

## PLANNING COMMITTEE

# A

### Minutes of a meeting of the Planning Committee held on Wednesday, 30 August 2017 at 6.00pm at The Wakes, Theatre Square, Oaken gates, Telford TF2 6EP

**Present:** Councillors H Rhodes (Chair), N A Dugmore, I T W Fletcher, N C Lowery, J Loveridge, R Mehta, L A Murray, P J Scott, and C R Turley.

**Also Present:** Councillor E Carter (for application TWC/2015/0057), A Eade (for application TWC/2015/0057), T J Nelson (for applications TWC/2015/0057 TWC/2017/0179 and TWC/2017/0233) and J Seymour (for application TWC/2017/0449).

#### **PC-019      Apologies for Absence**

None

#### **PC-020      Declarations of Interest**

In respect of planning applications TWC/2015/0728 and TWC/2017/2017 Councillor N Dugmore advised that he was a member of Donnington & Muxton Parish Council but did not sit on Planning and had not been involved in any discussions on these applications.

In respect of planning applications TWC/2015/0728 Councillor I Fletcher advised that he had a financial interest in this application and would leave the room and not take part in any discussions.

In respect of planning applications TWC/2015/0057, TWC/2017/0179 and TWC/2017/0233 Councillor P Scott advised he was a member of Newport Town Council but had not been involved in any discussions on these applications.

In respect of planning applications TWC/2017/0535 Councillor C Turley advised that he has taken part in discussions held by Hollinswood and Randlay Parish Council at a meeting prior to this item coming to Committee and that he would leave the room and not take part in any discussions.

#### **PC-021      Minutes**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 9 August 2017 be confirmed and signed by the Chair.

#### **PC-022      Deferred/Withdrawn Applications**

None.

#### **PC-023      Site Visits**

None.

## **PC-024      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 update report.

- a) TWC/2015/ 0057 – Land south of Springfield Industrial Estate, Station Road, Newport, Shropshire

This was an outline application for the erection of up to 120 dwellings with associated open space, infrastructure works and access off Station Road with all other matters reserved. This application was deferred from the meeting held on the 9 August 2017 to address a late representation from Shropshire Wildlife Trust which raised issues regarding ecology. Late submissions had also been received from Newport Town Council, Newport & District Civic Society and a local resident details of which could be found in the report. An update report was tabled at the meeting which drew Members attention to information received from Church Aston Parish Council, Newport & District Civic Society and Mr A Goulding and also further addressed open space and local plan, affordable housing, Great Crested Newts, Highways/traffic matters and the timing of the application.

Councillor T Nelson spoke against the application on behalf of Newport Town Council who wanted to protect publically owned open green space. The Town Council expressed concerns regarding land grabbing, the amount of planning applications that were being passed in Newport, overdevelopment and the haste in which this application had been brought back to Committee and site H13 which the Local Plan Inspector has proposed should be taken off the list of allocated sites for housing.

Councillor S Stacey spoke against the application on behalf of Church Aston Parish Council who raised concerns regarding the prematurity of the application, affordable housing, the use of green spaces, the stalling housing developments within Newport, lack of demand due to the Council's 6 years housing supply, the suitability of the development, the development plan and the emerging plan.

Councillor Eric Carter, Ward Council for Newport South and East spoke against the application and raised concerns regarding protecting greenfield sites, further housing developments, the lack of jobs, the need to travel to surrounding areas via the A518 and A41, highway traffic, site H13 which the Local Plan Inspector has proposed should be taken off the list of allocated sites for housing and the overall benefit of the scheme. He further commented that if Members were minded to approve this application that a request for a zebra or pelican crossing be installed in order to ensure the safety of families and children crossing Station Road.

Councillor A Eade, Ward Councillor for Church Aston and Lilleshall, spoke against the application and expressed concerns regarding the Council's financial interest in the site, the emerging local plan, the necessity of the development due to the Council's 6 year housing land supply, a Supreme Court ruling and tilted balance, the weighting of policy and the emerging Newport Neighbourhood Plan. Councillor Eade confirmed to Members that his intention was to ask the Secretary of State to call this application in for a Planning Inquiry if Members approved the application.

Mr R Major spoke on behalf of Shropshire Wildlife Trust which raised concerns regarding ecology, the contribution towards the natural environment, the application being contrary to the NPPF, DCLG Planning Guidance 2016, Biodiversity 2020

Strategy and the local plan. The Wildlife Trust considered this area to be of significant biodiversity value and required up to date surveys on newts, hedgerows, grasslands and the pond.

Mr A Gill, Applicant's Agent, spoke in favour of the application which was set out clearly in the report. The Agent explained that the site was not public open space and not classed as a village green and the Hutchinson Way was the only public right of way across the land and it would be kept on site as a pedestrian access. The site was surrounded by settlements and it was the intention to retain the trees along the boundaries and the wider master plan included 18 acres of open space together with a dual use sports pitch and play area.

The Planning Officer informed Members regarding the technicalities around the development plan, the NPPF, CS1 and CS7 and the weight that could be given to each, revised boundaries, the limited weight to be given to development plan rural area policies due to the emerging local plan. With regards to prematurity, the proposed removal of H13 from the Local Plan did not preclude this application from being considered and a summary of the inspector's findings could be found at pages 3 and 4 of the update report. With regard to Highways, there were a package of improvements coming forward to the A518 and A41 to accommodate the development which would be subject to proportional S106 contributions. Green space would remain on the site with a play area off-site contribution, the design of the scheme was appropriate with no adjacent houses or overlooking and 35% affordable housing in keeping with the emerging plan. Ecology officers were satisfied that mitigation measures were in place in order to protect the biodiversity and trees, hedges and the pond would be retained together with the public right of way.

During the ensuing debate, some Members raised concerns regarding the need for the houses, lack of compliance with the NPPF, highway safety and traffic issues, drainage, affordable housing, lack of imagination for the use of S106 funding for sports/play provision, nature conservation and biodiversity and the age of the reports, loss of open space, the application of the "tilted" balance, limited benefits of the development and the adverse impact, the lack of archaeological assessment and the argument that enough residential development had already been allocated for Newport. Some Members welcomed the retention of the veteran trees and the pond and it was requested that if the development was approved that the Applicant worked with Newport in Bloom in order that the flowers beds/areas be protected and that a proper safety crossing/ zebra crossing be installed.

The Ecology Officer informed Members that there were some British Standard limits on ecology reports which were between 2-3 years, but this was dependent of the survey. The Great Crested Newt Survey was undertaken in 2016 which was sufficiently up to date in these circumstances. She considered that there were sufficient mitigation measures in place to protect the biodiversity and the veteran tree and pond were considered to be of value so were to be retained.

The Legal Officer addressed Members regarding the rights of way. He explained that the village green application had been rejected but that a claim for the routes within the site had been made and that these routes were marked on the plan. He explained that there was no Supreme Court Decision that went against the planning position as set out in the report and that, although the Council had a 5 year housing supply, the housing policies were out of date which instigated the "tilted balance" as previously mentioned.

The Planning Officer informed Members that there had been no objection from Shropshire Council Historic Environment Archaeology Service and that the standard drainage conditions would be implemented on the scheme at the reserved matters stage.

Some Members felt that the concerns that were raised during the deferment had been addressed and that the Secretary of State would be informed of the resolution of the Planning Committee and it was for the Secretary of State to decide if this application should be called in.

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

**RESOLVED - that in respect of Planning Application TWC/2015/0057 that delegated authority be granted to the Development Management Service Delivery Manager to grant Outline Planning Permission subject to:**

- a) **The Council submitting the report to the National Planning Casework Unit for consideration and, if they do not wish to call in the application**
- b) **The Applicant/Landowner and other interested parties entering into a Memorandum with the Local Planning Authority, (terms to be agreed by the Development Management Service Delivery Manager) with indexing applicable to contributions from the date of the committee resolution to grant outline consent, relating to:**
  - i) **£156,957 towards off-site highway works to the A518/Station Road roundabout and its approaches and the links along the A518 up to Audley Avenue (but not contributing towards the cost of works the proposed new access for the Station Road site (ref: TWC/2011/0871)**
  - ii) **£120,000 towards public transport service enhancements to divert bus services into the site**
  - iii) **£10,000 for public transport infrastructure – bus shelter/stop(s) along Station Road**
  - iv) **£5,000 towards Travel Plan monitoring**
  - v) **£290,901 towards Newport Infant School – for 2 class bases and kitchen expansion**
  - vi) **£177,524 secondary for 150 place expansion of Burton Borough**
  - vii) **35% Affordable housing**
  - viii) **Open space maintenance commuted sum to be confirmed if Telford & Wrekin Council take on the maintenance of the space shown on site**
  - ix) **£1,000 plus £500 per s106 contribution**
  - x) **Provision of on-site equipped play provision or an appropriate commuted sum towards off-site play provision (to be determined by the Development Management Service Delivery Manager) if the open space/play provision to be provided under the adjacent development (TWC/2015/0871) is not available for public use before development commence on this application site**
- c) **the conditions and informatives (similar to conditions for the East/West Station Road site with officer delegated powers to update/amend as necessary) set out in the report.**

b) TWC/2015/0728 – Land corner of Redhill Way/Ad, Redhill, Telford, Shropshire

Councillor I Fletcher left the room for this item of business.

The application was an outline application for the erection of up to 450 dwellings, a shop (retail development up to 600 sq m) and a public house (up to 800 sq m) with the means of access included within the application, with the remaining details of appearance, landscaping, layout and scale to be dealt with at the reserved matters stage.

Mr I Gilbert, Applicant's Agent spoke in favour of the application saying that, following a long process, there were no technical reasons to refuse the application. This was an appropriate, sustainable development with 35% affordable housing provision which sought to increase the housing supply shortfall within the Borough. The site was not controversial and there had been no objection from Highways Officers and Muxton & Donnington Parish Council had not objected to the application.

The Planning Officer advised Members that the NPPF was a material consideration and where policies were out of date, the "tilted balance" should be implemented. This application was contrary to Policy CS7, however, this policy was considered out of date. There had been no objections from Arboricultural, Highways or Ecology Officers although the application would result in a loss of approximately 30 ha of agricultural land which included some 'best and most versatile' agricultural land. The development would provide employment during the construction phase and in the longer term from the retail use, up to 158 affordable houses, play spaces and financial contributions towards the provision of off-site leisure improvements which would be available to the wider public and enhance the areas of public open space around the site. It was considered that there would be an impact on the neighbouring Windings caravan site, but mitigation measures could be put in place to reduce the impact to an acceptable level. It was proposed that if the Section 106 Agreement was not signed and sealed prior to the Council's Local Plan being adopted the application would be re-assessed and brought back to the Committee for consideration.

During the ensuing debate, some Members raised concerns regarding the application being contrary to policy, the limited benefits, economic use of land, police funding, retail unit, the financial contributions to mitigate the development, minimal job creation, extension into the urban boundary, use of a greenfield site, the impact on the setting of the caravan park, the application of the tilted balance, noise from vehicles and machinery from neighbouring sites, education contributions, the close proximity of the access to the roundabout which was considered unsafe. Other Members asked if a toucan / pelican crossing and a larger buffer zone to the caravan park could be provided.

The Highways Officer advised Members that the proposal was a standard highway layout with the access a suitable distance from the roundabout. The speed limit would reflect the road conditions with the roundabout reducing traffic speed.

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

**RESOLVED** - that in respect of Planning Application TWC/2015/0728 that Planning Permission be granted subject to the following:

- a) **The Applicant/Landowner and other interested parties entering into a S106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) with indexing applicable from the date of the committee resolution relating to the following:**
  - i) **The provision of 35% affordable housing**
  - ii) **Financial contributions towards**
    - **Primary education: £991,787**
    - **Secondary education: £537,895**
    - **Highways Infrastructure Works: £565,760**
    - **Public transport service: £625,000**
    - **Leisure facilities: £270,000**
    - **Highway Trees: £350 per tree**
  - iii) **If the S106 agreement is not signed and sealed by the time that the emerging Telford & Wrekin Local Plan is adopted then the application will be re-presented to Planning Committee**
- b) **The conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager) set out in the report.**
- c) TWC/2016/0446 – Land north of 61 Plantation Road, Tibberton, Newport, Shropshire

This was an outline application for the development of up to 22 dwellings including the provision of a community woodland and access with all other matters reserved and had been deferred at the meeting on the 9 August 2017 for a site visit to take place and for an alternative access to be explored.

A site visit had taken place in the afternoon prior to the meeting.

Councillor J Berry spoke against the application on behalf of Tibberton & Cherrington Parish Council who raised concerns regarding the width of the access along Plantation Road and felt that an alternative access could be made along Old Smithy Road. He also expressed an opinion that the council should take back the land that was in adverse possession as this also covered the main sewers, it would increase the size of the access to 9m. He further raised concerns that if the Council did not own the land that they would not be able to install passing places.

The Legal Officer confirmed to Members that the Council still owned the strip of land which had been encroached, but that this land was not a definitive public right of way and not a public vehicular route. With regard to the adverse possession, no claim had yet been made and had not been tested, but it was likely that a claim would come forward should the Council seek to enforce an ownership claim.

Mr N Thornes, Applicant's Agent spoke in favour of the application and informed Members that alternative access along Old Smithy Road had been considered earlier in the process but that the access was not wide enough and following legal advice it was felt that the encroached land could not be claimed back. There had been a reduction to the number of dwellings from 39 to 22 which would limit vehicular movement along the land. The hedgerows would be retained and passing places would be provided to improve capacity. This was a contained development, with 40% affordable housing, which respected the village setting in a highly sustainable location and would provide open space and woodlands.

During the ensuing debate some Members raised concerns regarding the access along Plantation Road, but felt that the alternative at Old Smithy Road was not viable and as the alternative access and now been considered that there were no reasons to refuse the application.

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

**RESOLVED** - that in respect of Planning Application TWC/2016/0446 that delegated authority be granted to the Development Management Service Delivery Manager to grant Planning Permission subject to the following:

a) **The Applicant entering into a Section 106 Agreement with the Council relating to:**

- **The provision of 40% on site affordable housing (9 dwellings)**
- **£89,862 towards refurbishment of the demountable on site at Tibberton Primary School**
- **£1900 per dwelling towards a Traffic and Speed Management Scheme on the B5062 within the vicinity of the Back Lane/B5062 Junction and a Highway Safety improvement scheme on the B5062 and Cherrington Road Junction**
- **£600 per dwelling towards the enhancement of local play and recreational space at the nearest Tibberton Playing Field**

**The conditions and informatives (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management) set out in the report.**

d) TWC/2017/0179 – Land south of 28 Beechfields Way, Newport, Shropshire

This application was for the erection of 19 no dwellings with all matters reserved on land south of 28 Beechfields Way, Newport and had been called in by Councillor T Nelson. A site visit had taken place in the afternoon of the meeting.

Councillor T Nelson, Ward Councillor, spoke against the application and raised concerns regarding overdevelopment, the suitability of the site, topography, drainage, the steep cul-de-sac, access/egress, increased traffic and the need to create an additional soakaway terracing. This land was white land and Members were asked, if minded to approve the application, to retain a low density, enhance the access to the site and provide a MUGA or contribute to the local Rugby Club. He also enquired whether any indemnity could be provided to existing residents if there were issues relating to piling.

Mr C Huntley, Applicant's Agent, spoke in favour of this small scale development which would create local jobs in a sustainable location which would positively benefit the local area. It was surrounded on three sides and did not encroach into the countryside. The housing scheme was more preferable to the previously proposed care home and was well above the flood plane, although a scheme would be laid at the bottom of the site. A footpath access would be available across the site and the development would be fully serviced and close to local amenities. There would be minimal vehicular movements along the highway with no overlooking or loss of privacy.

The Planning Officer informed Members that this development was outside of the existing urban area boundary of Newport within the existing Wrekin Local Plan, however as the relevant policies for the supply of housing were not up-to-date, the application should be determined with reference to the NPPF paragraph 14 "tilting balance". The site is also proposed to be included within the boundary in the new Telford and Wrekin Local Plan. The Inspectors Proposed Main Modifications have been published and do not propose any changes to the revised urban boundary as proposed. Whilst these policies do not form part of the development plan, those policies which were not subject to proposed changes could now be afforded significant weight.

During the ensuing debate, some Members raised concerns regarding the need for the development, the steepness of the road, additional traffic, topography, drainage, loss of green space, proximity to a SSSI, the objections from local residents and the lack of affordable housing.

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

**RESOLVED - that in respect of Planning Application TWC/2017/0179 that delegated authority be granted to the Development Management Service Delivery Manager to grant Outline Planning Permission subject to the following:**

- a) **The applicant entering into a Section 106 Agreement with the Council relating to:**
- **Education: Primary School - £45,380 towards the remodelling works at Newport Junior School and Secondary School £27,925 towards Burton Borough Sports Facilities project**
  - **Recreation: £600 per dwelling (total £11,000) towards the upgrading of the Beechfields Way Ball Court**

**The conditions and informatives (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management) set out in the report.**

- e) TWC/2017/0233 – Site of Plough Farm Nursery, Plough Lane, Newport, Shropshire

This application was for the erection of up to 55 no dwellings with associated access and all other matters reserved on the site of Plough Farm Nursery, Plough Lane, Newport, Shropshire. This application was deferred from the meeting on 9 August 2017 in order for a site visit to take place and assess the access point and the quality of the proposed green network.

Councillor T Nelson, Ward Councillor for Newport North and West, spoke against the application and raised concerns regarding highway safety and the speed limit, the proximity of the access to the roundabout, the use of greenfield and the loss of green network, affordable housing. He requested that if Members were minded to approve the application that ecological enhancements were made to include bird and bat boxes and green corridors for wildlife.

Mr C Timothy, Applicant's Agent, spoke in favour of the application and sought to reassure Members that the access point had received no objections from Highways Officers and that the house proposed opposite the access could be dealt with by condition. It was proposed that 19 of the 55 dwellings would be affordable housing and a Section 106 Agreement would be entered into regarding education, highway infrastructure works, leisure facilities and to improvement works to the canal footpath. The development was well located with good access and well contained by the existing factories. An area had been set aside for biodiversity and there would be a pedestrian access to site from Plough Lane.

The Planning Officer advised Members that this application was the subject to a Section 106 Agreement with contributions towards primary education, highway infrastructure works, leisure facilities and improvements to the canal footpath and would provide 35% affordable housing. Ecology Officers were satisfied that mitigation measures were in place in relation to biodiversity and habitats and the Highway Officers were satisfied with the financial contribution towards the works on the A518 and A41 Stafford Road.

During the ensuing debate some Members raised concerns regarding the proposed dwelling at the entrance of the site that this be repositioned to give some respite to Forton Cottage, loss of green space, the need for the development, highway issues, traffic speed, visibility splays, loss of natural amenity, loss of separation of built up area, ecology, the proximity of the access to the roundabout. Other Members asked if the access could be moved further away from the island in order to improve safety.

The Highways Officer advised Members that this land was not in the ownership of the Council but that it may be beneficial to have the access away from the island.

The Planning Officer informed Members that this access did not form part of the application and there may be difficulties due to differentiating the land levels.

The Development Management Service Delivery Manager suggested to Members that he be given delegated powers to negotiate moving the access, if Members were minded to approve the application, and if the negotiations failed the application would be brought back to the next meeting of the Committee.

The Legal Officer advised Members that there was limited ownership of the land and the access could not be addressed at the reserved matters stage.

It was proposed that delegated authority be given to the Development Management Service Delivery Manager to negotiate moving the access further away from Forton Cottage at the front of the site and that if the negotiations fail that the application come back before the Committee at the next Meeting.

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

**RESOLVED** - that in respect of Planning Application TWC/2017/0233 that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the potential of moving the access further away from Forton Cottage but within the development land being investigated and subject to the following:

- a) If the access negotiations result in a satisfactory relocation of the access, to grant planning permission subject to the Applicant/Landowner and other interested parties entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) with indexing applicable from the date of the committee resolution for the following:
- i) The provision of 35% affordable housing
  - ii) Financial contributions towards
    - Primary education: £121,537.00
    - Highways infrastructure Works: £39,577.45
    - Canal footpath improvement works: £45,000.00
    - A financial contribution towards leisure facilities: £600 per dwelling

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

- b) If access negotiations fail to achieve the above result, to bring the application back to Planning Committee for determination.

- f) TWC/2017/0259 – Site of Alver & land adjacent/rear of Clews Wood Court, Station Road, Madeley, Telford, Shropshire

This application was for the demolition of existing bungalow and an outline application for the erection of 17 no dwellings, access and layout with all other matters reserved and was subject to a Section 106 agreement for contributions towards 25% affordable housing and open spaces contribution of £9,600. Four public objections had been received with regard to overdevelopment and parking. This was within the urban area and outside of the green network in the emerging local plan, but within the local plan at present. Five dwellings would be on Station Road and the remaining 12 accessing off New Road and contained 34 parking spaces which was considered adequate.

During the ensuing debate some Members were disappointed that some tree coverage had been removed but negotiations had taken place with the neighbours at Chayne Lea with regard to the remaining trees, which would ensure the character of the Silkin Way and a concern was raised with regard to cars reversing on to Station Road. Other Members considered this to be a good new story and felt that this was not an overdevelopment and the site needed to be redeveloped.

The Highways Officer had no objection to the application.

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

**RESOLVED** - that in respect of Planning Application TWC/2017/0259 that delegated authority be granted to the Development Management Service Delivery Manager to grant Outline Planning Permission subject to the following:

- a) the Applicant/Landowner and other interested parties entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) with indexing applicable from the date of the committee resolution to grant the following:
  - i) Affordable housing at a rate of 25%
  - ii) £9,600 towards the upgrade/improvements to off-site children's play facilities at Hills Lane play area

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

- g) TWC/2017/0317 – 89 James Way, Donnington, Telford, Shropshire TF2 8AY

This application was for the erection of a single storey side and rear extension to create an annexe at 89 James Way, Donnington and had been called in by Donnington & Muxton Parish Council. Amended plans had been received showing internal door connections and the omission of a French door which would be replaced with a window in order to ensure no external access.

Councillor L Dugmore spoke against the application and expressed her disappointment that she had not been informed of the updated plans. The Parish Council remained of the view that this development would not be used as an annexe but as a separate additional dwelling. She asked if the permitted development rights could be removed in order to prevent the French doors being installed following approved of the application.

The Legal Officer suggested to Members that this application could be made subject to a Section 106 Agreement in order to prevent the extension being used as a separate dwelling.

The Development Management Service Delivery Manager suggested that Members grant delegated powers to remove the permitted development rights in order to prevent the window in the front elevation being replaced with a door.

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

**RESOLVED** - that in respect of Planning Application TWC/2017/0317 that Full Planning Permission be granted subject to the following:

- a) an additional condition be imposed restricting permitted development for doors/windows
- b) the Applicant enters into a Section 106 Agreement preventing the use of the development as a separate dwelling

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

h) TWC2017/0449 – 3 Clee Rise, Little Wenlock, Telford, Shropshire TF6 5BU

This application was for the erection of a single storey side extension at 3 Clee Rise, Little Wenlock, Telford and had been called in by Councillor J Seymour.

Councillor J Madeley spoke on behalf of Little Wenlock Parish Council against the application and raised concerns regarding the size of the extension which was not in keeping with the street scene and right up to the neighbour's boundary which would not allow for the maintenance of the site without encroaching onto the neighbouring garden.

Councillor J Seymour, Ward Councillor, spoke against the application on behalf of the neighbouring property. There was no objection to the development in principle, but concerns were raised regarding the proportion of the extension and the proximity to the boundary line of the adjoining gardens which may damage the neighbouring borders and planting whilst being built and maintained. It was requested that the extension be move back from the boundary by 1 metre.

The Planning Officer advised Members that the footprint and location of the development would be allowed under permitted development rights, but due to the height of the eaves this proposal needed planning permission.

During the ensuing debate some Members felt that the development could easily be moved back by 1 metre and also raised concerns regarding the flat roof and it was suggested that this application be deferred for one cycle in order for dialogue to take place with the applicant with regarding the moving back from the boundary by 1m.

The Planning Officer suggested to Members that, if they were minded to approve the application, delegated authority be given to the Development Management Service Delivery Manager to negotiate the boundary with the applicant and if the negotiations were to fail that the application be refused on the grounds of amenity.

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

**RESOLVED - that in respect of Planning Application TWC/2017/0449 that Planning Permission be granted subject to the following:**

- a) **Delegated power being granted to the Development Management Service Delivery Manager to negotiate the scaling back of the east elevation by 1m in order to leave a maintenance border around the extension**
- b) **If the scaling back cannot be achieved then the Planning Permission be refused on the grounds of the impact on amenity (and on such other grounds as the Development Management Service Delivery Manager considers appropriate)**

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

- i) TWC/2017/0454 – Site of The Vineyard, North Road, Wellington, Telford, Shropshire

This application was for the change of use from Nursery (use class D1) to form 7 no dwellings (Use class C3) and the erection of 7 no bungalows with associated car parking and landscaping. This application was subject to a financial contribution towards public open space improvements.

Mr O Jones, Applicant's Agent, spoke in favour of the application which was to convert and refurbish the listed building into 7 apartments, provide a new internal lift and breathe life into the 19<sup>th</sup> century Georgian property. Alongside the house would be seven two and three bedroom bungalows which were in high demand. There had been no objections from consultees and it was envisaged that there would be around 60 vehicular trips per day along the cul-de-sac compared to some 275 when the development was formerly a nursery.

The Planning Officer advised Members that this application had no affordable housing due to the viability and would use a small area of green network.

During the ensuing debate, some Members welcomed the application which was an attractive improvement to a locally listed building which was sympathetic to its surroundings and was not an overdevelopment of the site and would enhance and improve this highly sustainable development. Other Members felt that this was a good news story but were disappointed that no imagination had been used with the contribution to play equipment.

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

**RESOLVED - that in respect of Planning Application TWC/2017/0454 that delegated authority be granted to the Delivery Management Service Delivery Manager to grant Planning Permission subject to:**

- a) **The Applicant/Landowners entering into a Section 106 Agreement with the Local Planning Authority, terms to be agreed by the Development Management Service Delivery Manager, relating to:**
- i) **Children's Play Space - £600 per dwelling towards off-site existing children's play and recreation at Bowring Park, Wellington**

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

- j) TWC/2017/0535 – 76 Arundel Close, Randlay, Telford, Shropshire TF3 2LX

Councillor C Turley left the room for this item of business.

This application was for respective consent for the erection of a two storey rear extension and a single storey side extension at 76 Arundel Close, Randlay, Telford TF3 2LX. Councillor N England had requested that this application be considered by Members of the Planning Committee.

The Planning Officers advised Members that this application had already been granted in principle and that the application before them to be considered was for the

extra width and extra length of the extension (20cm wide x 1m long) and the additional roof lights.

Mr S Vadukil spoke in favour of this application which was not a “land grab”. His near neighbours had not complained about the application and that it had been built and finished to a high standard.

During the ensuing debate, some Members felt that there was no reason to refuse the application as this development did not affect some of the objectors.

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

**RESOLVED** - that in respect of Planning Application TWC/2017/0535 that delegated authority be granted to the Delivery Management Service Delivery Manager to grant Planning Permission subject to:

**D08 Rooflight windows to be fixed and obscure glazed up to 1.7m above the internal floor level.**

- k) W2002/0630 – Rodenhurst Hall Farm, Rodenhurst Lane, Rodington, Shropshire

This application sought to modify the planning obligation attached to planning permission W2002/0630 under Section 106a of the Town and Country Planning Act 1990 as it no longer served a useful planning purpose. This application had been deferred from consideration at the meeting on the 26 July 2017 at the Applicant's request following the Planning Officer receiving legal advice.

The Planning Officer explained that the conversion to an agricultural building was subject to a Section 106 Agreement restricting the uses within B1 and B8 to storage and warehousing and a clause for the application to inform the Council each time there was a change of proprietor of the storage facility/warehouse on any use class B1-B8 and the applicant wished this to be removed.

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

**RESOLVED** – that with respect to planning application W2002/0630 that the request to enter into a Deed of Variation of the Section 106 Agreement be granted:

- a) To remove the words ‘storage / warehouse’ from The First Schedule  
b) To remove obligation 1 of The Second Schedule in its entirety so there is no longer a requirement to submit for written approval of details prior to a change of operator, or use an individual unit (irrespective of whether or not the proposed use falls within the same use class as an existing permitted use.

- l) W2004/0237 – Rodenhurst Hall Farm, Rodenhurst Lane, Rodington, Shropshire

This application sought to modify the planning obligation attached to planning permission W2004/0237 under Section 106a of the Town and Country Planning Act 1990 as it no longer served a useful planning purpose. This application had been

deferred from consideration at the meeting on the 26 July 2017 at the Applicant's request following the Planning Officer receiving legal advice.

The Planning Officer explained that the conversion to an agricultural building was subject to a Section 106 Agreement in which the applicant wished to remove obligation 1 of The Second Schedule involved them writing to inform the Council of the proposed operator and intended use of the each individual unit prior to consent being given.

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

**RESOLVED – that with respect to planning application W2004/0237 that the request to enter into a Deed of Variation of the Section 106 Agreement relating to Planning Permission Number W2004/0237 be granted:**

**To remove obligation 1 of The Second Schedule in its entirety so there is no longer a requirement to submit for written approval of details prior to a change of operator, or use of an individual unit (irrespective of whether or not the proposed use falls within the same use class as an existing permitted use).**

The meeting ended at 9.36 pm

**Chairman:** .....

**Date:** .....