

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 2 September, 2009 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors I.T.W. Fletcher (Chairman), N.A. Dugmore, V.A. Fletcher (substitute for Cllr. R.G. Chaplin), J.A. Francis, H. Rhodes, M.J. Smith and K.L. Tomlinson (substitute for Cllr. G.M. Green)

**ALSO PRESENT:** Councillor A.A. Meredith (on behalf of Councillor A. Stanton for planning application W2009/0376) and Councillor C.F. Smith (for planning application W2009/0424)

#### **PB-29        MINUTES**

**RESOLVED** – that the minutes of the Plans Board held on 12 August, 2009 be confirmed and signed by the Chairman.

#### **PB-30        APOLOGIES FOR ABSENCE**

Councillors R.G. Chaplin, G.M. Green and F.R. Picken

#### **PB-31        DECLARATIONS OF INTEREST**

None.

#### **PB-32        PLANNING APPLICATIONS FOR DETERMINATION**

- (a)    W2009/0376 – Land Between 16 Longford Road and 1 Farm Grove, Newport, Shropshire

This application sought full planning permission for the erection of a bungalow with accommodation in the roof, associated access, parking and garden land on a small plot of land between No.16 Longford Road and No.1 Farm Grove. The site was formerly garden land to No.16 Longford Road but had been sold into separate ownership and was now entirely enclosed by timber boundary fencing with substantial hedge/tree planting to Farm Grove. Councillor Adam Stanton and Newport Town Council had both requested that the application be determined by the Plans Board.

In order to address the constraints of the site, the proposal was for the erection of a bungalow at the rear of the site with a footprint measuring 7.2m. by 6.1m., height to eaves 2.5m. and 6.2m. to ridge. The accommodation would consist of two bedrooms, one at ground floor and a larger bedroom at first floor, with a small lounge and kitchen. The frontage would be mainly driveway with parking and turning space together with an amenity area with screen fencing to provide some privacy to the occupants.

The principle of residential development on the site had been accepted with the granting of outline planning permission (W2006/0831) for a single  
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bungalow with a larger footprint positioned over the culvert that crosses the site and in line with adjoining properties, subject to agreement by the Council's Drainage Engineer of a submitted scheme for a build-over solution or diversion of a culvert which ran through the site. However, the applicant had now advised that he could not get a build-over agreement and it was considered that a diversion would not resolve the issues. The Drainage Engineer had no objection to the current development proposal subject to a condition being imposed stating that no structure should be allowed within 3m of the culvert and that the hard standing should not be built over in the future. The applicant also needed to be made aware that this was a Greenfield site and that, should they wish to connect the surface water to the culvert, it would be necessary to attenuate flows coming off the site. Given the size restriction on the site, the applicant needed to have demonstrated that this was viable at the planning application stage and not as a condition.

A number of pre-application sketches had been submitted but these had not been deemed acceptable due to the location, design and height of the dwelling and the applicant had, therefore, been advised that the development would be unlikely to receive full planning permission. Whilst it was accepted that the position of the culvert did somewhat constrain the development, it was not considered that this proposal provided a suitable solution.

The layout of the development, with the dwelling located at the rear of the site and the garden area to the frontage, together with the design and scale of the dwelling, was considered to be out of keeping with the character and appearance of the adjoining bungalows in the area and, therefore, contrary to national and local planning policies which asserted that a development should relate positively to its context with a design that improved the character and quality of an area. In addition, the first floor accommodation would not relate to the adjoining bungalows and its small footprint, due to the narrowing of the site, would not reflect the size of the adjacent detached and semi-detached bungalows.

Given its proposed location at the rear of the site and first floor accommodation, the proposed bungalow would have a dominant and overbearing effect on the adjoining properties and affect the outlook from existing rear elevations and overlook rear gardens and properties. In particular, the private rear garden area of No.16 Longford Road would be only approximately 5m. away and would suffer a significant loss of privacy. Whilst there was no window indicated on the rear elevation at first floor level or rooflights, due to the layout of the first floor accommodation future occupants might require additional light and the position of these would be likely to overlook other properties at the rear.

It was further considered that, given the proposed position of the dwelling with a principal window to the ground floor bedroom on the rear elevation, there would be an unsatisfactory distance of approximately 2m. between the window and the boundary treatment leading to limited light and outlook to this habitable room. In addition, as the proposed amenity space would be located at the front of the dwelling, in contrast to the layout of the established

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properties on the estate, there would be no private amenity area and its location could introduce garden paraphernalia which, whilst not subject to planning control, would further detract from the character of the surrounding area.

The Council's Highways Engineer had no objection in principle but had requested conditions be imposed on any permission to stipulate that there should be no gates to the driveway and that, prior to the development being brought into use, the access driveway should be surfaced in a bound material for a minimum distance of 5m. from the rear of the highway boundary. The Fire Authority had advised that it would be necessary to provide adequate access for emergency vehicles.

Newport Town Council had strong reservations about the application, as it considered that the proposed dwelling was not in keeping with existing development in the vicinity, had a history of retaining water and its proximity to the culvert on the site. Thirty-six letters of objection had been received from neighbours, as summarised in the report. Members were informed by an update tabled at the meeting that a further letter of objection had been received citing the adverse impact of the development on wildlife.

In conclusion, it was considered that the proposal failed to respect or enhance the character and appearance of the existing residential area contrary to Policies CS6 and CS15 of the Core Strategy, UD2 and H6 of the Wrekin Local Plan and national guidance, as it would be of a significantly different scale, design and layout to the existing single storey properties and would not follow the building line.

Councillor A.A. Meredith was invited to address the Board on behalf of Councillor A. Stanton (Ward Member) and spoke in support of the officer recommendation and for local residents. He said that the addition of a two storey property on such a tiny site would be inappropriate in the middle of an area of high quality bungalows. The residents on both sides of the application site were elderly and retired and were concerned that, if approved, the property would disturb the birdlife in their gardens.

Members of the Board considered that the proposal, if approved, would be detrimental to the street scene by being out of proportion with the existing bungalows. In addition, neighbouring properties would be overlooked in an unacceptable manner.

**RESOLVED – that planning application W2009/0376 be refused for the following reasons:**

- (a) It was considered that the proposed bungalow with first floor accommodation was unacceptable by virtue of the footprint, height, design and siting, located in an area characterised by bungalows fronting the highway with rear garden areas situated along a distinctive building line. The proposed development would be constrained and would appear as a cramped form of**

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development at the rear of the narrowing plot, which would be out of keeping with the prevailing character of the area. Thus the proposal would be contrary to Policies CS6 and CS15 of the Core Strategy Development Plan Document adopted December 2007, Policies UD2 and H6 of the Wrekin Local Plan 1995–2006, and national guidance contained in PPS1 and PPS3;

- (b) The Local Planning Authority considered that the development by reason of its siting, height and proposed first floor accommodation, and the prevailing character of development, would have a detrimental effect on the amenities of the adjoining bungalows in Longford Road and Farm Grove in terms of overlooking, loss of privacy, loss of light and outlook. Accordingly, the development was contrary to Policy CS15 of the Core Strategy Development Plan Document adopted December 2007, Policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006, and national guidance in PPS1 and PPS3;
- (c) The proposal by virtue of its siting, the narrowing nature of the site and proximity to existing boundary treatments would have an adverse impact on the residential amenities of the proposed dwelling in terms of light, outlook and lack of private amenity area. Therefore the proposal would be contrary to national guidance contained in PPS1 and PPS3.

(Democratic Services Officer note: Councillor K.L. Tomlinson having arrived at 6.15 p.m. did not take part in the voting on the above application.)

- (b) W2009/0424 – 88b Hire Station, Trench Road, Trench, Telford, Shropshire

The applicant sought planning permission to change the use of an existing building from a tool and plant hire business (A1 use class) to car sales with a workshop/car preparation bay to the rear on a site on a classified road on a main bus route in a mixed residential and commercial area and directly opposite the existing site of the applicants' Fiat garage and showroom. The change of use would involve the relocation of staff from the existing car showroom for sales and valeting purposes. Councillor C.F. Smith, as Ward Councillor, had requested that this application be considered by the Plans Board.

The existing modern brick building with a metal roof consisted mainly of a workshop area with showroom and storage areas and ancillary facilities. The frontage comprised a showroom window together with small windows and double doors with further access points on the side and rear elevations. Rooflights were located on both planes of the roof with an existing flue to the heating unit. The building was set back from the road with an area of hardstanding to the front and had security bollards located in front of the main entrance points and a yard to the side enclosed by a wall and metal gates. Under the proposal it would be altered to incorporate a showroom and

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workshop area, with windows added and cladding to the fascia which would be of a form and appearance similar to the existing ones. Whilst the alterations would alter the scale and design of the building, they would not detract from the character or appearance of the existing development or have an unduly harmful impact on the adjoining residential amenities.

The proposal would allow the applicants to relocate their Suzuki vehicles, which were currently accommodated at the Fiat garage opposite, onto a separate site and so meet the necessary minimum standards to retain both franchises. They had advised that there would be no additional business or deliveries above the current approximately two transporter deliveries a week. Servicing of the vehicles would take place on the main Fiat garage site and valeting within the application site would only be on Suzuki vehicles for sale. The proposal would not, therefore, expand the business or increase traffic, but would improve the existing arrangements to display Suzuki products.

Four letters of objections had been received from neighbouring residents in Trench Road together with a petition with six signatures from residents in Trench Road and Springfield Road, as summarised in the report. However, Members noted that the tool hire business would have been able to increase its activities with little control over the number/frequency of deliveries of machinery, etc. The current permitted hours of operation enabled the business to operate from 8.00 a.m. Monday to Saturday, until 6.00 p.m. on weekdays and 5.00 p.m. on Saturdays, which could cause noise and disturbance. This application, therefore, offered an opportunity to control activities and deliveries on the site, together with more restrictive hours of working.

Whilst there was limited parking on the application site, the car sales site opposite had a large parking area to the rear for customers and staff and the main valeting and servicing of vehicles would be undertaken on that site. The workshop and jet wash facility, indicated on the plans to be at the rear of the building, could potentially create noise adjacent to rear gardens but the hours of operation could be strictly controlled by conditions with no opening on Sundays. The Council's Highways Engineer, following discussions with the applicants had agreed a limit of six vehicles for display and two customer parking spaces. In presenting the report the Planning Officer sought approval to make minor amendments to conditions 3, 4 and 6 relating to these issues.

Councillor C.F. Smith, the Ward Member, was invited to address the Board and said that he did not oppose the application but had taken a neutral position in meetings between the applicants and the local residents. The local residents had been concerned that the proposed changes would make the building too high but had been assured that only the front fascia height would be increased. Concern had also been expressed at the hours of operation as there was no limit on the current tool hire business and the site was noisy on a Saturday afternoon when tools were returned. Whilst concerns had also been expressed regarding the use of the jet wash, the applicants had assured him and the residents that this would only be used for cleaning cars for sale and new ones. However, he requested that an appropriate condition be

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attached to any approval to ensure that this was adhered to. The number of vehicles for sale, the number of customer parking places and the proposed hours of opening were acceptable and he was pleased to see the amendment to Condition no. 4 restricting the deliveries by transporter to no more than two per week.

Members were pleased to note the way in which the applicants had sought to work with local residents. However, Councillor V.A. Fletcher expressed concern at the possible problems that could be caused by there being more customers than there were available parking spaces and from the use of the jet wash, particularly with regard to the waste water drainage. In response the Planning Officer said that a condition could be placed on any approval to require the applicant to submit details of the disposal of the waste water. With regard to parking, it would be permissible for more than two customer vehicles to park on the site and on-road, which could not be controlled but, if there were more, the applicant's site on the opposite side of the road had sufficient parking space. Councillors V.A. Fletcher and N.A. Dugmore also raised a concern as to the provision of parking spaces for disabled drivers and it was agreed that a condition should be added to the planning permission requiring the applicant to submit details that clearly identified the customer car parking spaces and those for disabled drivers.

**RESOLVED** – that with respect to planning application W2009/0424 planning permission be granted subject to:

- (i) **the conditions, as set out in the report, with Conditions 3, 4 and 6 being amended, as shown in italics as follows;**
  - (a) **Condition 3: to read 'Maximum of 6 vehicles to be displayed *for sale* on forecourt area at any one time;**
  - (b) **Condition 4: to read '*no more than 2 deliveries by transporters a week*);**
  - (c) **Condition 6: to read 'Hours of preparation/valeting/*jetwashing* of vehicles limited to Mon – Fri 8.30am – 5.30pm, Sat 8.30am – 1pm. No such operations to take place on Sundays or Bank Holidays;**
- (ii) **and subject to additional conditions requiring the submission of satisfactory details relating to the disposal of waste water from the jet wash and to the submission of clearly identified customer car parking spaces included those for disabled drivers.**

### **Informative**

**No vehicles for sale to be parked or displayed on highway.**

- (c) **W2009/0523 – 12 The Parade, Donnington, Telford, Shropshire**

This application related to a change of use of a shop unit from retail (A1) use to a mixed use of café (A3) and hot food takeaway (A5), with home delivery service located in a designated District Centres. The shop was one in a  
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crescent of twelve units, all with residential flats above. Two of the units were A5 (hot food takeaway) uses and there was a car parking area in front of the crescent.

This shop unit had been vacant for eighteen months before the applicant opened it in January 2009 but using only a very small area for retail purposes. Planning permission had been granted in June 2009 (W2009/0329) for use as a café for 12-14 people but the applicant now wished to have a mixed café and takeaway use, with a home delivery service.

Policy S22 of the Wrekin Local Plan stated that proposals for any change from retail to non-retail use within Donnington District Centre would only be acceptable if it was demonstrated that it had not been possible to find a user for the premises following a period of continuous marketing of not less than twelve months. The Council's Property & Design Section, as owners of the property, had confirmed that it had been unable to find a tenant during the eighteen month period leading up to January 2009.

It was, therefore, considered that there appeared to be little demand for additional retail outlets in this shopping centre and it was considered that a more viable non-retail use might assist in bringing more customers into the District Centre and that the proposed change of use would not cause any demonstrable harm to the retail character of The Parade or in any way adversely threaten the vitality and viability of the Shopping Centre. However, should the application be approved, no further hot food takeaways should be allowed in The Parade as there would then be a definite imbalance in the relationship between retail and non-retail uses.

The Council's Environmental Health Officer had confirmed that the proposed fume extraction system was acceptable but had requested that conditions imposed to ensure that it was installed before the proposed uses commenced, and that no vibration, noise, odours and smells were detectable at any time in the flats above the shop unit. The applicant wished to close at 10.30 p.m., which was an hour earlier than the stipulated closure time of the two other hot food takeaway outlets in The Parade.

Four letters of objection had been received from local residents together with a petition signed by 365 people, as set out in the report. The Parish Council had raised no objections to the application. Officers considered that the additional takeaway element would not adversely affect the residential amenities currently enjoyed by the occupiers of residential properties in the vicinity of the site through the generation of any appreciable increase in noise, smells, traffic, or other factors.

Councillor V.A. Fletcher raised a number of concerns relating to the layout of the premises but the Planning Officer explained that control of these was the responsibility of the Environmental Health Officer, who had raised no objections. However, she agreed that a condition could be imposed on the approval limiting the service of hot food and takeaways to an identified area within the public area of the café. The Board supported the recommendation

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for approval as they considered it preferable that the premises be used rather than left empty.

**RESOLVED** – that with respect to planning application W2009/0523 planning permission be granted subject to the conditions as set out in the report and subject to an additional condition limiting the serving of hot food and takeaways to an identified area of the café and to the noise mitigation of any fume extraction system prior to the commencement of the approved use.

- (d) W2009/0593 - Lilleshall County Primary School, Church Road, Lilleshall, Shropshire

This application by Telford & Wrekin Council related to the erection of an external covered play canopy located to the rear of the main school building and an entrance canopy at the front entrance door, which would project one metre. The proposed canopies would feature a curved roof design with polycarbonate glazing and would not exceed the height of the single storey elements of the school building to which they would be attached. Neither canopy would have a significant impact on amenities.

**RESOLVED** – that with respect to planning application W2009/0593 planning permission be granted subject to the conditions as set out in the report.

- (e) W2009/0594 – St. Matthew’s Church of England Primary School, Church Road, Donnington, Telford, Shropshire

This application by Telford & Wrekin Council requested planning permission to create a hard play area on an existing playing field, 29m by 20m, with a footpath link to the existing playground. St Matthew’s Church and a community centre were located adjacent to the application site.

The Council’s Drainage Engineer had stated that porous tarmac should be used for the play area and that conditions should be imposed regarding the submission of details on the discharge of the surface water drainage and to details of the additional land that would offset the development. The Geotechnical Engineer had requested additional information to establish whether the site was on a slope and would require earthworks at the foot of the spoil mound to ensure its stability together with a report on the number of mineshafts within site, which had not been received by the date of the meeting. The Council’s Environmental Planning Assistant had advised that, given the site’s location it had the potential to support protected species such as slow worms and an informative should be included stating that, if protected species were encountered during the works, the development must be halted and advice sought from a qualified ecologist/ Natural England.

Sport England had submitted an objection on the grounds of there being an unjustified loss of playing field as no detailed justification had been included with the application. This had now been submitted, as set out in the report,

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and forwarded to Sport England for further comment. An update tabled at the meeting informed the Board that the applicant's agent had submitted further information to demonstrate that the proposed site of the hard play area was the most suitable location for the development and would not lead to a loss of useable playing field as the area would not constitute a playing pitch of a necessary size and the topography made the site unsuitable for use as a formal pitch. The proposal would, however, create a level and well-drained playing surface and could be used for games/sport development when grassed areas were deemed unusable. It would also provide improved facilities to enable people with disabilities to take part in activities on a more solid and accessible surface.

Sport England had assessed this information and considered that, due to the constraints of the site and the fact that it was not currently used as a playing pitch and that the proposed hard play area could be used for games/sport development, the proposed development had the potential to be of sufficient benefit to sport to outweigh any harm caused by the loss of the grassed playing field area. Consequently, Sport England withdrew its objection to the proposal.

As the central area of the school grounds nearest to the main school building mainly comprised hard play areas, a tarmac pedestrian link from St Matthew's Road and a number of structures, it was considered that the proposal would relate to the prevailing use and would not result in a loss of the main playing field/pitch, as this would remain unaffected at the south of the site. The hard play area would be located within the site and constructed in tarmac matching existing areas at the school, in accordance with local urban design policies. It would be visible but not overly prominent from the adjacent public footpaths, with grassed areas surrounding the development and retention of existing screening.

**RESOLVED** – that with respect to planning application W2009/0594 planning permission be granted subject to the conditions as set out in the report.

- (f) W2009/0621 – Ladygrove Primary School, Old Office Road, Dawley, Telford, Shropshire

This application by Telford & Wrekin Council sought permission to extend the area of hard play space in order to replace that which would be lost during the extension of the school building. The proposed hardstanding would be to the south-east of the school building and would have multi-use sports markings.

The site was located within land designated as 'Green Network' in the Wrekin Local Plan but its use for children's play facilities was compatible with its long term aims of providing community and recreational facilities. In addition to having no adverse affect on the function of the Green Network, the proposal would provide educational benefits for a site of no ecological, geological or archaeological importance.

The proposed area of hardstanding was of a relatively small scale and would  
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not dominate the property or the surrounding area and, being a modest addition on the edge of the existing hard play area, it would be in keeping with the character and appearance of the surrounding area. The majority of the large school site comprised playing field and, therefore, the proposal would not lead to a detrimental loss of green space. The nearest residential properties were located some 40m. away and benefited from substantial screening, therefore, the proposal would not have any detrimental impact on their amenities.

The Council's Drainage Engineers had raised no objections to the proposal subject to a condition stating that details should be provided regarding mitigation methods for the additional water runoff.

**RESOLVED** – that with respect to planning application W2009/0621 planning permission be granted subject to the conditions as set out in the report.

**PB-33            SITE VISITS**

The Chairman informed Members that an application relating to redevelopment of the Civic Centre was scheduled to be considered at the next meeting of the Board on 23 September 2009 and recommended that a site visit be agreed at this meeting. Members were in agreement and noted that, if the application was not included on the agenda for the 23 September meeting, the site visit would not take place.

**RESOLVED** – that with regard to the planning application for the redevelopment of amendments to the entrance to Wellington Civic Centre Market scheduled to be submitted to the Plans Board on 23 September, 2009 a site visit should take place at 4.30 p.m. on that day.

**PB-34            PLANNING APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The Board received for information details of planning applications that had been determined under delegated powers.

The meeting ended at 6.46 p.m.

**Chairman:** .....

**Date:** .....