the Applicant's Agent, informed Members that they had responded positively to the concerns raised and worked hard with Officers in order to produce an acceptable scheme.

The Planning Officer reminded Members that they were considering the reserved matters application. Outline permission had already been approved for the three

storey Extra Care Facility, the LEAP, pre-commencement conditions and the number of units.

During the ensuing discussion some Members had concerns regarding the lack of parking, the position of the LEAP, the application not being in keeping with the residential area, overdevelopment, the roofline and the space standards. Other Members considered that at the outline planning stage Members had asked the applicant to re-consider aspects of the development and there was no reason to refuse the application.

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

RESOLVED – that with respect to planning application TWC/2015/0836 delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the conditions and informatives set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

(d) TWC/2015/0862 – Plot 2, T54, The Naird, Telford, Shropshire

Following a unanimous decision by the Committee, this application was considered in conjunction with planning applications TWC/2015/0862, TWC/2015/0863 and TWC/2015/0864 due to them being on the same site and being similar in nature. Each application was voted on separately.

These full applications were for the erection of three industrial buildings with use class B1, B2 and B8 and associated parking, access and landscaping on Plots 2, 3 and 5, Telford 54, Nedge Hill, Telford and were before Members as a Section 106 Agreement was required on each application. The Planning Officer referred Members to aspects of the reports which set out the proposals in full, detailed the site and surroundings and highlighted the Ecological Impact Assessment.

During the ensuing debate, a question was raised with regard to Condition A3, monies to be indexed, and when this would start. The Legal Officer confirmed this would begin on the date of payment. Members welcomed the applications and hoped these Units would be in use as soon as possible.

Upton being put to the vote, it was unanimously:-

RESOLVED - that with respect to planning application TWC/2015/0862 planning permission be granted subject to:

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

- (i) A financial contribution of £87,880 towards improvements to the local highway network in the vicinity of the application site, and**
- (ii) A financial contribution of £10,000 towards improvements to the existing bus stops within the vicinity of the application site be**

paid by which ever plot (2, 3 or 5) is implemented first and the S106 would be worded accordingly.

- (iii) The monies are to be indexed to start from the date of this Planning Committee and any unspent monies after 5 years from the date(s) of payment refunded to the applicant.

B) The conditions and informatives set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

- (e) TWC/2015/0863 – Plot 3, Telford 54, Nedge Hill, Telford, Shropshire

As set out at (d) above this application was heard in conjunction with planning applications TWC/2015/0862 and TWC/2015/0864.

Upon being put to the vote, it was unanimously:-

RESOLVED – That with respect to planning application TWC/2015/0863 that planning permission be granted subject to:

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

- (i) A financial contribution of £27,200 towards improvements to the local highway network in the vicinity of the application site;
- (ii) A financial contribution of £10,000 towards improvements to the existing bus stops within the vicinity of the application site be paid by which ever plot (2, 3 or 5) is implemented first and the S106 would be worded accordingly.
- (iii) The monies are to be indexed to start from the date of this Planning Committee and any unspent monies after 5 years from the date(s) of payment refunded to the applicant.

B) The conditions and informatives set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

- (f) TWC/2015/0864 – Plot 5, Telford 54, Nedge Hill, Telford, Shropshire

As set out at (d) above this application was heard in conjunction with planning applications TWC/2015/0862 and TWC/2015/0863.

Upon being put to the vote, it was unanimously:-

RESOLVED – that with respect to planning application TWC/2015/0864 planning permission be granted subject to:

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

- (i) A financial contribution of £43,520 towards improvements to the local highway network in the vicinity of the application site;**
- (ii) A financial contribution of £10,000 towards improvements to the existing bus stops within the vicinity of the application site be paid by which ever plot (2, 3 or 5) is implemented first and the S106 would be worded accordingly; and**
- (iii) The monies are to be indexed to start from the date of this Planning Committee and any unspent monies after 5 years refunded to the applicant.**

B) The conditions and informatives set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

(g) TWC/2015/0928 – Land East of 21A St Michaels Close, Madeley, Telford

This was an outline application for the erection of 1 no dwelling with associated double garage and access with all matters reserved and sought the creation of vehicular access off St Michaels Close. Councillor J Jones had requested that this application be determined at Planning Committee.

The Planning Officer drew Members' attention to the background to this application set out in the report and recent grant of planning application TWC/2014/0178 on appeal. The Planning Officer referred to the lower density of this application in comparison with TWC/2014/0178 and commented on the sustainable location employment opportunity, Policy compliance and the established principle of development.

During the ensuing debate, some Members felt that this application sent a negative message, conflicted with policy and had an impact on its surroundings due to being visible from Coalport Road. However, it was considered that it was difficult to refuse in light of the decision of the Planning Inspector.

Upon being put to the vote, it was unanimously:-

RESOLVED – that with respect to planning application TWC/2015/0928 that planning permission be granted subject to the conditions and informatives set out in the report.

(h) TWC/2016/0147 – Land North of Grove Road, Overdale, Telford, Shropshire

This application was an outline application for a residential development with associated access and all other matters reserved. An indicative layout plan demonstrated that the site could achieve 80 units.

An update report was tabled at the meeting which set out further consultation responses and representations received regarding noise, drainage and crime during the building phase with regard to site offices, storage areas and plant and machinery.

Councillor J Greenaway spoke against the application on behalf of Lawley & Overdale Parish Council on the grounds of the lack of playing facilities, the increase of traffic and the use of short cuts by cars and HGVs, highway safety, the public rights of way, the stability of the embankment, opencast mines, the viability of the scheme and the acoustic barrier for 45 new dwellings close to the M54.

Councillor M Boylan, Ward Councillor, opposed the application on the grounds that he considered further investigation was needed on the mine shafts, the acoustic barrier and viability issues, the location and the loss of open space, the impact on the highway, limited amenities, the application would be detrimental to the area and along the M54 corridor and the lack of affordable housing which was contrary to Council Policy.

Ms H Barker, local resident, also raised concerns regarding the increase of traffic and highway safety, the short cuts by taxis and HGVs and the speed of traffic and the need for traffic calming measures and the safety of the proposed living conditions.

Mr P Harris, Applicant's Agent, addressed Members that the viability of the site had been difficult due to the high technical issues that ran along the embankment of the M54 but the revised S106 agreement now made the site viable with an acceptable layout and density as shown on the illustrative plan. He considered that the open space and green network was in private land so did not affect the application and hoped that a reserved matters application would come forward shortly.

The Planning Officer reminded Members that the principle of the development had already been accepted and that this application was subject to the S106 which had lapsed and consideration needed to be given to the application being within the green network but had no defendable boundary, the layout, noise, air quality, stability and the viability issues which were set out in the report and update report.

During the ensuing debate, some Members raised concerns regarding suitability of the site, the stability of the development, noise and air pollution. Other Members considered that if the application was refused, it would be difficult to defend at appeal and could see no material reasons to refuse the application.

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

RESOLVED - that with respect to planning application TWC/2016/0147 that planning permission be granted subject to:

- a) The applicants entering into a Section 106 agreement with the Council (terms to be agreed by the Development Management Service Delivery Manager) that includes the provision of:**

- i. **£62,000 towards primary education facilities, towards the expansion of Old Park;**
- ii. **£24,000 towards offsite Leisure and recreation facilities, to be spent in the nearby play area sites – Overdale Playing Field and Riding Close;**
- iii. **£10,000 towards offsite highway works, to fund rights of way improvements from Grove Road to Waterloo Road**

NB. Indexation shall be taken from the date of the resolution to grant

b) the conditions and informatives set out in the report and update report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager)

- (i) TWC/2016/0263 – Ketley Community Recycling Centre (CRC), Whitchurch Drive, Telford, Shropshire TF1 5AB

This application was for a change of use of the existing recycling centre to a gypsy and travellers site and provision of 1 no toilet block following the closure of the CRC after the completion of the new purpose built facility at Hortonwood and improvements to the Halesfield had been undertaken.

This application had been brought before the Planning Committee following requests from Councillors Mark Boylan and Joy Francis and a site visit had taken place prior to the meeting.

The Planning Officer referred Members to the report with regard to the principle of development, the loss of the existing recycling facility, the design and layout of the scheme, the impact on neighbours and the highway infrastructure.

Councillor J Francis, Ward Councillor, spoke against the application and raised concerns from local residents regarding fly tipping, the lack of consultation, the site which was elevated and not effectively screened and which backed onto gardens off Western Rise, how the conditions would be regulated and policed and why the site had not been considered for small business units or bungalows.

The Service Delivery Manager, Cohesion, who managed Traveller Liaison advised Members regarding the Council's legal obligations to provide suitable accommodation for travellers and the current need for further transient sites. He commented on the site layout, proposed management by the Gypsy/Traveller Officer from within the Community Cohesion Team and the terms of occupation.

During the ensuing debate some Members felt that putting this development in what they believed was an elevated and insufficiently screened site in the middle of the town and close to nearby houses was not an acceptable use and suggested that other uses for the site were explored. Other Members felt that this was an excellent use of the former CRC, there would be less traffic and it would not impact on the nearby houses due to the 130m separation distance, it gave good access to the M54

and the maximum stay was for 28 days and they could see no reason to refuse the application.

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

RESOLVED - that with respect to planning application TWC/2016/0263 that planning permission be granted subject to the conditions and the informatives set out in the report.

PC-115 Planning Applications for Consideration

Following a unanimous decision by the Committee, applications for consideration, TWC/2015/1003 and TWC/2015/1024 would be heard together due to them being on similar in nature. Each application was voted on separately.

Councillor I Fletcher took no part in this item and left the room.

The Planning Officer informed Members that the purpose of the reports was for Members to decide on a position for the Council to maintain at appeal in relation to an application by Redrow Homes for outline planning permission for the sites for 110 homes to the North end of Newport and a new access for Forton Road and a further 170 homes to the South of Newport on Kestrel Close which would involve demolishing 2 no 4 bedroomed homes within Kestrel Close. Full details of the applications could be found in the report which were tabled at the meeting and raised concerns with regard to the loss of green network, trees and hedgerows, drainage, noise, impact on the highways, parks and opens spaces, education, ecology, urban design, planning policy and affordable housing.

During the ensuing debate Members raised concerns regarding the loss of green space and the effect on the local wildlife, the large amount of houses that were already being built or due to come forward, knocking down of 2 x 4 bedroomed houses to accommodate the highway, Forton Road not suitable for extra traffic and concerns regarding the right turn at the junction of the A41 and the lack of public transport. Members considered the reason for refusal set out in each report and decided that both of these applications should be refused for the reasons stated.

- a) TWC/2015/1003 – Land east of Kestrel Close/Beechfields Way, Newport, Shropshire

Upon being put to the vote, it was unanimously:-

RESOLVED - that had an appeal against non-determination not been submitted that PLANNING PERMISSION would have been REFUSED for the following reasons:

1. The site lies in countryside outside the built up area of Newport, as defined on the Wrekin Local Plan Proposals Map, where new development is to be controlled. The site also lies outside the settlements of High Ercall, Tibberton and Waters Upton, where new development within the rural area is expected to be focused. The

Council has in excess of a five year housing land supply and there are no exceptional circumstances to justify the provision of new housing in this location. As such the development proposal is contrary to the NPPF, saved Wrekin Local Plan policies OL6 and Core Strategy policies CS6, CS7 and CS11 and Policy SP2 of the Telford & Wrekin Local Plan (Publication Version).

- 2. The proposal would result in the likely loss of two protected veteran oak trees that have a high ecological and amenity value. In addition the proposals do not accord with paragraph 99 of ODPM Circular 06/2005, or Standing Advice from Natural England nor do they provide necessary survey information relating to bats. The proposals do not contain sufficient information in order for the Local Planning Authority to be satisfied that their duty under regulation 9(5) of the Conservation of Habitats Regulations 2010 has been discharged, in that the use or otherwise of the dwellings to be demolished as bat roosts has not been established nor the extent to which any bat population may be affected by the proposals. Survey information is envisaged and no exceptional circumstances exist for the grant of permission in the absence of survey information. Nor has it been shown that any necessary disturbance caused by precautionary mitigation could not be avoided based upon survey information. Alternatives have not been explored. As such the proposal falls short of policy expectations set out in Policy CS12 of the Telford & Wrekin Core Strategy and national planning policy including the National Planning Policy Framework.**
- 3. Insufficient information has been submitted to demonstrate that the development can be accommodated within the existing highway network without the need for mitigation. In addition the proposal would result in approximately 170 dwellings being accessed from a single point of access which would represent an unacceptable form of development. As such the development proposal is contrary to the NPPF and saved Wrekin Local Plan Policy UD2.**
- 4. Insufficient information has been submitted to demonstrate that the quantity of development proposed can be accommodated on the site without it having a detrimental impact on the character and appearance of the wider landscape. As such the development proposal is contrary to the NPPF, to saved Wrekin Local Plan policy UD2 and to Core Strategy CS15.**
- 5. Insufficient information has been submitted to demonstrate that the development can provide acceptable living standards for potential future occupiers with regard to noise pollution from traffic travelling along the A41. As such the development is contrary to the NPPF.**
- 6. In order to give officers flexibility during the progress of this appeal, that the Development Manager: Development , Business and Employment (or any other officer authorised by him), be authorised**

to add to, change or amend the reasons for refusal and add to, change or amend the above-mentioned heads of terms for the Section 106 planning obligations

- b) TWC/2015/1024 – Site of Plough Farm Nursery, Plough Lane, Newport, Shropshire

Upon being put to the vote, it was unanimously:-

RESOLVED - that had an appeal against non-determination not been submitted that PLANNING PERMISSION would have been REFUSED for the following reasons:

1. The site lies in countryside outside the built up area of Newport, as defined on the Wrekin Local Plan Proposals Map, where new development is to be controlled. The site also lies outside the settlements of High Ercall, Tibberton and Waters Upton, where new development within the rural area is expected to be focused. The Council has in excess of a five year housing land supply and there are no exceptional circumstances to justify the provision of new housing in this location. As such the development proposal is contrary to the NPPF, saved Wrekin Local Plan policy OL6 and Core Strategy policies CS6, CS7 and CS11 and Policy SP2 of the Telford & Wrekin Local Plan (Publication Version).
2. Insufficient information has been provided to demonstrate that the proposal will not cause an offence under the Conservation of Habitats and Species Regulations (2010) and the Protection of Badgers Act 1992. As such the development proposal is contrary to the NPPF and Core Strategy Policy CS12.
3. Insufficient information has been submitted to demonstrate that the development can be accommodated within the existing highway network without the need for mitigation. In addition the proposal would result in approximately 110 dwellings being accessed from a single point of access which would represent an unacceptable form of development. As such the development proposal is contrary the NPPF and saved Wrekin Local Plan Policy UD2.
4. Insufficient information has been submitted to demonstrate that the quantity of development proposed can be accommodated on the site without it having a detrimental impact on the character and appearance of the wider landscape. As such the development proposal is contrary to the NPPF, to saved Wrekin Local Plan policy UD2 and to Core Strategy CS15.
5. Insufficient information has been submitted to establish the principle of surface water drainage for the site. As such the development is contrary to the NPPF and to Core Strategy Policy CS13.

6. **Insufficient information has been submitted to demonstrate that the development can provide acceptable living standards for potential future occupiers with regard to noise pollution from traffic travelling along the A41. As such the development is contrary to the NPPF.**
- 7 **In order to give officers flexibility during the progress of this appeal, that the Development Manager: Development , Business and Employment (or any other officer authorised by him), be authorised to add to, change or amend the reasons for refusal and add to, change or amend the above-mentioned heads of terms for the Section 106 planning obligations.**

PC-116 Endorsement of an Article 4 Direction (non-immediate) to remove permitted development rights for the conversion of offices, storage and distribution centres to residential in the Borough's primary employment areas namely Central Park/Town Centre, Halesfield, Hortonwood, Stafford Park and Tweedale as identified on the plan and edged red.

The Planning Officer presented the report of the Assistant Director Business, Development and Employment, which set out the resolution by Cabinet to seek an Article 4 Direction and the Committee were asked to endorse this approach.

The proposed Article 4 Direction prevented the change of use of an office building and land within its curtilage or storage or distribution centres from being converted to residential units without planning consent within Central Park/Town Centre, Halesfield, Hortonwood, Stafford Park and Tweedale, in order to retain the integrity of existing large employment areas and encourage jobs and businesses into the Borough, whilst safeguarding the living conditions of residential occupiers due to the lack of community facilities, issues with highways and drainage and through contamination of land within these employment sites.

The report proposed that an application be made to the Secretary of State for a Non-Immediate Article 4 Direction which would then be subject to a six week consultation. Following consultation, if the Non-Immediate Article 4 Direction was adopted, permitted development rights would be removed without compensation being payable, but it would take one year and eight weeks to come into effect.

Members questioned whether Newport could be added to the list of sites within the Article 4 Direction and the Planning Officer explained that the employment site within Newport did not have suitable credentials to be submitted to the Secretary of State and was unlikely to be approved.

Upon being put to the vote, it was unanimously:

RESOLVED - that:

1. **Following the resolution by Cabinet to delegate authority to Assistant Director: Business Development and Employment to make a Non-Immediate Direction with immediate effect under Article 4 (1) of the Town and Country Planning (General Permitted Development Order)**

2015 to remove permitted development rights under Schedule 2 Part 3 Class (O) changes of use from offices to dwellinghouses and Schedule 2 Part 3 Class (P) changes of use from storage or distribution centre to dwellinghouses from the employment areas of Central Park/Town Centre, Halesfield, Hortonwood , Stafford Park and Tweedale as identified on the attached local plans; and

- 2. that Cabinet further resolved to delegate authority to Assistant Director: Business Development and Employment in consultation with the Lead Cabinet Member to exercise all the powers conferred on the Council regarding the making, processing and confirmation of the Direction referred to in paragraph 1.**

The meeting ended at 8.46pm

Chairman:

Date: