
TELFORD & WREKIN COUNCIL

PLANS BOARD - 4TH FEBRUARY 2009

Schedule 1 : Planning Applications for determination by Board

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Agenda Type : A

W2008/0705 Residential development (outline)
Land off, Frome Way, Donnington, Telford, Shropshire.
Recommendation Code: OLG
Ward: Priorslee

APPLICANT:
English Partnerships

RECEIVED ON:
12/06/08

PARISH
Wrockwardine Wood

WARD
Priorslee

CASE OFFICER:
Kath Whitfield

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principal of development, highway access, design and site levels.

PROPOSAL:

This is an outline application for residential development on a plot of land off Frome Way in Donnington. The application site is part of a larger area owned by the applicant and comprises some 2.4 ha. The concept plan submitted as part of the application suggests that up to 79 dwellings could be provided on this site with a mix of detached, semi-detached and terraced dwelling. Access will be off Frome Way to the east of the site. A LEAP will be provided as part of the development. In addition a mitigation strategy for Great Crested Newts on the adjoining land has been proposed. The applicants propose that the open areas in the ownership of the Housing and Communities Agency (HCA) are around the north, west and south of the site are transferred to the ownership of the Council. Notwithstanding this all matters are reserved for subsequent approval.

PLANNING HISTORY:

The site has the benefit of 7(i) approval number 221 – North East Telford in 1986 as part of a larger area for residential development. Previously records indicate that the site was mined and several mineshafts are recorded on the site. Some reclamation works were carried out by Telford Development Corporation during the late 1980s.

SITE AND LOCATION:

The site is irregular in shape. It lies some 2.5 kilometres north-east of Telford Town Centre and half a kilometre north of Oakengates. To the east of the site is existing residential development of Frome Way and Kenwray Drive.

Around the north, west and southern boundaries is mature and semi-mature woodland. Whilst the main part of the site is relatively flat, there are steep changes in level around the boundaries of the site. To the north and west the site is above the surrounding land but to the west and south it is below the surrounding housing and woodland. Beyond the woodland to the south and west are the industrial/storage development off Rookery Road and the housing along Moss Road.

The site covers an area of approximately 2.4 ha. It is a relatively flat site though there are steep slopes around the boundaries. This is a brownfield site that has

been subject to past mining. Some reclamation work has already been carried out by Telford Development Corporation during the 1980s. The site contains 5 recorded mineshafts within the proposed development area. In the wooded area to the north and south are ponds where Great Crested Newts have been found. The site also contains six stands of Japanese Knotweed, which is classed as an invasive species.

POLICIES:

In the Core Strategy DPD the following policies are relevant:

CS1: Homes

CS3: Telford

CS5: District and Local Centres

CS11: Open Space

CS15: Urban Design

In the Wrekin Local Plan the following 'saved' policies are relevant:

H22 Community Facilities

H23 Affordable Housing

UD2 Urban Design Criteria

T22 Planning Obligations

OL3 Green Network

OL6 Open Land

LR4 Outdoor Recreational Open Space

LR6 Developers contributions to outdoor recreational open space provision within new residential developments

EH14 Land Stability

EH7 Land contamination

EH8 Remedial action on contaminated land

The site is shown for housing on the proposals map for the Wrekin Local Plan.

National Planning Guidance is given in:

PPS 1 Delivering Sustainable Development (including planning and climate change)

PPS 3 Housing

PPS 9 Biodiversity and Geological Conservation

PPG 14 Development on unstable land

PPS23 Planning and Pollution Control

PPS 25 Development and Flood Risk

CONSULTATION RESPONSES:

Leisure & Recreation Officer:

Requested the provision of LEAP on the site, to be provided by the developer but in accordance with a scheme to be agreed by the Council. A commuted sum of £35,000 for the maintenance of the play area (but not any buffer zone) is requested. It should be built to an appropriate standard otherwise additional sums will be required. The LEAP needs to be provided with an appropriate buffer zone from any dwellings and away from overhanging trees that may be dangerous and where leaf loss may be hazardous. The LEAP needs to be constructed before the nearby dwellings are occupied. Though there are two small play areas to the north-east and south of the site, these are in the ownership of the Riverside Housing Association

and the developers were not able to negotiate appropriate upgrades of these two areas or to bring them into public ownership as alternative provision.

Tree Officer:

Stated that any land transferred to the Council should be with an appropriate commuted sum for future maintenance. It would need to take account of any additional costs arising from the need to mitigate for Great Crested Newts adjacent to the site. In addition he would be looking for enhancements to bio-diversity of the area to mitigate against increased usage of the surrounding woodland. The amount will need to be agreed as part of the S106 negotiations.

Planning Ecologist:

Considers that the proposed Mitigation Strategy for the protection of Great Crested Newts found on and adjacent to the site and proposed by the applicants is acceptable. There are no breeding ponds to be lost on site but replacement foraging, which does take place on the site, will need to be provided. A license from Natural England to implement the mitigation strategy will be required.

Engineering Services:

No objections but point out that there a mineshaft outside the application site boundary that is associated with a drainage system which should not be compromised by this development. There is a stand-off of 20m which may affect the development. No mineshaft stabilisation works will be permitted within 10m of this mineshaft.

A shallow mining investigation is required and no development will be permitted within 12 metres of the capped mineshafts on the site.

A slope stability assessment will be required. This should include appropriate mitigation measures to ensure the stability of the site and surrounding area.

Environmental Health Officer:

Some concerns about the levels of some contaminants present which will require clean top soil to be imported for the gardens and landscape areas. In addition the ground is alkaline which will require further assessment and mitigation. Ground gas mitigation measures will also be necessary.

Plans and Policy:

Advise that the site is not in accordance with policy CS5 of the Core Strategy in that the site is more than 900 metres from a District Centre and more than 400 metres of a quality bus route.

Fire Officer:

Requested adequate access for emergency fire vehicles in any development.

Education:

Requested a contribution towards the provision of primary school facilities - prepared to accept £1250 per dwelling excluding one bedroom units.

Housing Strategy Officer:

Suggested provision be made for affordable housing on the site and requested 25% affordable, split as 20% social rented and 5% shared ownership. These should be provided in a range of dwelling sizes and types and should be pepper-potted around the site. Following negotiation it has been agreed to provide 25% affordable split 17.5% social rented and 7.5% shared ownership.

Highways Officer:

No objections in principle to the development subject to the provision of the access points off Frome Way. Details need of layout of the site, turning and servicing, parking levels, road construction, drainage and cycleway and footpath links need to be provided as part of the reserved matters. In addition a contribution of £43,103 towards the improvement of the St Georges Road and Wrockwardine Wood Way junction has been requested. Improvements of pedestrian connections to St Georges Road were also suggested.

Wrockwardine Wood and Trench Parish Council:

No objections in principle but requested that the following concerns area taken into account:

1. The natural watercourses on the site are safeguarded
2. The existing wildlife is safeguarded
3. Any proposed development should not overlook the properties in Moss Road and St Georges Road
4. The Mature Trees are retained
5. The dwellings are not more than 3 storeys in height
6. There is no vehicular access onto St Georges Road or Rookery Road to ensure no further congestion on these roads.

Public response:

There have been 3 letters from households close to the site. The main points of concern relate to the following matters:

- Frome Way is not suitable as a means of access for construction vehicles as it is an area of family homes and there is an issue of children's safety
- An alternative route for construction vehicles would be preferred.
- Construction period likely to affect amenities of adjoining dwellings
- There are great crested newts on the site
- There is a need to protect the pool immediately to the south west of the site.
- This application is premature as there are plenty of other sites in Trench and Hadley that could be developed first.

PLANNING CONSIDERATIONS:

This site has the benefit of a S7(i) approval under the New Towns Act as part of a larger site part of which has already been developed. The site does, therefore, have the benefit of an existing extant planning permission. The Housing and Communities Agency have, however, now agreed to submit new planning applications for all their undeveloped sites to take account of recent changes in legislation and government guidance.

Sustainable Housing Development:

Policy CS1 of the Core Strategy seeks to provide 1330 homes per annum up to 2011. The majority to these will be provided within Telford (policy CS3). Policy CS5

requires new housing development within the District Centres or on sites highly accessible to these centres.

The site lies within an area committed for residential development within the Wrekin Local Plan and includes a small area of Green Network along the western boundary of the application site.

The site lies about a kilometre south of Donnington Centre. There is the regular bus service along Moss Road Blue line which is linked by footpaths but these are in a poor state. The 481 bus to Donnington runs every 30 minutes along Wrockwardine Wood Way. The site can therefore be considered to be accessible to a District Centre as required by policies CS 5 of the Core Strategy.

Layout/Density:

The applicants have provided a master plan as part of the design and access statement that shows that up to 79 dwellings could be provided on the site based on three development blocks. This will give a density of around 33 dwellings per ha. The master plan does not suggest apartments be provided on this site. The presence of mineshafts is a constraint to development particularly and will affect the layout. The housing will be sufficient distance from the dwellings off Moss Road not to give rise to issues of overlooking and loss of privacy.

The master plan provides for a mix of parking arrangements including parking courtyards, on street parking and individual garages. Squares and landscaped open space will also be provided on parts of the site that can not be developed. As small part of the site is affected by the Green Network and this is largely being retained. An access road will cross part of the Green Network but this is considered acceptable as other parts of the land will be retained for wildlife purposes. The applicants are proposing that the landscaped areas within the site are also transferred to the Council provided an appropriate commuted sum can be agreed. Alternatively the developer will need to provide an appropriate management scheme. It is considered that the suggested layout will provide an appropriate and acceptable response to the constraints of the site and opportunities provided.

Highway Matters:

The Highways officer has said that the access to the site should be provided off Frome Way. Off-site improvements to the junction of St Georges Road and Wrockwardine Wood Way is necessary. It had been hoped to improve footpath links to St Georges Road but further investigation has demonstrated that these have now been extinguished. In relation to the concerns of local resident it is unfortunate that there is no other suitable access into the site to be used as construction access all building works will have to be off Frome Way.

Recreation:

In order to meet the requirements of policies LR4 and LR6 of the Wrekin Local Plan requiring all developments to make provision for recreational facilities the applicants have agreed to provide a LEAP on the site. This is to be provided at the western end of the site and is shown on the master plan.

Ecology/Biodiversity:

An ecological study has been carried out and Great Crested Newts have been found within the site and its immediate surroundings. The breeding ponds around the boundaries of the site will not be affected but it is likely that they forage on the application site. The study proposes that two Great Crested Newts core areas be created within the adjoining land owned by HCA. Two ponds will be created, one in each core area, designed to provide breeding habitat. In addition habitat suitable for foraging, ranging and hibernation will also be provided. It also recommends use of amphibian friendly crossing points on roads. A management plan for a minimum of 10 years should be produced by the developer. These recommendations have been agreed by the Council's ecologist. . Only small areas of woodland will need to be felled within the site and this is not considered to be of great quality. The remaining areas of woodland around the boundaries of the site are to be retained. Surrounding woodland owned by the applicant is likely to be transferred to The Council as part of the S106 agreement together with an appropriate commuted sum for future maintenance. This commuted sum should also make provision to take account of additional use of the surrounding woodland areas as a result of the additional development. The existing ditches and wildlife will be protected or appropriate mitigation measures provided as part of the development.

Ground Conditions:

A desk top study and ground conditions report has been carried out in accordance with policies E7, E8 and E14 of the Wrekin Local Plan which has looked at the potential issues of land contamination, shallow mining, existing mineshafts on the site and land stability. It has been demonstrated that the site can be developed. Some additional investigation and mitigation works will be necessary but these can be covered by condition.

Flood Risk:

A flood risk assessment has demonstrated there is little risk of flooding. PPS 25 suggests that surface water drainage should be design not to exceed green field run-off. As soakaways are likely to be unsuitable for this site because of the made-up ground and potential contamination, attenuation tanks may need to be provided to restrict flows.

Planning Obligation Requirements:

- Provision of affordable housing - as a result of the difficult ground conditions and cost of remediation 25% affordable housing has been agreed split 17.5% social rented and 7.5% shared ownership.
- Education - A contribution of £1250 per dwelling, other than one bedroom units, for the provision of primary education facilities has been agreed by the applicants
- Highway improvements - a sum of £43,103 will be necessary for improvements to the junction of St Georges Road and Wrockwardine Wood Way
- LEAP provision - a sum of £35,000 has been agreed as a commuted sum for the maintenance of the play area.
- Woodland and landscaped areas – maintenance contribution to be the subject of further negotiations or dealt with under condition 22 (see below)

Conclusion:

This is a site that is shown as a committed housing site on the Wrekin Local Plan and is served by regular bus route. As such residential development of this site is considered to be in accordance with policy and acceptable. This is will not be an easy site to develop and care will be needed to ensure that appropriate account is taken of the need to protect the Great Crested Newts. There are issues of the mineshafts, contamination, highway requirements and drainage to be resolved as part of any development of the site. These issues can be covered by appropriate planning conditions.

RECOMMENDATION: Subject to the applicant/owner entering into a Section 106 agreement to provide a financial contribution to improvements to the junction of Wrockwardine Wood Way and St Georges Road, education facilities, commuted sums for maintenance of the play area, landscaped open space and the woodland adjoining the application site, and 25% affordable dwellings as outlined above then delegated authority be granted to the Head of Planning to GRANT OUTLINE PLANNING PERMISSION subject to the following conditions:

1. a1 Standard Outline
2. a2 Submission of reserved matters
3. b10 Submission of reserved matters
4. b11. General details required
5. Non Standard – Design and Implementation of the mitigation recommendations in the ecological study for the great crested newts.
6. b23 Landscape Design
7. b30 Road Design - amended – to include footpath and cycle links, street lighting and road drainage to a suitable outfall
8. b50 Foul and Surface water drainage –amended to include no soakaways
- 9.. b46 Slope stability
10. Non Standard - provision of clean top soil covering for gardens and landscape areas in accordance with an agreed scheme
11. b43 shafts treated – amended to provide appropriate stand-off distances
12. b42 shafts untreated
13. b33 on site construction to include site environmental management plan.
14. Non Standard Protection of mine drainage system.
15. b41 Shallow mineworking
16. b44 Land Contamination (amended)
17. b99 Foundation design – Stability (Raft foundations)
18. b100 Foundation design – landfill gas
19. Non Standard – The reserved matters application shall be broadly in accordance with the layout in the Urban Design Master Plan
20. Non Standard – Provision of a LEAP and appropriate buffer zone in accordance with a design to be agreed and a timetable to be agreed.
21. Non Standard – no dwellings sold or occupied fronting the LEAP until it has been completed and available for use.
22. B25 Landscape management plan
23. Non Standard – treatment of Japanese Knotweed, prior to development.
24. No dwellings to exceed 3 storeys in height

REASONS FOR APPROVAL:

This site benefits from an existing planning permission under the New Towns Act for residential development and is an allocated site for residential development in the

Wrekin Local Plan. The Local Planning Authority considers that the development of this site is in keeping with the requirements for new housing development as set out in the Core Strategy Development Plan and the saved policies of the Wrekin Local Plan. The submitted concept plan respects the character of the surrounding area and will result in an appropriate development that will respect the character and appearance of the area and will include the provision of a play area. There is appropriate protection proposed for the Great Crested Newts on the site. Contributions have been agreed towards primary school provision, affordable housing and highway improvements to off-set the impact of the development.

Notes

Agenda Type : A

W2008/1297 Erection of bungalow (Outline) *****AMENDED PLANS RECEIVED*****
Land at, 6, Hillside East, Lilleshall, Shropshire.
Recommendation Code: OLR
Ward: Church Aston & Lilleshall

APPLICANT:
Mr & Mrs Ridley

RECEIVED ON:
05/01/09

PARISH
Lilleshall & Donnington

WARD
Church Aston & Lilleshall

CASE OFFICER:
Anna Robinson

COUNCILLOR EADE HAS REQUESTED THAT THIS PLANNING APPLICATION IS
CONSIDERED AT PLANS BOARD

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of development.

THE PROPOSAL:

The application seeks outline planning permission for the erection of a bungalow with all matters reserved. The Applicants currently live at No.6 Hillside East, but due to ill health (Alzheimer's Disease) they wish to construct a bungalow on the adjacent garden land to the side of the existing dwelling. An indicative layout of the bungalow and attached double garage has been submitted, including elevations and floor plan.

THE SITE AND SURROUNDINGS:

The site is currently the sizable side garden of 6 Hillside East, and is accessed via a narrow and steep unmade lane from the centre of Lilleshall, leading up to Lilleshall Hill and the Monument. The existing property is an extended cottage, located at a lower level than the road, with sloping driveway to modern garage. The application site is predominantly grassed, sloping slightly to the lane, with a gate access, and is screened by hedges and trees to the front and rear, with outbuildings within the site. There are a mix of housing styles and designs along the lane.

CONSULTATION RESPONSES:

The Development Plans Team has assessed the application principally with regard to policies CS1 and CS7 in the Core Strategy, and makes the following comments:

- Core Strategy Policy CS1 requires that the spatial distribution of new homes be consistent with the spatial development strategy stating that housing needs in the rural area will be met by approximately 170 new dwellings. This figure is derived from evidence provided by the Telford & Wrekin Housing Needs Study. Its inclusion in local policy reflects both regional (RSS) and national planning policy (PPS7) requirements to limit the number of new dwellings in rural areas. At the current time, the threshold has already been met from dwellings already built or having received planning permission. The proposal would therefore be contrary to Policy CS1 at this time.
- Policy CS7 states that development within the rural area should be limited to meet the needs of the area, and be focussed on the 3 key settlements of High

Ercall, Tibberton and Waters Upton. Lilleshall is not one of the key settlements, and therefore any residential development would be limited to agricultural, forestry or other occupational dwellings or affordable housing, having regard to PPS7 and PPS3. The proposal has not been identified as any of these exceptions.

- In the supporting information, the Applicant makes reference to 'personal circumstances' as material to an application. This information is in the now superseded PPG1, and no such statement is made in PPS1. Furthermore, Wrekin Local Plan policies H12 and H14 have been cancelled and do not form part of the 'saved policies' list.
- Whilst the Applicant states that they would be willing to enter into an agreement with the Council to restrict the occupation of the dwelling to the Applicant and his wife, this does not overcome the fundamental policy concerns that there would be the creation of an additional dwelling in the rural area.

The Environmental Engineers advise that a soakaway test is required, and that the Applicant must provide details of sustainable drainage system before approval can be granted. Also, a condition regarding gas mitigation measures would be required, and informatives relating to proximity to landfill site, and contaminated land.

The Highways Engineer states that there is no formal highway objection to the proposal as Hillside East does not form part of, or adversely affect the adopted highway network. However, it is noted that the lane is steep and narrow and in need of maintenance in places, with limited opportunities for vehicles to pass. He is concerned that more intensive use of the road would be to the detriment of existing occupiers.

PLANNING HISTORY:

There have been previous planning refusals for similar development on the garden land adjacent to the existing property. The most recent outline application (W99/1050) was dismissed at appeal on the grounds of the development's harmful impact on character and appearance and adverse impact on road safety and free flow of traffic.

W99/1050 Erection of a Detached Two Storey Dwelling, Outline Refused and Appeal Dismissed (Decision date 26th July 2000)

W94/0154 Erection of a Single Storey Dwelling, Outline Refused

W90/0628 Erection of Single Storey Dwelling with Detached Garage and Construction of New Vehicular and Pedestrian Access, Full Refused

Also relevant to the application – W2007/1662 Erection of One Dwelling at Land adjacent to Mount View, Hillside East, Outline Refused and Appeal Dismissed (Decision date 9th January 2009)

POLICY CONTEXT:

Wrekin Local Plan:

UD2 Design Criteria

Local Development Framework Core Strategy:

CS1 Homes
CS7 Rural Areas
CS15 Urban Design

National Policy:
PPS1 Delivering Sustainable Development
PPS3 Housing

PLANNING CONSIDERATIONS:

The proposal is for outline planning permission for the erection of a bungalow on the substantial garden land of No.6 Hillside East. All matters are reserved, but the applicants have submitted a plan providing a layout of the proposed dwelling towards the rear of the site, with new vehicular access, garage, and garden to front.

The applicant currently lives at No.6 Hillside East with his wife who has been diagnosed with early onset of Alzheimer's Disease. In the supporting information, he states that they wish to remain in Lilleshall and be as independent as possible, but that they would need single storey accommodation as the Alzheimer's Disease progresses. A number of healthcare professionals have advised the Applicant that retaining familiar surroundings is vital in order for his wife to maintain a level of independence and that single storey dwelling constructed on a flat site would be desirable. The applicant states that the existing property, due to steep sloping drive, steps and internal arrangements – different levels, narrow door openings and unsuitable facilities, is no longer practical for their needs.

In the supporting statement, the Applicant states that they urgently need a purpose-built bungalow, and with the proposed arrangement, they would be able to sell their current property to fund the construction of the new dwelling. It is asserted by the Applicant that a new dwelling on this site would be in keeping with the general pattern of development in this location and would not be detrimental to the character of the area nor cause danger to highway users. This is contrary to the previous appeal decision, in which the Planning Inspector considered the development would be harmful to both, (Ref: W99/1050).

It is noted that a dwelling has been granted consent at No.4 Hillside East (W2005/0819 Outline consent). The Local Planning Authority assessed that a new dwelling at that location would positively improve the prominent site which previously comprised a builders yard; and that the replacement of existing ad hoc structures and scrap etc. would have visual and environmental benefits.

The Applicant recognises that the proposal conflicts with planning policy but suggests that a personal permission could be conditioned, or that it could be controlled by legal agreement.

The Local Planning Authority is sympathetic to the circumstances of the Applicant with regard to his wife's illness. However the fundamental policy concerns are that the development would create an additional dwelling in an unsustainable settlement in the rural area; and that even if the Applicants entered into an agreement restricting the use of the dwelling for them alone, a further dwelling would still remain.

Under Wrekin Local Plan Policy H6 of the Local Plan, Lilleshall was identified as a settlement able to receive appropriate small-scale development. This policy in the Wrekin Local Plan has been superseded by Policy CS7 of the Core Strategy, adopted in December 2007. Under the Core Strategy policies, new development in the rural areas is more restricted in both numbers and location. Policy CS7 states that new development is now to be focussed on the settlements of Tibberton, High Ercall and Waters Upton.

The threshold of 170 dwellings to be built in the rural area, principally in the three named settlements has already been exceeded significantly. Therefore the policy approach is to strictly limit further development unless there are exceptional circumstances (i.e. essential agricultural workers dwelling or provision of affordable housing).

National guidance in PPS7 states that new development should be focussed in or near to local service centres, where employment, housing, services and facilities are provided close together, and this is reiterated in regional planning policy. At national, regional and local level, policies now require concentration of development into fewer larger sites, with limited, exceptional development elsewhere. Lilleshall is no longer a settlement considered suitable to take new development and there are no exceptional reasons put forward to justify going against the recently adopted Council's rural housing policies.

In the recent appeal decision for an adjoining site on Hillside East (Mount View, ref: W2007/1662), the Inspector considered that such development as a single dwelling which could prejudice the successful implementation of the Core Strategy and its objectives to meet significant affordable housing targets in rural settlements that have key services, should be avoided. The number of dwellings committed in the rural area has already exceeded the strategic target, and approving development on small sites away from the key settlements would have a further cumulative and unacceptable effect.

Whilst the superseded national guidance note PPG1 outlined that the personal circumstances of an occupier may be a material consideration to the application, this has not been reiterated in the current PPS1. Despite the applicant's misunderstanding of national planning policy, it would be disingenuous to say that personal circumstances cannot constitute a material planning consideration. However personal circumstances should only be considered where the planning issues are finely balanced and the personal circumstances truly exceptional.

The site does not lie within one of the key settlements identified for new residential development and does not propose affordable housing, which might have constituted an exception. Whilst the local planning authority will inevitably be sympathetic to the applicants' personal circumstances, these are not considered to be exceptional circumstances sufficient to justify overriding policy (examples would be limited to the creation of an agricultural or forestry worker's dwelling). The principle of the development in this location is unacceptable, and the proposal would be contrary to policies CS1 and CS7 of the Local Development Framework Core Strategy.

RECOMMENDATION: REFUSE PLANNING PERMISSION for the following reason:

The erection of a dwelling in Lilleshall lies outside the settlements of High Ercall, Waters Upton and Tibberton where new residential development in the rural area is expected to be sited and also fails to deliver affordable housing and as such is contrary to Local Development Framework Core Strategy policies CS1 – Homes and CS7 – Rural Area.

Notes

Agenda Type : A

W2008/1359 Erection of 1no. detached dwelling (Outline)
Land adjacent to, 7, Vauxhall Crescent, Newport, Shropshire.
Recommendation Code: OLR
Ward: Newport West

APPLICANT:
Mrs Natasha Dobson

RECEIVED ON:
11/12/08

PARISH
Newport

WARD
Newport West

CASE OFFICER:
Anna Robinson

COUNCILLOR STANTON HAS REQUESTED THAT THIS PLANNING APPLICATION IS CONSIDERED AT PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, overdevelopment, character, residential amenity, highways issues.

THE PROPOSAL:

The application seeks outline planning permission for the erection of one detached dwelling in the existing side/front garden area of No.7 Vauxhall Crescent. All matters are reserved for a further application.

THE SITE AND SURROUNDINGS:

The application site is a corner plot comprising garden area to No.7 Vauxhall Crescent, an inter-war two-storey end-terrace property, of brick and tile construction. Both the application site and remaining garden to No.7 narrow to the rear. The driveway is accessed from this estate road, whereas the adjoining property, No.6 Vauxhall Crescent has direct access on to the main road, Longford Road. The application site is enclosed by fencing, hedge, and a substantial stone wall which is a characteristic feature on this part of the road.

The dwelling and application site form part of a well-established pattern of development, with No.'s 7 to 9 and No.'s 24 to 26 positioned at an angle to the adjoining semi-detached properties, with a semi-circular area of open space to the front, beyond the narrow access road. All the properties in Vauxhall Crescent benefit from having sizeable garden areas. The application site is located to the southwest of Newport Town Centre in a predominantly residential area.

CONSULTATION RESPONSES:

The Council's Highways Engineer has concerns regarding the development. He considers that it would be impracticable to construct an access in the position shown that would allow sufficient visibility on to Longford Road. He also considers there would be a lack of space within the site to provide adequate turning for vehicles, in order that they can exit the site in a forward gear. In the interests of highway safety, he recommends the proposal is refused.

Newport Town Council is fully supportive of the application and states that the previous scheme was rejected on the grounds of affordable housing. The interpretation of the policy has changed.

The Fire Authority requests that adequate access for emergency vehicles at the site is provided.

There have been no new neighbour letters of objection; however a resident of Vauxhall Crescent has requested that their comments made on the previous application (W2008/0040) are taken into account. These are summarised below:

- Previously, development proposed at adjoining property (No.6) was refused due to the scale and impact on neighbouring amenity
- Issues regarding boundary treatment
- Property value
- Proposed dwelling would appear cramped and would overlook adjoining property/ lead to loss of light/privacy

PLANNING HISTORY:

The application is a resubmission of W2008/0040 which was withdrawn.

There was also a pre-application enquiry (PE/2007/0457), in which the Local Planning Authority advised that a dwelling on this site would be unsuitable, as it would be overdevelopment of the site and detract from the character of the existing group of dwellings.

POLICY CONTEXT:

Local Development Framework Core Strategy
CS6 Newport
CS15 Urban Design

Wrekin Local Plan 1995 – 2006
UD2 Design Criteria
H6 Windfall Sites in Telford & Newport

National policy guidance
PPS1 Delivering Sustainable Development
PPS3 Housing

PLANNING CONSIDERATIONS:

This application is a resubmission of the previous scheme, but the Applicants are seeking to gain approval for the principle of development, and have not submitted an indicative layout. The previous application comprised a large two-storey dwelling located close to the boundary with No.6, and orientated in a similar position, (at an angle to No.7), with an attached garage and driveway leading on to Longford Road.

No.7 Vauxhall Crescent and the adjoining properties form a well-established pattern of development, with the two rows of terraced properties forming symmetry at either side of the open space and road access. The other properties in Vauxhall Crescent and Vauxhall Terrace are semi-detached, all with spacious gardens. It is considered that the existing garden area contributes to the spacious character and form of the

development, and that the subdivision and construction of a detached dwelling on this site would detract from the existing character and appearance of the streetscene and would create a cramped and contrived development.

Furthermore, due to the orientation of existing dwellings and the likely location of the proposed development, both existing and proposed properties would be overlooked, and there would be a loss of privacy to adjoining amenity space. The amenity space available to both the application property and No.7 would not be entirely usable, and the subdivision appears to be rather contrived.

The Highways Engineer cannot support the application as there would be highways safety issues associated with exiting the site, with both inadequate visibility splays available and insufficient turning space.

The Applicants have made reference to other residential development approved at Meadow Road, in another part of Newport, where a bungalow has been erected on a small infill plot. The Local Planning Authority would assert that each site is considered on its individual merits. However, It is considered that whilst the two sites have similarities, in the case of Meadow Road, a modest bungalow has been developed, thus having minimal impact on adjoining residential amenity; vehicular access is on to an estate road, not a main road (Longford Road). Whilst it is also an established residential area, the development at Meadow Road is in a less prominent location and there is not such a definite character and form of existing development. Thus the Local Planning Authority disagrees that a precedent has been set, and still considers that the proposal is unacceptable.

RECOMMENDATION: REFUSE PLANNING PERMISSION for the following reasons:

The Local Planning Authority considers that the proposal would lead to overdevelopment of the garden plot of No.7 Vauxhall Crescent, in an area characterised by established spacious gardens, to the detriment of the character, appearance and pattern of the area, in particular the form of the properties in Vauxhall Crescent. Accordingly the development is contrary to policy CS15 of the Local Development Framework Core Strategy, policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006 and national guidance contained in PPS1 and PPS3.

The Local Planning Authority considers the proposal is unacceptable, by virtue of its scale and siting, and would have an adverse impact on the residential amenity of adjoining properties, leading to overlooking and loss of privacy. The development is therefore contrary to policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006.

The Local Planning Authority considers that insufficient visibility splays could be provided on to Longford Road within the application site. Furthermore, there would be inadequate space within the site to provide sufficient turning for vehicles manoeuvring from the access, leading to potential highways danger. Accordingly the proposal is contrary to Policy CS15 of the Local Development Framework, and policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006.

Notes

Agenda Type : A

W2008/1363 Erection of 6no. 15m high floodlight columns
Football Pitch, Off School Grove, Oakengates, Telford, Shropshire.
Recommendation Code: FG
Ward: Ketley & Oakengates

APPLICANT:
Wellington AFC

RECEIVED ON:
22/12/08

PARISH
Oakengates

WARD
Ketley & Oakengates

CASE OFFICER:
Anna Robinson

COUNCILLOR RHODES AND COUNCILLOR KELLY HAVE REQUESTED THAT
THIS PLANNING APPLICATION IS CONSIDERED AT PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and design, Impact on residential amenity.

THE PROPOSAL:

The application is for the erection of six 15 metre high floodlight columns around the existing football pitch to enable Wellington Amateurs and local after school clubs to use the facilities more regularly during the winter months, and to meet requirements of the West Midland League First Division in which Wellington Amateurs plays.

THE SITE AND SURROUNDINGS:

The application site is an existing football pitch, with vehicular access from School Grove, a narrow residential street, leading to a gated driveway and gravelled car parking area within the site. Existing buildings within the site comprise changing facilities, a large storage container and two small dug-outs.

The football pitch is located in an elevated position to properties in School Grove (mainly bungalows and dormer bungalows) and Hartshill to the east and north, and at a lower level than Stallard Court (elderly person bungalows) to the west. Commercial development is located to the southern boundary. Trees and hedges form the boundary on the north, east and southern boundaries, with a more open aspect to the west, adjoining Stallard Court. Wombridge Primary School is located to the east of the application site.

CONSULTATION RESPONSES:

The Council's Environmental Engineers have requested that additional information is submitted demonstrating how the floodlights will be founded, taking into consideration ground conditions (shallow mining), and a plan detailing the exact position of the floodlights in relation to the mine shaft.

The Environmental Health Officer has no objection to the proposed floodlights, if installed and adjusted correctly, but has concerns that the lights would enable increased usage of the football pitch and unrestricted use of the floodlights at night has the potential to cause nuisance to residents, especially Stallard Court which is

close to the western boundary. The frequency of use of the lights must be strictly controlled by condition. He suggests the following conditions:

1. The applicant shall install lights specified on and in accordance with plan reference UKS5331/1 prepared by Abacus Lighting Ltd dated 15/10/2008.
2. All floodlights shall be fitted with overspill limiting backshields and shall be focussed to ensure that there is no glare from the lights visible at any dwelling in Stallard Court.
3. The lights shall only be used up to 5pm on weekdays except that between October and February the following year the applicant may use the lights on 7 occasions up to 9.30pm. The applicant shall notify the Local Planning Authority of those dates at the beginning of each football season.
4. The lights shall only be used up to 6pm on Saturdays and at no time on Sundays.

The Highways Engineer has no objection to the scheme, provided that the floodlights wouldn't lead to an increase in the use of the football pitch, increasing traffic.

The Agent has submitted letters of support from the Council's Outdoor Recreation Officer and from the Treasurer of Stallard Court (on behalf of the residents). Their comments are summarised below:

- Benefits to the sport
- Partnership approach involving local junior coaching opportunities and school playing field is a model for others to follow – community involvement
- Approach is supported in Council's Playing Pitch Strategy
- Minimal usage of floodlighting and increased use of this facility, reducing need elsewhere
- Residents of Stallard Court supportive of security fencing and floodlights
- Fencing should be done first as a priority
- Positive involvement of local youngsters – coaching and football training

Five neighbour letters of objection have been received from four properties in School Grove and one in Hartshill. Their comments are summarised below:

Floodlights

- Burden of floodlights blaring into residential properties
- The club had previous application for floodlights at another location in Telford turned down. The "community element" of the scheme could simply be a way of getting approval
- Loss of privacy
- Query regarding when and how long lights will be permitted to be used for
- Query as to how lights will be powered – existing power source? Or powered by generator – potential problems of noise and smell. Where would it be located?
- Due to proximity and difference in ground levels, the floodlights would tower above property and be an eyesore
- Potential loss of natural screening (trees and hedges) to accommodate floodlights
- Reference to letter of support from Stallard Court and security fencing – is this being erected before the lights? Will it deny the general public access to the area?

- Insufficient level of neighbour consultation by Applicants

Other Issues

- Already object to level of football played – should be for schoolchildren during school hours, or local Sunday League matches. Not designed for use as a West Midlands Regional League ground
- Involves large volumes of traffic as Wellington AFC progress up the leagues
- School Grove is narrow road with double bend at top end
- Speed of traffic and danger to residents
- Parking problems on School Grove and Hartshill – poor access for emergency vehicles on matchdays
- Increase in usage, potentially by other clubs, leading to increase in congestion
- Wellington Amateurs should find suitable facilities there
- Improvements have been made to the football ground in recent years
- Problems of antisocial behaviour and litter
- Devalue property
- Drainage problems

PLANNING HISTORY:

Pre-application discussions have been held between the Local Planning Authority and the Applicants regarding the floodlights.

POLICY CONTEXT:

Core Strategy Policy
CS10 Community Facilities
CS15 Urban Design

Wrekin Local Plan 1995 – 2006
UD2 Design Criteria

National policy guidance
PPS1 Delivering Sustainable Development
PPG17 Planning for Open Space, Sport and Recreation

PLANNING CONSIDERATIONS:

The proposal is for the erection of six new floodlights, each 15 metres in height, around the edge of the existing football pitch. Three of the lighting columns will be located on the eastern boundary of the playing field, and three on the western boundary. The Design & Access Statement outlines that it is hoped the increased use of the football pitch during the winter months by both Wellington Amateurs and local youth teams, will in turn reduce existing problems of antisocial behaviour in the area (youths gathering in the evenings).

The Agents have submitted additional information to clarify the football club's requirements for the floodlights. It is asserted that the floodlights would be required from October to February when the club are at home, which would be every other Saturday, between 3.45pm and around 5.15pm. If they are also playing in competitions, the floodlights would also be required on Wednesday evenings

between 7pm and 9.30pm for a maximum of 7 games. School coaching clubs would also use the facilities during term times between 3.30pm and 4.30pm.

The design, height and position of the floodlights are considered acceptable. The proposed floodlights would be required fairly infrequently, and the proposed usage can be strictly controlled by condition. There would be limited overspill of light to adjoining residential properties, such as the nearest dwellings in Stallard Court. The design of the floodlights is intended to minimise glare to the surrounding locality. In this regard, the Environmental Health Officer has no objection, provided the use of the lights is limited to that outlined above, and they are correctly fitted and focussed. This should overcome the majority of the neighbour concerns with regard to the floodlights.

The neighbour concerns regarding other issues relate more to the existing use of the playing field by Wellington Amateurs. Provided the use of the floodlights is strictly controlled to the set hours and days outlined by the Agent, current problems should not be exacerbated. The Agent has suggested that the football club and nearby Wombridge Primary School are considering introducing measures to reduce parking and traffic problems. However, such measures could not be controlled by condition, and this application is specifically for the floodlights and not any other proposals.

The introduction of floodlights to the existing football pitch may alter the times that the ground is used, but the Agent asserts that there will not be an increase in its use. It will enable Wellington Amateurs and the local school coaching clubs to make better use of the existing facilities during the winter months.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to submission of additional information to address ground conditions, and the following conditions:

- 1) A3 Timescale
- 2) Development in accordance with details from Abacus Lighting Ltd
- 3) Floodlights fitted and focussed to ensure no glare to adjoining properties
- 4) Frequency of use – floodlights used up to 5.30pm on weekdays. Exceptions limited to a maximum of 7 occasions a year, up to 9.30pm. Applicant shall notify LPA of the specific dates at the beginning of each football season.
- 5) Lights to be used up to 6pm on Saturdays and at no time on Sundays

REASONS FOR APPROVAL:

The proposal is considered acceptable as it will enable greater use of the existing football pitch during winter months. The design and scale of the floodlights and their limited use will minimise adverse impacts on adjoining residential amenity.

Notes

Agenda Type : A

W2008/1364 Installation of multi use games area and surrounding fencing
Wrekin View Primary School, North Road, Wellington, Telford, Shropshire.
Recommendation Code: FG
Ward: Park

APPLICANT:
Telford & Wrekin Council

RECEIVED ON:
23/12/08

PARISH
Wellington

WARD
Park

CASE OFFICER:
Tom Lewis

OBJECTIONS RECEIVED: No.

MAIN ISSUES:

Principle of development and impact on neighboring properties amenities and impact on character and appearance of area.

THE PROPOSAL:

This is a council application which seeks permission for the construction of playground facilities for sporting activities. The facilities would consist of a modest sized area of hardstanding with surrounding 3m high ball court fencing in order for the school to meet the regulation amount of physical education.

THE SITE AND SURROUNDINGS:

The application site is located to the rear of the Wrekin View Primary School, the proposal would be sited on the opposite side of the school building to North Road. The rear of the site backs on to open park land. The site is bounded by standard green metal security fencing. Mature vegetation adds further screening along the boundaries of the site. To the west of the site Parklands residential development is located; this is well screened by mature vegetation.

CONSULTATION RESPONSES:

Wellington Town Council has raised no objection to the proposal.

The Council's Highways Engineer has raised no objections to the proposal.

PLANNING HISTORY:

W2003/0889 – Extension, alterations, ball games area, car park, gates and alterations of access – Granted

W2004/0179 – Erection of 2.1m palisade fencing to the front and 2.4m fencing to the rear – Granted

POLICY CONTEXT:

In the consideration of the proposals, the following core strategy policies are considered relevant:

CS 15 – Urban Design

Also the following Wrekin Local Plan saved policies are considered relevant:

UD2 - Design Criteria

OL3 - Green Network

OL5 - Extensions and redevelopment in the Green Network

PLANNING CONSIDERATIONS:

The site is located within land designated as 'Green Network' within the Wrekin Local Plan. The use of the land for children's play facilities is compatible with the long term aims of the green network in providing community and recreational facilities. It is considered that the proposal does not adversely affect the function of the green network as this would provide social benefits and the site is not of important ecological, geological or archaeological importance.

The application seeks to create more hardstanding space to enable the school to be able to meet national standards for the amount of physical education which the pupils receive. It is proposed to construct an area at the rear of the school with space for 3 tennis courts or one large 5 a-side football pitch. The proposal also includes surrounding ball stop fencing. This is a familiar sight within the school fields and is well screened from the surrounding area by the original school buildings and also the boundary treatments. Therefore the proposal will be in keeping with the character and appearance of the surrounding area with the closest neighbouring properties some distance away with good screening between it is not thought the proposal would be of detriment to the amenities of neighbouring properties.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 - Full with no reserved matters
2. Informative - Conditions
3. Informative - Reasons for granting planning permission

REASONS FOR APPROVAL:

The proposed replacement play facility respects the context of the site and would complement the long term aims of the green network in this locality as a community facility for recreation. The proposal would not adversely impact on neighboring properties amenities with regards to noise and disturbance. The scale and design of the proposed play equipment will not have a detrimental impact on the visual amenities of the area.

Notes

Agenda Type : A

W2008/1375 Installation of new disabled lift and ramp
Sutherland Business & Enterprise College, Gibbons Road, Trench, Telford,
Shropshire.

Recommendation Code: FG

Ward: Wrockwardine Wood & Trench

APPLICANT:

Telford & Wrekin Council

RECEIVED ON:

18/12/08

PARISH

Wrockwardine Wood

WARD

Wrockwardine Wood &
Trench

CASE OFFICER:

Anna Robinson

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Scale and design, Character and appearance.

THE PROPOSAL:

The application comprises the construction of a lift shaft and ramp to enable disabled access to all areas of the Sutherland Business and Enterprise College.

THE SITE AND SURROUNDINGS:

Large modern brick and glazed school building, in three adjoining blocks, surrounded by hardstanding and large playing fields, and enclosed by security fencing and gates. The school is located in an established residential area of Trench.

The application site is located at the western end of the school (Block B), set back from the adjoining parts of the building, with an existing access point through double doors. Steps and ramp and a hard landscaped area are located in an elevated position in front of the entrance. The building is constructed in brick with timber panels and glazing and is flat-roofed.

CONSULTATION RESPONSES:

No comments have been received from Wrockwardine and Trench Parish Council.

PLANNING HISTORY:

There have been a number of planning applications for development at the school, including:

W2008/1147 Demountable, Full granted

W2006/1310 Covered way to dining room, Full granted

POLICY CONTEXT:

Core Strategy Policy

CS15 Urban Design

Wrekin Local Plan 1995 – 2006

UD2 Design Criteria

National policy guidance
PPS1 Delivering Sustainable Development

PLANNING CONSIDERATIONS:

The proposal is for a flat-roofed extension to the building, constructed in brick to match existing, with blank external gable walls, and projecting above the existing roof height. Access to the lift will be from existing corridors at ground and first floor of the building, with existing entrance relocated to side, linking to proposed ramp access. The ramp will replace the existing steps. Both elements are proposed in order to enable disabled access to all parts of the school site.

Whilst the proposed extension would project above the building, it will be a similar height to the adjoining glazed element of the school building. Both the proposed extension for the lift shaft and the ramp are considered to be of an appropriate form, design and materials, in keeping with the character and appearance of the existing building and hardstanding at the school.

RECOMMENDATION: GRANT planning permission subject to the following conditions:

1. A3 Timescale
2. C68 Materials to match

REASONS FOR APPROVAL:

The proposed lift and ramp are considered to be of an appropriate form, design and materials, in keeping with the existing development, and will enable improved accessibility throughout the Sutherland Business and Enterprise College.

Notes

Agenda Type : A

W2008/1385 Change of use of open space to garden land and erection of a detached garage

4, Edward Parry Court, Dawley Bank, Telford, Shropshire.

Recommendation Code: FG

Ward: Malinslee

APPLICANT:

Mr David Mapp

RECEIVED ON:

18/12/08

PARISH

Great Dawley

WARD

Malinslee

CASE OFFICER:

Tom Lewis

OBJECTIONS RECEIVED: No.

MAIN ISSUES: The impact of the proposals on the visual amenities of adjoining properties and in the street scene.

THE PROPOSAL:

The application is for the change of use of council owned open land to private garden land and the erection of a garage on that land.

THE SITE AND SURROUNDINGS:

The site outlined for development is a small triangular plot adjacent to the residential curtilage of a modest semi detached bungalow. The surrounding properties on Edward Parry Court are bungalows of a similar age and character. The property is set back from the road and accessed via a private drive which serves four other properties. Large area areas of open land are located to the front and side of the property. On the opposite side of the open space to the side runs the private drive with two properties facing number 4, Edward Parry Court. To the rear of the property there is a bank to the Dawley Green Way which is well vegetated by trees. The rear garden of the property is currently well bounded by a 2 metre high close boarded fence.

CONSULTATION RESPONSES:

The Council's Highways Engineer has raised no objection to the proposal.

The Parish Council have raised no objection to the proposal.

The Council's Geotechnics Department have requested that should the application be approved one condition with regards to the foundations for the garage being of a raft construction and an informative that caution be exercised on all excavations.

PLANNING HISTORY:

W2008/1009 – Change of use from public open space to a private land and erection of a detached sectional garage – Withdrawn

POLICY CONTEXT:

In the consideration of the proposals, the following core strategy policies are considered relevant:

CS 15 – Urban Design

Also the following Wrekin Local Plan saved policies are considered relevant:

UD2 – Design Criteria.

PLANNING CONSIDERATIONS:

The proposed garage is to be placed on land which is currently open land to the side of the property. The land is not entirely visible from the road due to its location and the positioning of the house at an angle. It is considered that the enclosure of the land would not detract from the open plan character of the estate and would still leave a large area of green space.

With regard to the proposed garage, many other properties in the surrounding area have attached garages; however most of these have a flat roof. It is considered that the garage proposed will be of a more attractive traditional build with a pitched tiled roof. The proposed garage will be constructed of similar materials to the house and this will be conditioned to ensure it will be in keeping with the character and appearance of the surrounding area.

In addition the location of the proposed garage would not adversely affect the amenities of surrounding properties by virtue of outlook or disturbance. Subsequently it is considered that the proposed change of use and erection of the detached garage would not have a detrimental impact on the surrounding residential properties of the character and visual appearance of the surrounding area.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 Statutory time limit
2. C68 External materials to match those of the existing building
3. C99 Raft foundations
3. SIE22 Conditions
4. SIE26 Reasons for the Grant Planning Permission

REASON FOR APPROVAL:

The development would respect the context of the context of the site and not be harmful to the street scene; also the development would not be harmful to the amenities of the nearby dwellings.

Notes