
TELFORD & WREKIN COUNCIL

PLANS BOARD – 16TH DECEMBER 2009

Schedule 1 : Planning Applications for determination by Board

`A' List : Major developments and/or cases in conflict with policy

W2009/0544 Erection of annexe extensions for church, school and community use St Lukes Catholic Primary School, Church Road, Trench, Telford, Shropshire. Recommendation Code: FG - Ward: Wrockwardine Wood & Trench	1
W2009/0745 Erection of a single storey side extension to existing annex accommodation Highbury Villa, Drury Lane, Rodington, Shropshire. Recommendation Code: FG - Ward: Wrockwardine	13
W2009/0768 Erection of a two storey rear extension (following partial demolition), and single storey side extension for use as a mosque Old Hall Building, King Street, Wellington, Telford, Shropshire. Recommendation Code: FG - Ward: College	16
W2009/0794 Redevelopment of existing dogs rehoming centre including a new purpose built reception and relocation of main entrance Roden Lane Farm, Roden Lane, Roden, Shropshire. Recommendation Code: FG - Ward: Ercall Magna.....	19
W2009/0811 Erection of 1no. detached dwelling *****AMENDED PLANS RECEIVED***** Ketley Hall, Red Lees, Ketley, Telford, Shropshire. Recommendation Code: FG - Ward: Ketley & Oakengates	27
W2009/0915 Erection of superstore, petrol filling station, car parking, servicing and associated landscaping and access including realignment of part of Southwater Way Land at, Malinslee House, Malinsgate, Town Centre, Telford, Shropshire. Recommendation Code: FG - Ward: Malinslee	31
W2009/0917 Siting of 1no. 9m long storage container, portable WC and 2m high palisade fencing and retention of existing 8no. storage containers and club hut Oakengates Leisure Centre, New Road, Wrockwardine Wood, Telford, Shropshire. Recommendation Code: FG - Ward: Wrockwardine Wood & Trench	61
W2009/0945 Residential development and associated access (Outline) Land off, Southwater Way, Town Centre, Telford, Shropshire. Recommendation Code: OLG - Ward: Malinslee	63
W2009/0947 Erection of 4no.dwellings following demolition of existing derelict dwellings 6, 8, The Avenue, Wrockwardine, Shropshire. Recommendation Code: FG - Ward: Wrockwardine	73

Agenda Type : A

W2009/0544 Erection of annexe extensions for church, school and community use
St Lukes Catholic Primary School, Church Road, Trench, Telford, Shropshire.
Recommendation Code: FG - Ward: Wrockwardine Wood & Trench

APPLICANT:
Shrewsbury Roman Catholic Diocese

RECEIVED ON:
29/07/09

PARISH
Wrockwardine Wood

WARD
Wrockwardine Wood &
Trench

CASE OFFICER:
Phil Baker

THIS APPLICATION WAS DEFERRED AT THE PLANS BOARD MEETING ON
25TH NOVEMBER 2009 FOR A MEMBERS' SITE VISIT AND TO SEEK FURTHER
CLARIFICATION ON SEVERAL ITEMS

At the Plans Board meeting Members sought clarification over several items relating
to the application.

1. Comparison with the previous planning application refused in 2005

In 2005 a planning application for a Roman Catholic Church, with associated car
parking, and a new vehicular access, was refused for the following reasons:

- (a) It had not been satisfactorily demonstrated that the proposed development
needs to occupy land designated as Green Network. This would result in the
loss of a valuable playing field, and would have a detrimental impact on the
character and visual amenities of the surrounding area
- (b) The proposed access and parking provision was not satisfactory, and would
prejudice the safety and free flow of pedestrian and vehicle flows. In addition,
the proposed parking facilities would undermine the objectives of the 'Safe
Routes to School Scheme' by providing parking facilities in close proximity to
the existing school

The current application has been the subject of pre-submission discussions with
Planning and Highway Officers from the Council, whereas there were no pre-
application discussions before the 2005 application was submitted. As a
consequence, the current scheme has been better thought out and justified. In
particular, it is considered that the appearance, layout, access and parking
arrangements are a marked improvement over the previous scheme. In addition, the
present proposal does not involve the loss of a playing field, which was the case last
time.

Whereas the 2005 application was solely for an independent church building, the
current one is for an annexe extension that will provide church, school, and
community facilities. Policy OL4 of the Wrekin Local Plan permits development
within the Green Network if community benefits are an integral part of the proposal.
It is therefore considered that as the proposed annexe will be available for general
community uses it complies with Policy OL4, and overcomes the first reason for
refusal of the 2005 application.

The 2005 application was also refused because the access and car parking arrangements were unsatisfactory, and the proposal compromised the Council's Safe Routes to School Initiative. The current application does overcome these earlier highway objections by now demonstrating the following:-

(a) Car parking not satisfactory – The 2005 application showed an extended car park, with the circulation aisle between the two lines of parking being only 4 to 5 metres wide, whereas the normal accepted standard is 6 metres. Manoeuvring into and out of the parking spaces would have presented a problem, which would have led to congestion within the car park. The proposed chevron-style parking layout, coupled with an appropriate one-way system through the car park, as proposed in the current application, now overcomes the previous objections.

The 2005 application proposed a total of 31 parking spaces. The current application provides 42 permanent spaces, as well as 24-36 overflow parking spaces on the existing school playground which would be used for busy events such as open days and parents' evenings. The Council's Highways Engineer considers that this amount of car parking is adequate.

(b) Proposed access was unsatisfactory – The 2005 application showed two vehicular access points – the existing one off Church Road and a new one off Pinewood Avenue – and access and egress would have been available at either point. The current application now proposes a single vehicle width roadway through the site and a one-way in/out system. Church Road is an 'In Only' access which then connects through to the western end of the extended car park to an 'Out Only' exit onto Pinewood Avenue.

The existing school access onto Church Road forms a crossroad junction with Woodhouse Crescent opposite, which generates a number of conflicting vehicle turning movements that could lead to an increased likelihood of accidents. Furthermore, the driver visibility to oncoming vehicles and pedestrians when exiting from the school site onto Church Road is severely substandard, adding further to any accident risk. Therefore, by making this access point on Church Road 'In Only' there would be a significant increase in highway safety. In addition, the creation of the 'Out Only' exit onto Pinewood Avenue should operate safely as visibility is good and its position is sufficiently offset to the cul-de-sac opposite (Ashmore Drive) to avoid conflicting head-on vehicle turning movements.

(c) Compromises the Council's Safe Routes to School initiative - The existing access into the school operates a two way traffic system from Church Road, where passing vehicles often have to mount the adjacent footpath due to the narrow nature of the 3-metre wide road, thereby jeopardising the safety of children walking to school. The proposed one-way traffic system from Church Road ('In Only') through to Pinewood Avenue ('Out Only') would stop vehicles having to mount the footpath, and prevent the present vehicle/pedestrian conflict. Children would therefore enjoy a safer walk to the school and this would enhance the Safe Routes to School Initiative. The Council's Road Safety Team Leader has also advised that the St Lukes School Travel Plan is keenly implemented by the school.

The Highways Engineer has no objection to the application and has affirmed that he could not substantiate a highway reason for refusal based on access and parking issues.

2. Provision of acoustic fence.

The Council's Environmental Health Officers have recommended that a two metre high acoustic fence is erected along the northern boundary of the site. This would extend from the rear of 17 Broadway Avenue, where the proposed car park commences, round to the vehicle exit point on Pinewood Avenue. It is understood that the school owns the existing fence and hedgerow and therefore would be in a position to be able to replace it with a 2-metre high acoustic fence. Having this fence along this boundary would also have the effect of giving the occupants of the adjoining houses some degree of added security.

3. Licensing

The applicants have stated that there is no intention to have a licensed club within the premises. However, if it was proposed to apply for one in the future, the application would be advertised and local residents would have the opportunity of being able to comment. Individual licences would be required for one-off events/functions such as weddings.

4. Additional information

Since the Plans Board meeting on 25th November the applicants have submitted the following information which they wish to bring to Members' attention:

"Parking Facilities and Traffic Movements

There will be sufficient parking in the extended 45 place car park to cover all but the most exceptional circumstances – (say 2-3 occasions a year). It will only be on very rare occasions that there will be a need for the use of the school playground as an overflow car park. These occasions will always be outside the school day. (Examples are Christmas Eve Midnight Mass and whole school productions in the evening).

"During the daytime on school days most activities in the new building will be for the school itself, thereby not attracting additional car traffic. Exceptions to this could, for example, be a pensioners' lunch club (say once a fortnight), a mother & toddler group (say once a week), but neither these, nor any other such events would be expected to attract more than say 10 additional cars. IMPORTANTLY, at the present peak time for traffic, ie school start and finish times, we do not envisage any additional traffic at all.

"Whereas parents delivering and collecting children at the beginning/end of the school day will not be allowed to use the car park (under Telford & Wrekin policy), for evening activities, such as parents' evenings, school productions, school discos and other social occasions they will be allowed and indeed encouraged to park on site.

Weddings & Funerals

The number of these services will vary from year to year but recent history suggests 10–12 funerals a year and 4-5 weddings a year. For both weddings and funerals it will be the parish priest's policy not to allow 'large' events during the school day. A 'large' event would be one where say 20+ cars were expected. Large events would be scheduled for non school days. (Weddings are typically held on a Saturday).

"Use of the new building

The general plan is for the existing school hall to be restricted to the following uses:

- PE classes (using new modern equipment that can not currently be accommodated because of the hall's overuse)
- Drama and dance classes
- School lunches
- Small assemblies

"The following activities, which use the school hall currently, will transfer to the new building:

- Breakfast club (daily)
- After school club (daily)
- Whole school assemblies (2/3 times a week)
- Large drama productions / practices (say 10 times a year)
- Weekend church services (currently on a Saturday evening but to move to a Sunday morning).

"What the design of the new building will achieve

The new building is of a flexible design so that it can reasonably be used both as a church and a hall. The altar part of the church will have foldaway doors that will enable it to be separated from the rest of the building. This remaining space will itself be capable of being split into two through the use of further foldaway doors. The resultant two rooms will be the size of 2 large classrooms.

"One of these rooms (together with new storage facilities) will be used by the existing school breakfast and after school clubs. These are very popular and will enable more children to be accommodated, including children from the neighbouring Wrockwardine Wood CE Junior School (some of whom already attend). Taken together these activities will provide wrap around care for children from 8am to 6pm in accordance with government legislation.

"Social / Community Events

The present school hall has accommodated a number of school and parish social events including some (6 or so per year) where an occasional license has been obtained. No permanent licence will be obtained, not least because this would be contrary to diocesan policy. In any event the licensing authority would determine whether or not even occasional licenses should be issued and this is not therefore a material planning matter."

After receiving this information, and coupled with the fact that the Council's Highways Engineer is not objecting to the application, the recommendation to Plans Board remains unaltered, as below:

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 – Full permission
2. C118 – Submitted plans
3. B15 – External materials
4. B50 – Foul and surface water drainage
5. Surface water run-off rates
6. C86 – Car parking
7. Cycle provision
8. Lighting and security lighting
9. B33 – Personnel parking/materials storage
10. B34 – Mud on road
11. Car park signage
12. All windows to be non-opening and not fitted with trickle ventilation
13. The roof and all external walls to be constructed so as to provide a minimum of 45dB of sound attenuation
14. Erection of two metre high acoustic fence along the northern boundary of the site
15. No weddings, christenings or funerals to take place at school opening and closing times

REASONS FOR APPROVAL:

The erection of these annexe extensions at St Lukes Catholic Primary School will provide much needed new and improved school, church, and community facilities for local people and the wider community. This is a sustainable location which is accessible by pedestrians, cyclists, and public transport. The buildings will be providing community benefits to the local population. Whilst the proposal will result in the loss of Green Network land, it will accord with the community aims of the Green Network. The annexe extensions will not have an adverse impact on the local environment or on amenities presently enjoyed by residents living in the local area, by virtue of visual intrusion, undue noise and disturbance, or the creation of any overlooking problems. The design and appearance of the proposed buildings not only complement and respect the existing buildings on the site but would enhance the character and appearance of the surrounding area.

This is the original report that was submitted to Plans Board on 25th November 2009:

COUNCILLOR CHARLES SMITH HAS REQUESTED THAT THIS APPLICATION BE CONSIDERED BY THE MEMBERS OF THE PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, Increased School, Church, and Community facilities, Green Network, Access, Parking, Noise and Disturbance.

THE SITE AND THE PROPOSAL:

This planning application relates to the erection of annexe extensions at the St Lukes Catholic Primary School in Church Road, Trench, to provide new and improved facilities for church, school, and community use.

The proposed development, which would take place on an area of grass to the west of the existing school buildings, would comprise a building for a community and church hall, sacristy, foyer, meeting room, kitchen and toilets. The new annexe has been designed to echo and complement the style of the existing school buildings. External materials, mainly brown bricks and interlocking tiles, would match those used on the existing school buildings. The application site is designated as Green Network on the Wrekin Local Plan.

The existing car park will be extended to provide 42 parking spaces. Vehicular access will be from Church Road only, and the exit will be only onto Pinewood Avenue. The proposed chevron parking spaces have been designed to discourage either access from Pinewood Avenue or exiting onto Church Road. Overflow parking, for 24 to 36 cars, (depending on whether double parking is implemented) will be provided on part of the existing playground for events such as an open day, parents' evening, and a few social events. The existing pedestrian accesses from Church Road and Pinewood Avenue will be maintained.

St Lukes Primary School lies in the middle of Trench and forms part of a larger school complex which also accommodates the Wrockwardine Wood Church of England School. There is a playing field to the south of the site and existing residential development immediately to the north and west.

The original Catholic Parish Church off Winifred's Drive at Donnington had to be demolished eight years ago due to severe maintenance and structural problems. Since then the parish services have been held at the Army Garrison Church at Donnington on Sunday mornings and at St Lukes School on Saturday evenings. Neither of these buildings is suitable or licensed for wedding or funerals.

The Shrewsbury RC Diocese tries to co-locate church, community, and school facilities on the same site, and it feels that when this has been achieved both the school and the parish have benefited enormously. The Diocese looked at the possibility of acquiring other properties, or finding other sites, but could not find one in the Trench/Wrockwardine Wood area.

The proposed building is designed to be flexible in its use, with the main hall capable of being subdivided. The applicants have identified the following uses for the new annexe:

1. Church

There would be a Sunday morning service in the hall and daily mass in the sacristy. Additional masses and services would take place during Lent, Advent, and Christmas time. Evening meetings would be held once or twice a week for 6 to 14 people.

It is anticipated that there would be four weddings a year, normally on a Saturday, and about 12 funerals a year which would be on weekdays but timed to avoid the arrival and departure times of the school.

2. School

The existing breakfast and after-school clubs would relocate to the new annexe, releasing the school hall for more sports activities. The new hall would also be used for whole school assemblies, an indoor play area during inclement weather, and as a further indoor area for PE and other sports.

3. Community

The new buildings would be available for general community use such as mothers and toddlers groups, senior citizens luncheon clubs, uniformed organisations, keep-fit classes, dancing and theatre groups, adult education classes, and health advice and counselling groups. The applicants have stressed that there would be no licensed club within the premises, with the emphasis being on supporting the pastoral and social care of the local community.

CONSULTATION RESPONSES:

162 letters of support have been received, summarised below as follows:

- The development will provide much needed facilities for the children at the school, such as a breakfast club and after-school activities
- It will provide a place of worship for the Catholic population in north-east Telford, and be somewhere to have weddings and funerals
- It will provide new facilities for parents and the local community
- The new car park will be adequate to cater for all the parking needs of the development
- It will enable the current school hall to be reorganised so that modern PE equipment to be installed
- There will be no overlooking of local homes

The Rector of Holy Trinity Church, Wrockwardine Wood, supports the application, stating that the proposed new facilities would not only benefit St Lukes School and the congregation of Our Lady of the Rosary, but also the wider community of Lower Trench who at present have no direct access to a community facility near to where they live.

The Parish Council has sent in a petition signed by 218 people supporting the planning application. The vast majority of the people who signed the petition live in the Trench area.

27 letters of objections have been received, summarised below as follows:

- Extra traffic and parking problems on local roads
- Local roads will not be able to cope with the increase in traffic and parking
- Traffic chaos when funerals take place at school closing times
- Increase in noise from car doors slamming, horns blowing and parents shouting
- Emergency services will not be able to get through
- It will make it less safe for children to play outside
- The site is not big enough
- There are more suitable sites

- The impact on local people will outweigh the benefits to the community
- It is too close to residential properties
- Local residents will not be able to relax in peace and quiet in their gardens
- Extra noise from weddings, parties, and social activities, particularly in the evenings
- Loss of privacy
- Increase in drainage and flooding problems
- Increase in light pollution
- Disruption during the construction period
- Sensitive children will be distressed by the funeral processions
- Loss of playing field

Councillor Charles Smith has made the following comments:

- This is an overdevelopment of the site
- There would be an increase in noise and nuisance to nearby houses
- There would be more congestion in Pinewood Avenue
- The traffic nuisance would be seven days a week, not five as it is now

The Parish Council objects to the application for the following reasons:

- The increase in traffic. It is concerned about the traffic flow from Church Road to Pinewood Avenue, and the effect it would have on that area in general, and particularly on Pinewood Avenue
- Increased parking and traffic problems will affect residents of Broadway Avenue and Pinewood Avenue at weekends, as well as during the five days they suffer from now
- It is concerned about noise and exhaust pollution from the extended car park at the rear of Broadway Avenue properties and the detrimental effect this will have on residents who are trying to enjoy their gardens
- It is concerned about drainage from the car park and that flash flooding may be caused when it rains, and flows into the gardens at Broadway Avenue
- It is concerned that parties at the proposed community centre will disturb residents' peace, particularly when alcohol is involved
- It has received complaints from many residents who border this site and it can see these complaints continuing and increasing if the development goes ahead

The Council's Geotechnical Engineer has no objections to the application.

The Council's Drainage Engineer has no objections subject to the imposition of conditions relating to the submission of full drainage details and surface water run-off rates.

The Council's Highways Engineer has no objections to the application. Before the application was submitted he had discussions with the applicants regarding the size and location of the enlarged car park, as well as the proposed access and egress arrangements. All these items are now regarded as being acceptable. However, he would advise that weddings, christenings, and funerals should take place outside the school opening and closing times, and this will be conditioned. Another condition

would be required relating to appropriate signage at the car park entrance and exit points.

The Council's Environmental Health Officer has no objections to the application. Having assessed a Noise Impact Survey that the applicants have undertaken, he has accepted its conclusions that any noise originating from any activity taking place within the annexe extensions, whether it be the organ, singing, or amplified music, will not be any louder at the boundaries of the site than existing noise levels from other sources, such as passing traffic. However, this relies on all windows remaining closed. Therefore, he recommends the imposition of conditions stipulating:- (a) that all windows shall be non-opening and not fitted with any trickle ventilation, and (b) that the roof and all external walls shall be constructed so as to provide a minimum of 45dB of sound attenuation. In addition, to ensure that the nearest residents to the site are not unduly disturbed an acoustic fence should be erected along the northern boundary of the site.

Sport England has raised no objections to the application as the proposed development does not form part of a playing field or affect any other provision for formal sport.

PLANNING HISTORY:

In 2005 planning permission for a Roman Catholic Church, with associated car parking and a new vehicular access was refused for the following reasons:- (a) the development would have a detrimental impact on the character and visual amenities of the surrounding area, it would result in the loss of a playing field, and there was an unsatisfactory demonstration that it needed to occupy land designated as Green network, and (b) the proposed access and parking provision would prejudice the safety and free flow of pedestrian and vehicle users.

PLANNING POLICY:

The following statutory policies are relevant in the determination of this application:

Wrekin Local Plan

LR1 – Provision of Community Facilities

OL3 – Green Network

OL4 – Development in the Green Network

UD2 – Design Criteria

LDF Core Strategy

CS10 – Community Facilities

UD15 – Urban Design

PLANNING CONSIDERATIONS:

Policy LR1 (Provision of Community Facilities) of the Wrekin Local Plan expects proposals for community facilities, including places of worship, to normally be located in District or Local Centres. However, such facilities may be acceptable on other sites providing that certain criteria are satisfied. These criteria, and the Council's response to each one, are summarised as follows:

(a) is located on a public transport route: the application site is on Route 55, one of Telford's frequent bus services, which runs every 15 minutes on weekdays, and

hourly on Sundays, between Telford Town Centre, Oakengates, Donnington, Hadley, and Wellington. This accords with Policy CS10 of the LDF Core Strategy.

(b) demonstrates suitable access arrangements and adequate provision for car parking: A one-way traffic system from Church Road through to Pinewood Avenue will be introduced, and the existing car park will be extended to provide 42 parking spaces. The Council's Highways Engineer has approved these arrangements. It is considered that the proposed parking provision generally complies with the Council's Parking Standards, although such standards cannot be accurately applied in this case because the facilities will be multi-use in nature.

(c) occupies land allocated for development, or derelict land. Exceptionally, such proposals may be permissible within the Green Network, subject to the provisions of Policy OL4 of the Wrekin Local Plan: Policy OL4 states that development may be permitted within the Green Network if, amongst others, environmental and community benefits are an integral part of the proposal. In this particular case it is considered that the erection of annexe buildings that would be available for general community use complies with the provisions of Policy OL4.

(d) does not have an adverse impact on the character and amenity of the local area: It is considered that the erection of these annexe extensions will not have a detrimental impact on either the visual amenities or the prevailing character of the surrounding area. Rather, they will complement and reinforce the existing buildings on the site, to the benefit of the local community.

(e) is not located on a site required to meet essential employment growth: This site is not allocated for employment on the Wrekin Local Plan.

(f) satisfies the environmental health, urban design, and other appropriate policies in the Local Plan: A Noise Impact Assessment has been carried out by the applicants, the results of which have been analysed by the Council's Environmental Health Officer (EHO). He is satisfied that providing all windows remain closed then the noise emanating from any activity taking place within the extensions, whether it be the organ, singing, or amplified music, will not be any louder at the boundaries of the site than existing noise levels from other sources, such as passing traffic. Conditions would be imposed to ensure that all windows are not fitted with opening lights or trickle ventilation. In addition, to ameliorate noise from the car park he is recommending that an acoustic fence is erected along the northern boundary of the site.

Policy CS10 of the LDF Core Strategy states that new community facilities outside of a Town, District, or Local Centre should have good accessibility by foot, cycle, and public transport. In response, this site lies in the middle of the built-up residential area of Trench and is easily reached by a large number of people. An existing cycle shelter will be will be relocated to the front of the buildings and will be freely available to be used by all visitors to the site. Bus route No.55 runs along Church Road every 15 minutes, as mentioned earlier.

It is considered that the design of the proposed development relates positively to its context and that its appearance will respect and respond to the existing buildings on

the site. As such, the buildings have an appropriate and distinctive design which complement and enhance the character and appearance of the surrounding area.

To conclude, it is considered that the erection of these annexe extensions at St Lukes Catholic Primary School will provide much needed new and improved school, church, and community facilities for local people and the wider community. This is a sustainable location which is accessible by pedestrians, cyclists, and public transport. The buildings will be providing community benefits to the local population. Whilst the proposal will result in the loss of Green Network land it will, nevertheless, accord with the community aims of the Green Network. The annexe extensions will not have an adverse impact on the local environment or on amenities presently enjoyed by residents living in the local area, by virtue of visual intrusion, undue noise and disturbance, or the creation of any overlooking problems. Finally, the design and appearance of the proposed buildings not only complement and respect the existing buildings on the site but would enhance the character and appearance of the surrounding area.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

16. A3 – Full permission
17. C118 – Submitted plans
18. B15 – External materials
19. B50 – Foul and surface water drainage
20. Surface water run-off rates
21. C86 – Car parking
22. Cycle provision
23. Lighting and security lighting
24. B33 – Personnel parking/materials storage
25. B34 – Mud on road
26. Car park signage
27. All windows to be non-opening and not fitted with trickle ventilation
28. The roof and all external walls to be constructed so as to provide a minimum of 45dB of sound attenuation
29. Erection of two metre high acoustic fence along the northern boundary of the site
30. No weddings, christenings or funerals to take place at school opening and closing times

REASONS FOR APPROVAL:

The erection of these annexe extensions at St Lukes Catholic Primary School will provide much needed new and improved school, church, and community facilities for local people and the wider community. This is a sustainable location which is accessible by pedestrians, cyclists, and public transport. The buildings will be providing community benefits to the local population. Whilst the proposal will result in the loss of Green Network land, it will accord with the community aims of the Green Network. The annexe extensions will not have an adverse impact on the local environment or on amenities presently enjoyed by residents living in the local area, by virtue of visual intrusion, undue noise and disturbance, or the creation of any overlooking problems. The design and appearance of the proposed buildings not

only complement and respect the existing buildings on the site but would enhance the character and appearance of the surrounding area.

Notes

Agenda Type : A

W2009/0745 Erection of a single storey side extension to existing annex accommodation
Highbury Villa, Drury Lane, Rodington, Shropshire.
Recommendation Code: FG - Ward: Wrockwardine

APPLICANT:
Mr J Weinel

RECEIVED ON:
04/09/09

PARISH
Rodington

WARD
Wrockwardine

CASE OFFICER:
Tom Lewis

OBJECTIONS RECEIVED: No.

MAIN ISSUES: The main issues are the impact on the character and appearance of the existing dwelling and the surrounding area, also the impact on neighbouring properties amenities and the potential for creation of a separate dwelling.

THE PROPOSAL:

The erection of a single storey side extension to existing annex accommodation to provide additional bedroom space and a bathroom, to provide full granny annex.

THE SITE AND SURROUNDINGS:

The site is a large detached dwelling within the rural area. The property is rendered and painted cream with white headers and lintels to the windows. At the rear of the property there is a detached gable fronted double garage. At the side of the building there is a smaller single storey outbuilding. This is also rendered and painted white, it is currently used for storage but contains separate rooms for a kitchen lounge and bedroom and therefore it is able to be used as ancillary living accommodation. The only immediate neighbour to the property is a warehouse and storage building with offices for Mercian Masterplan Ltd who deals with mobile and relocatable buildings; they use part of the area adjacent to the proposal for storage of these mobile buildings. The boundary between the two properties until recently had a large conifer hedge separating the two, this has however been removed and part replaced by a timber fence.

CONSULTATION RESPONSES:

Rodington Parish Council have raised concerns over the application creating an addition dwelling.

The Council's Environmental Planning Assistant has raised no objections to the proposal subject to the placement of one informative with regards to bats.

PLANNING HISTORY:

No relevant planning history

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 application seeks to extend the existing outbuilding to the side of the property. This extension will retain the same depth as the existing building but will be stepped back from the existing building by half a metre.

The proposed development will have a length of approximately 6m, this is shorter than the existing and with a width of approximately 3m, this therefore will not dominate the dwelling or the surrounding area. This is helped by the development being well screened from the street scene by the front the existing outbuilding.

The proposal will be of a very similar character to that of the existing outbuilding but will however also include a small gable styled porch feature. This will however be well screened from the street scene by the existing dwelling and also the existing outbuilding. The proposal will therefore not be detrimental to the character and appearance of the existing building and the surrounding area.

The proposed extension will provide ancillary living accommodation; however the unit would now include a separate bedroom, bathroom and kitchen, which would be contrary to policy for the creation of new dwellings within the open countryside. A condition is therefore required. However due to previous issues relating to enforcement of such units in the rural are, it is considered that a Section 106 agreement would ensure this is not breached. Subsequently the applicant has also agreed to enter into a section 106 legal agreement to ensure that the proposal stays ancillary and linked to the main dwelling.

The proposed development will be on the opposite side of the car parking area to the neighbouring depot, which is approximately 7m away. There will be one additional window on this side elevation; however this will be a bathroom window and therefore the proposed development will not lead to detrimental overlooking of neighbouring properties which are industrial buildings. At this distance with the development being single storey, the proposed development will not lead to a detrimental level of overshadowing. The property benefits from a modest plot and therefore the development will leave adequate amenity space within the curtilage of the dwelling.

As the proposed development does not dominate the site, is in keeping with the character and appearance of the general area and not of detriment to the amenities of the neighbouring properties, the proposal complies with policies UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

RECOMMENDATION:

Subject to the applicant entering into a section 106 agreement with regards to the proposed development remaining linked to the main dwelling as ancillary

accommodation, then delegated authority to the Head of Planning to GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 - Full with no reserved matters
2. C120 - In accordance with amended plans
3. C68 – Materials to match that of the existing building
4. D127 - Restrictions on a separate use

REASON FOR APPROVAL:

The proposal would not adversely impact on neighboring properties amenities with regards to overlooking or overshadowing. The scale and design of the proposed extension will not have a detrimental impact on the architectural merit of the existing building and any potentially detrimental impacts on the character and appearance of the property will be adequately mitigated by condition. The proposal will not create a separate unit of residential accommodation and this can be secured by condition and Section 106 Agreement.

Notes

Agenda Type : A

W2009/0768 Erection of a two storey rear extension (following partial demolition), and single storey side extension for use as a mosque Old Hall Building, King Street, Wellington, Telford, Shropshire. Recommendation Code: FG - Ward: College

APPLICANT:
Shropshire Islamic Foundation

RECEIVED ON:
18/09/09

PARISH
Wellington

WARD
College

CASE OFFICER:
Valerie Hulme

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: External appearance and parking.

THE PROPOSAL:

This application seeks to alter the design of that approved by Members of Plans Board under W2007/0667.

SITE AND SURROUNDING AREA:

The site was previously the Former TA Centre, being previously used as a base for the Shropshire and Staffordshire Artillery Volunteers. They have since relocated to a new building to the east immediately adjoining their former premises. At the time of submission the applicants had demolished the majority of the building retaining the front façade. This is not in accordance with the approved plans but of the proposed application.

The whole site is secured by a combination of walls and palisade fencing. The front of the site benefits from metal gates.

The site is located in a predominantly residential area, although there are a number of additional uses nearby including New College, a former petrol filling station, which is now used for car servicing and the operation of a taxi hire business, both of which are on the opposite side of King Street and to the rear, a scrap metal dealer. It should also be noted that the former petrol filling station has recently benefitted from residential planning consent.

PLANNING POLICY CONTEXT:

Wrekin Local Plan
UD2: Design Criteria
T22: Planning Obligations
LR1: Provision of Community Facilities

PLANNING HISTORY:

W2007/0667 – Change of use of former Territorial Army Centre to Mosque, Imams flat, 2No Retail Units and Community Facilities extensions and remodelling of Façade – Approved 17/08/07

CONSULTATION RESPONSES:

The Local Highways Engineer has raised no objections to the development subject to the inclusion of previous conditions concerning the travel plan.

The Wellington Town Council have objected to the proposal on the grounds of:

- demolition taken place without consent
- insufficient parking for well attended events
- overdevelopment of the site
- not in keeping with locality or adjoining development
- traffic congestion on King Street

The National Drill Hall Association has submitted comments previously submitted under the previous application which provides background information with regard to Drill Halls and the need to preserve these buildings, including any plaques.

PLANNING CONSIDERATIONS:

The principle of use of the former drill hall has previously been approved by members of Plans Board in 2007. The agents previously involved failed to address the needs of the proposed users and as such new agents have been appointed to redesign the layout to provide the necessary accommodation for this religion, limiting the usability of the site. The consequence of redesigning the layout has also resulted in addressing the external parameters. Consequently the main issues being considered under this application are design.

The agent have engaged the Council in pre application discussions prior to this submission illustrating a variety of alternative designs. This proposed application is the proffered option of those proposals.

The previous application sought to remove the front elevation of the drill hall, retaining the rear aspects. The approved front elevation had Middle Eastern architectural features, with a vertical section bounded by two lower vertical sections.

This proposal seeks to retain the front elevation of the drill hall, reinforcing the characteristics of the area. The rear elements however will be a new element. It is noted that the rear section has been removed; however planning consent is not required for demolition of this building as it is not listed nor is it located within a Conservation Area. Subsequently the loss of the rear elements is not for consideration under this planning application. The proposed application seeks to install a two storey element which displays modern architectural features set back from the front elevation. The proposal will be slightly higher than the ridge of the Drill Hall however the proposal has a curved roof, and the elevations are proposed to be rendered in a light colour. The proposed set back acts as a buffer, and will be well screened at a pedestrian level on King Street by the retained façade. Taking this into account it is considered that the proposed design is more in keeping than the previous approval, respecting and reinforcing the architectural features of the Drill Hall and the character of the surrounding area. Whilst it is accepted this is a modern development attached to a mature façade, it is considered that this design preserves the Drill Hall whilst giving this a modern twist which meets the needs of the user.

Issues with regards to parking were previously raised on the last application. The proposal will provide 27 parking spaces; parking along kings road is restricted by yellow lines and consequently users cannot overspill onto the highway. Occasional events such as weddings and funerals will require additional parking; consequently an agreement is in place with New College to cater for such events. The Highways Engineer has requested this confirmation and is seeking to continue the condition regarding the travel plan. Subsequently it is considered that the issues with regard to parking can still be mitigated through condition.

Hours of use proposed use were not conditioned on the previous application. Bearing in mind the location of the site, on a main road into wellington, it is considered acceptable for the nature of the area.

Taking account of the previous application which remains a valid approval, the principle of use has been accepted on the site. With regard to the design it is considered that the proposal respects and reinforces the drill hall and the surrounding area, and is less intrusive than that previously approved. Subsequently it is considered that the proposed application meets the criteria of Local Plan Policy LR1, UD2 and Core Strategy Policy CS15.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 - Full Planning
2. B15 - Samples of materials
3. B18 - details of windows and doors
4. Non standard – details of signage
5. Non standard – travel plan
6. non standard – parking for 27 vehicles
7. non standard – audio equipment
8. non standard – removal of pd for masts
9. non standard – drainage
10. C86 - car parking
11. non standard – restriction of sale of goods
12. B33 - on site construction
13. B34 - mud on road

REASONS FOR APPROVAL:

The principle of use for a Mosque and its associated facilities has previously been established on this site. The proposed amended design respects and responds to the surrounding area in addition to retaining the front façade of the former Drill Hall. The proposal will not have an adverse impact on the safety and free flow of highway users.

Notes

Agenda Type : A

W2009/0794 Redevelopment of existing dogs rehoming centre including a new purpose built reception and relocation of main entrance Roden Lane Farm, Roden Lane, Roden, Shropshire. Recommendation Code: FG - Ward: Ercall Magna

APPLICANT:
Dogs Trust

RECEIVED ON:
18/09/09

PARISH
Ercall Magna

WARD
Ercall Magna

CASE OFFICER:
Valerie Hulme

THIS APPLICATION WAS CONSIDERED BY MEMBERS ON 25TH NOVEMBER 2009 AND DEFFERED FOR SITE VISIT

Update presented to Plans Board on the 25th November included:

Since the preparation of the report to members, comments have been received from the Councils Highways Engineer who has raised no objections to the proposed development; furthermore he has also confirmed that the recommended condition C86 is not required as no further parking spaces are provided.

No comments have been received from the Councils Environmental Health Officer.

Comments have also been received from the agent who would like to bring the following to Members attention:

- Consultation has taken place between residents and their agent (Elwyn Jones) on four separate occasions in January, March, and two occasions in July.
- With regard to noise, the applicant has confirmed that the site is controlled under Environmental Protection Act 1990, as amended. Furthermore the noise report indicates the noise from the centre will be reduced by the proposals.
- With regard to management the site cannot be controlled by planning other than opening hours.
- No statutory nuisance has taken place at the centre and at no time has an abatement order ever been issued. The Dogs trust is very conscious of the provisions within the EPA, and actively manages the site to address any potential problems.
- The modern rehoming centre design improvements have removed almost all incidents of concern from any local resident. This centre remains as only one of two older design centres across the country. It is because of these inadequacies that the applicants have submitted the application.
- With regard to the other properties in the trust's ownership, 1 Roden Lane will remain as staff accommodation, and older dogs will be located in a family environment at Oakfield House, being used solely by the manager.
- Applicant expresses that any other uses would require planning consent for any of the houses or land holdings.

- With regard to the siting of the intake building, the earth mound with additional planting will offset any limited detriment to the open landscape
- “Contrary to Mr Brine’s stated presumption, Dogs Trust does not invest significant sums of charity funds at locations to which they are ‘indifferent’. A protracted and professional internal assessment and approval procedure has been undertaken concerning the Roden Rehoming Centre, over the past two years – a fact that Mr Brine was made aware of in historic written communication with the Chief Executive of Dogs Trust.”
- With regard to finding alternative sites before the use of this site, the site has an existing use, whereby the site’s use is being reduced.
- Furthermore the applicant would like to reiterate to members that “the application is for improved facilities that will benefit the dogs, the staff and visitors and will lead to increased rehoming figures which will benefit the community by supplying families with the pet that they desire and providing homeless, abandoned dogs with a new life.”

The agent has also addressed the issues raised by the Council’s Arboriculturalist, agreeing to certain tree works to individual trees. The Council’s Arboriculturalist has confirmed these works are satisfactory and now raises no objections subject to conditions.

In conclusion, it is considered that the recommendation for approval of application is amended to take account of the additional condition regarding trees, and the removal of the condition relating to car parking.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 - Full with no reserved matters
2. C120 - Amended Plans
3. B15 - Samples of Materials
4. B33 - On site Construction
5. B34 - Mud on Road
6. Non Standard - Details of Suds
7. Non standard - Mitigation methods as per ecology report.
8. Non Standard - Tree protection during construction, including service runs
9. Non standard - Tree and hedge replanting.
10. Non Standard - Kennel accommodation
11. Non Standard - Managers House and Oakfield House use
12. Non standard - Hours of use
13. C79 - Maintenance of existing hedges
14. C80 - Landscape implementation
15. Non Standard - Tree works

THE ORIGINAL APPLICATION REPORT IS INCLUDED BELOW

CLLR BENTLEY HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Impact on visual amenity, residential amenity, highway safety.

PROPOSAL:

Redevelopment of existing dogs rehoming centre including a new purpose built reception and relocation of main entrance.

SITE & SURROUNDINGS:

The application site is located within the village of Roden, situated to the North West of Telford. The site itself is situated on the B5062 through Roden. Residential properties are located in sporadic locations more than 1/4 of a mile from the site.

The existing centre has gradually developed on the site of a small scale farm. The ground is relatively level, however there are several large planted mounds formed from previous inert waste created by phases of development. Buildings are generally located to the south east corner of the site, fronting the adjacent highway. The main entrance is located central to these buildings, with the reception to the west, and the managers house to the east. A small parking area for visitors is located within this courtyard. Kennels are located to the north east and west of this parking area. A staff car park has recently been developed to the west of these buildings, which also provides overflow car parking facilities for additional visitors. An additional access to the west was created to the west of the main entrance.

Oakfield House, 1/4 mile to the west of the site is currently occupied by members of Dogs Trust Staff, who care for veteran dogs which reside as pets at this address. The field between these dwellings is also within Dogs Trust ownership; 1 Roden Lane is also occupied by Dogs Trust Staff.

Three dwellings, New Farm, 1 & 2 New Farm, Roden Lane are located within 320m to the south west of the development site. These three properties are the closest residential dwellings to be effected by the proposal.

RELEVANT HISTORY:

W2006/0539 Extension to dwelling house and additional kennelling. Withdrawn
W2008/0489 Formation of Staff Parking Area; Approved June 2008. PE/ 2009/0007 - Redevelopment of Homing Centre.

POLICIES:

Telford & Wrekin Core Strategy DPD 2007 CS7 Rural Area CS12 Natural Environment CS15 Urban Design

Wrekin Local Plan 1995-2006 (Saved Policies) UD2 Urban Design Criteria E6 Rural Employment

PPS1 Delivering Sustainable Development PPS7 Sustainable Development in Rural

Areas PPG13 Transport PPG24 Planning & Noise

CONSULTATION RESPONSES:

Comments are awaited from the Local Authorities Highways Engineer, Environmental Health Officer, and Pollution Control Officer; these will be reported at Plans Board.

The Council's Arboricultural officer raised concerns with regard to the proposal and the loss of some trees. These are subsequently being considered by the applicant and amendments to the impact on trees are awaited.

The Council's Ecologist had also raised concerns with regard to the information submitted. Subsequently an extended phase 1 ecology survey was carried out on the site. The ecologist has raised no objections to the proposal subject to carrying out the recommendations of the report.

The Council's Drainage Engineer raises no objection to the development subject to details of the proposed Sustainable Drainage System.

The Council's Licensing Officer has raised no objections to the development, confirming kennel sizes are sufficient, and has requested a condition relating to kennel occupancy.

The Parish Council support this application, however they also requested conditions regarding signage well in advance of the entrance, a development boundary for the site, and concern over screening to the rear of the site.

One letter of objection has been received from a resident located from the development site. The letter is on behalf of the residents of Haughton. This states there is a background of complaints to Environmental Health with regard to noise at all times of the day, caused by what they consider poor dog management practices rather than the fabric of construction. They consider since the "awful summer of 2006" noise disturbance overall has reduced. They object to the application in its current form on the following grounds: * Does not deal with land within the curtilages of the domestic buildings of 1 Roden Lane and Oaklands * lack of detail regarding the use of the field to the west of the existing Dogs Trust Buildings * Sprawls into more green field land to the west outside of the existing built up area * Involves construction into green field land immediately north of the existing buildings * No evidence for need for the oversized site to be in Roden, and why no other site is available nationwide for a development of this scale which does not necessitate spreading into green field The letter also requests consideration is given to the following: * Consultation * Construction * Noise * Oakfields and 1 Roden Lane * The field to the west of the site included within the red line * Intentions for the west field * Protection of 1 Roden Lane, Oakfields and the west field from canine care and exercise * New main building located outside of the current sites curtilage to the west, loss of mature hedgerow, and further sprawl into the rest of the green area * Sprawl into the north field * The statement "the main buildings mass is contained within the footprint of the existing centre" is not correct * Scale of development * No alternatives suggested

PLANNING CONSIDERATIONS:

Planning Policy Statement 7: Sustainable Development in Rural Areas; inter alia, encourages sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside. Furthermore, it discourages the use of Greenfield land, except in cases where there are no Brownfield sites available, and where such land must be used, ensures that it is not used wastefully.

Policy CS7 of the Core Strategy recognises the need to sustain rural communities, by focusing development on a limited number of rural settlements, which include High Ercall, Tibberton and Waters Upton. By focusing housing, employment and service facility development at these centres, a pattern of development should be created that maximises the accessibility of services and facilities to rural resident whilst reducing the need to travel by car and enhancing the local identity and character. The proposal is located at Roden which is not one of the identified areas where rural development including employment is promoted under the recent adopted Core Strategy.

Policy E6 of the Wrekin Local Plan remains a 'saved' policy. This policy requires employment development to be related to agriculture or forestry; of an appropriate scale, type and design sensitive to its location, meet other policy requirements including Environmental Health policies; located in existing rural buildings in or adjacent to settlements, within a farm unit for purposes of farm diversification, or where appropriate to enable the expansion of an existing employment use. New build development will only be located in or adjacent to suitable settlements; and development in the open countryside will be strictly controlled.

Whilst this application does not propose new development perse, the proposal seeks redevelop the existing dog's home, providing better accommodation for the dogs and the number of employees will remain at 27, this must be considered in accordance with both current local and national planning policies. Taking both these policies into account Roden is not considered a sustainable location; however policy E6 allows expansions of existing employment uses where appropriate.

The Dogs Trust has operated in this location since 1970, and later wooden kennels were replaced in 1980 by brick structures. The last major phase of kennel improvements were over 15 years ago to the then accepted best practice standards. Since then there have been significant changes in design and construction of rehoming centres. The proposal seeks to redevelop the site to meet these standards. Consequently it is considered that this principle meets the criteria of policy E6.

Furthermore the proposals seek to replace existing kennels which are not efficient at controlling or containing noise, that are not economically effective, and which cause anxiety to the dogs by virtue of the layout and accessibility.

The proposals seek to reduce the stress of dogs by altering the layout, so that kennels do not overlook exercise areas, this in itself will reduce noise. The rehoming kennels are designed and built to the latest standards, reducing stress, reducing noise and providing viewing to the public; the reception area to be created is larger

than previous creating a welcoming space. A training hall is proposed, which has been gradually introduced at other rehoming centres since 2001; this will also evening training classes anticipated at 1 day per week. Four sponsor dog kennels are proposed which should be accessed via the main reception; veterinary facilities are essential to the site, which currently take place off site, the proposal seeks facilities to be easily accessed for staff and visitors. The Training and Behavioural Assessment Building will be rebuilt away from active parts of the site; intake buildings will be erected away from other active parts of the site under an earth mound reducing any possible noise from the new dogs, this will also provide a thermal heat store heated by solar thermal panels above the new unit. A Whelping Kennel is proposed to the rear of the existing admin building; the manager of the centre will be relocated to Oakfield, and staff housed at Oakfield will be relocated in accommodation of the 1st floor of the admin building and the managers house; old dogs will then be relocated in the managers house at ground floor in domestic surroundings. A new sewage treatment plant is proposed in addition to rainwater harvesting for washing kennels and toilet cisterns.

The facility as existing accommodates 190 dogs, although the existing permission accommodates 200 dogs. The average number presently accommodated is 175 dogs. The proposal will provide a total of 82 kennels across the site, accommodating 156 dogs; however it is likely that the average number of dogs accommodated at any one time will be 125 dogs as some will not be able share. It is aimed that the proposal will assist the rehoming of dogs, creating a quicker turnover which is better for the dogs, reducing the number of dogs on site at any one time, and ultimately reducing the impact of the business on the surrounding environment.

Urban Design guidance is found within policy CS15 of the Core strategy, and Policy UD2 of the Wrekin Local Plan. CS15 states the design of development will assist in creating and sustaining safe places. Strengthening local identity and projecting a positive local image. Design will positively influence the appearance and use of the local environment. Moreover, Policy UD2 of the Local Plan requires development to;

- * Respect and respond positively to the context,
- * Respect and integrate with the wider landscape setting,
- * Respect and relate to any adjacent buildings,
- * Produces a safe environment and parking provision.

It is considered the proposed development, whilst located in the rural area, has to be specific to meet the needs of the Dogs Trust. These buildings will be situated some distance from other dwellings which are not associated with the Dogs Trust. Subsequently there is no specific vernacular which the proposal must reflect. The proposals will introduce a modern building which will meet the needs of the Dogs trust, and subject to the quality of materials, no objections are raised to the proposed design. The proposed locations of the buildings have been arranged as near as possible to the existing built up area of the site. However the location also takes account of the need to reduce the dogs stress, which not only will lead to reduced noise impact through barking, but also aid the likelihood of rehoming, having a positive influence on animal welfare, and the amenity of the surrounding area. Whilst local objections are noted, further development will require planning consent and as such will be considered on its merits at that future time. Nor does this proposal set a precedent for future development of the remaining fields to the north or west; subsequently no objections are raised to the location of these buildings being considered under this application.

With regard to noise considerations, comments from Environmental Health are awaited and will be reported at Plans Board. However the application is supported by a noise report which concludes current levels of noise in the area is a result of road traffic, with no noise from dogs. Calculations indicate that the proposed site layout will reduce noise levels of barking dogs from the site in comparison to the site in its current form.

An extended phase 1 ecology survey has been conducted on the site; this concludes the proposed development will not have any adverse impact on ecology or protected species. However the report recommends mitigation methods to ensure wildlife is protected during construction, this can be adequately conditioned.

The proposal involves the loss of two groups of four groups of trees which are located across the site. These mounds are populated with native species and in this instance we would specify the need to replant on a like for like basis. T21 indicated on the tree report is a magnificent Oak of veteran status, and certainly worthy of retention, preservation and protection, although the tree will need some remedial tree works as stated in the schedule. It is estimated the tree is over 200 years old. The amended tree survey - site plan, shows the new main entrance into the site, which consequently, compromises the protective fencing around T21 and the root protection area of this tree. Subsequently amendments have been requested for the realignment of the track so that it is constructed outside of the root protection area of either, T21 and T23. It is accepted that the realignment of this access track will facilitate tree works to T23 and this is acceptable. Conditions are required to ensure no dig construction around within these root protection areas and service runs.

According to the amended site plan, a new access is to be located underneath T20, however there is already an access path located further south down the hedgerow. Subsequently the arboriculturalist has requested that this access is removed.

The kennels situated by T7 are to be partly demolished, this also falls within the root protection area of this tree, conditions are necessary to ensure a "top down pull back" methodology of demolition, so as not to damage the roots of this tree and ensure its future retention. Conditions are also required to root protection areas of T6 a group of willows, and T3 a group of Hawthorns.

In conclusion it is considered that the proposed redevelopment of the dog's home following up to date practice will result in the improvement of the facilities for not only the dogs but also the amenities of the surrounding area. Subject to the provision of amended plans relating to root protection areas, and the comments from Environmental Health and the Highways Officer, it is considered that the proposal is considered appropriate and acceptable and is compliant with the Wrekin Local Plan 1995 - 2006, the Adopted Core Strategy and guidance contained in National Planning Guidance and therefore recommended for approval with conditions.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 - Full with no reserved matters
2. C120 - Amended Plans
3. B15 - Samples of Materials

4. B33 - On site Construction
5. B34 - Mud on Road
6. Non Standard Details of Suds
7. Non standard Mitigation methods as per ecology report.
8. Non Standard Tree protection during construction, including service runs
9. Non standard Tree and hedge replanting.
10. Non Standard Kennel accommodation
11. Non Standard Managers House and Oakfield House use
12. Non standard Hours of use
13. C79 - Maintenance of existing hedges
14. C80 - Landscape implementation
15. C86 - Car parking

REASONS FOR APPROVAL:

The proposed development will form an acceptable form of development to existing dogs home which is located in the rural area. The proposed development will reduce the number of dogs located on the site at anyone time in addition to meeting current standards of care and management. Furthermore the reduction in the number of dogs and the proposed construction will also reduce the impact of noise within the area. The proposed development doe not set a precedent for further encroachment into adjacent fields, and any future application will need to be judge on its own merits in accordance with planning polices at that time.

Notes

Agenda Type : A

W2009/0811 Erection of 1no. detached dwelling *****AMENDED PLANS RECEIVED***** Ketley Hall, Red Lees, Ketley, Telford, Shropshire.
Recommendation Code: FG - Ward: Ketley & Oakengates

APPLICANT:
Mr & Mrs Mike Smith

RECEIVED ON:
29/09/09

PARISH
Ketley

WARD
Ketley & Oakengates

CASE OFFICER:
Anna Robinson

KETLEY PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS AT PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, Setting of the listed building, Character and appearance.

THE PROPOSAL:

The application seeks full planning permission for the erection of a detached single storey one-bedroomed dwelling with associated car parking spaces and amenity area. It would measure 12.8 metres by 6.2 metres, with eaves height of 2.4 metres and 4.9 metres to ridge. The dwelling would be located within the grounds of Ketley Hall on the northwest boundary of the site, some 20 metres from the Hall, and adjacent to an adjoining dormer bungalow, Champions Ridge, which is located some 8 metres from the application site. Access to the new property would be via the existing driveway to Ketley Hall from Red Lees.

Amended plans have been submitted, revising the details of windows and doors to improve the character and appearance, following advice from the Conservation Officer.

THE SITE AND SURROUNDINGS:

Ketley Hall is a three-storey Grade II listed building constructed in the 18th Century and extended and altered in the 19th and 20th Centuries, with two-storey gables. A private road provides access to Ketley Hall from Red Lees. The application site forms part of the substantial grounds of Ketley Hall and is bounded by a variety of trees and hedgerows to garden boundary, with driveway between the Hall and the proposed building plot. The land was previously used as a haulage yard and historical maps indicate outbuildings to the Hall on this area. An existing storage building is located at the drive entrance to the Hall.

The site is located in a predominantly residential area, with modern two-storey residential estate, The Incline to south. Mainly bungalows are situated on adjacent Red Lees and School Lane. Adjacent properties, Champions Ridge and The Bungalow are both dormer bungalows. The rear elevation of Champions Ridge faces the building plot, and the nearest point is located some 8 metres from the boundary of the application site.

A wooded area which is subject of a Tree Preservation Order is located directly to the west boundary of Ketley Hall and its grounds; and adjacent land within Red Lees is designated Green Network.

CONSULTATION RESPONSES:

Ketley Parish Council Members are supportive of the simple nature of the proposed building which would not conflict with the Hall; however they consider the new property would be too close to the listed building. Furthermore, they are concerned about the access arrangements and the additional pressure on the exit onto Red Lees.

The Council's Conservation Officer has provided advice both at pre-application stage and during the application process and considers the erection of a small dwelling on the site of former outbuildings within the curtilage of the dwelling would be acceptable and would not be detrimental to the listed building and its setting. The building should be constructed in brick with tile roof and designed to reflect the former outbuildings. The Conservation Officer has confirmed that the amendments to the plans are acceptable.

The Highways Engineer has no objection to the proposal.

The Environmental Engineers recommend approval subject to conditions regarding shallow mineworking, contaminated land, gas mitigation measures and soakaway test. The Drainage Engineer adds that there are no public sewers adjacent to the site and it is therefore assumed that the foul flows produced by the development will discharge into a private system. The Applicant must provide further details of the foul water disposal.

The Environmental Health Officer states that the development would be located 250 metres from a closed licensed landfill site. Thus a condition should be imposed that a scheme for soil gas mitigation measures is submitted and approved in writing by the Local Planning Authority.

The Environmental Planning Assistant states that reptiles, particularly slow worms, may be present on the site given its current condition and surrounding habitat. She therefore recommends an informative is attached to the application stating if slow worms or any other protected species, are encountered during works, the development must be halted and a licensed ecologist and Natural England contacted for advice. Furthermore, the removal of the Leylandii trees should be done outside nesting season (March through August) to avoid disturbing nesting birds (protected under Schedule 1 of the Wildlife and Countryside Act 1981). If work during nesting season cannot be avoided then a suitably qualified ecologist must check nearby trees for nests before work begins.

The Fire Authority advises that it will be necessary to provide adequate access for emergency fire vehicles at the above premises.

PLANNING HISTORY:

No recent planning history

Pre-application discussions between the Local Planning Authority's Conservation Officer and the Applicant with regard to a small property within the curtilage of the listed building

POLICY CONTEXT:

Local Development Framework Core Strategy
CS1 Homes
CS14 Cultural, Historic and Built Environment
CS15 Urban Design

Wrekin Local Plan
UD2 Urban Design Criteria
H6 Windfall Sites in Telford & Newport

National Guidance
PPG15 Planning and the Historic Environment

PLANNING CONSIDERATIONS:

The proposal comprises the erection of a modest single storey property which would be located 23 metres from the end gable of Ketley Hall, within an 'L' shaped site. The dwelling would be located very close to the boundary (approximately 1.2 metres) with Campions Ridge, but will present a blank elevation and 3 rooflights. The new property would share the existing driveway to Ketley Hall from Red Lees, with parking and bin storage area to side of property. The development can be adequately accessed and drained, with sufficient parking provision space, in accordance with H6 of the Wrekin Local Plan.

The Parish Council's comments regarding the setting of the listed building are noted; however the proposed dwelling is a very modest building which has been designed to have the scale and simple form of an outbuilding, subservient to the main house. It is positioned on the boundary of the Hall's grounds, away from the main house and is partly screened by existing trees. By virtue of the new dwelling's position to the north of the end gable, at an oblique angle from the main frontage of Ketley Hall, and the distance from the listed building, the Local Planning Authority considers that the proposal would not affect the setting of the Hall. The site for the dwelling would occupy that part of the grounds that were formerly commercial. Furthermore, it would appear smaller in footprint and height than the adjacent dormer bungalows beyond the site boundary. In this regard, the proposal will accord with national and local planning policies which state that development will seek to protect or enhance the setting of listed buildings and be of a design that is appropriate to its context in terms of the scale, massing, form, materials and detailing etc. Landscaping and boundary treatment to the new property will be important in order to protect the setting of the listed building, and this will be controlled by condition.

The plans indicate that 3 rooflights only are proposed on the west (rear) elevation directly facing the adjoining property, Campions Ridge, and existing boundary screening will ensure there will be no overlooking or loss of privacy of adjoining residential amenities.

The plans have been amended in accordance with Conservation Officer's advice to simplify the design and give the building more vertical emphasis, with fewer glazing bars, omission of timber features, and the addition of sills to windows on the front and side elevations. The Local Planning Authority considers the amended scheme is acceptable, by virtue of its modest size, the simple design, and siting within the grounds of, but a sufficient distance from Ketley Hall. The property will not adversely affect adjoining residential properties.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 - Statutory time limit
2. C120 - Amended Plans
3. B15 - Submission of external materials
4. B18 - Details of windows and doors including sections
5. B23 - Landscape design
6. B41 - Shallow mineworking
7. B44a - Contaminated land
8. B65 - Soakaway test
9. Details of foul drainage to be submitted
10. C100 - Mitigation measures
11. Soil gas condition
12. D125 - Removal of all Permitted Development
13. D131 - No further windows on west elevation facing Campions Ridge

REASONS FOR APPROVAL:

The Local Planning Authority considers the principle of development is acceptable. The site can be adequately accessed, with sufficient parking and private amenity space, and will not have an adverse impact on the residential amenities of the adjoining properties. The proposal will not adversely affect the setting of the Grade II listed Ketley Hall and will be of an appropriate scale, design, form and appearance.

Notes

Agenda Type : A

W2009/0915 Erection of superstore, petrol filling station, car parking, servicing and associated landscaping and access including realignment of part of Southwater Way Land at, Malinslee House, Malinsgate, Town Centre, Telford, Shropshire.
Recommendation Code: FG - Ward: Malinslee

APPLICANT:
ASDA Stores Ltd

RECEIVED ON:
23/10/09

PARISH
Great Dawley

WARD
Malinslee

CASE OFFICER:
Gareth Thomas

MAIN ISSUES: Retail Impact on town centre, Sequential assessment, Access and parking, Land Stability, Pollution Control, Biodiversity

SITE DESCRIPTION:

The planning application covers a site of 2.7 ha in area and is located between Malinsgate/Coach Central, which runs east-west along the site's northern boundary, and Southwater Way, which runs east-west along the site's southern boundary. Both Malinsgate and Southwater Way form separate spurs off the Malinslee roundabout.

The site can be described as forming two main parts. Firstly the Malinslee House and Walker House civic buildings, comprising the principal offices of Telford & Wrekin Council and secondly, the terraced surface level car parking and landscaped areas surrounding the complex. The existing buildings date from the 1970s and consist of largely uninspiring exposed concrete clad panels with ribbon glazing that gives the impression of a grey and dour civic headquarters. Nevertheless the site is well landscaped, particularly to the north east and south east boundaries, consisting of semi-mature trees and ornamental shrub planting.

The site is currently separated from the Shopping Centre to the north by Malinsgate and Coach Central and the 'Box Road', which forms an acknowledged difficult pedestrian environment. Access across Coach Central (and on to the Town Centre) for pedestrians is via an existing light controlled crossing

To the north-west of the site, between the Civic buildings and the Malinslee Roundabout lies the Job Centre and beyond, the Severn Gorge Public House together with their associated car parks. Across the road from the public house are the offices of the National Farmers Union. The Malinslee roundabout is one of the principal gateways into the town centre.

Directly across Southwater Way to the west of the application site is the Malinslee Link site, which is the subject of a separate outline planning application for residential development to be considered at the same meeting as this application – W2009/0945. This site is currently an area of semi natural green space but is being promoted by this Council for residential purposes as part of the Local Development Framework (LDF) process.

Immediately to the south of the application site (and south-east of the “residential site” above), on the opposite side of Southwater Way is the imposing mass of the ‘Spout Mound’, a former colliery tip that has become a woodland feature on the local view point. There is some evidence of slippage of this mound, particularly in the direction of the Town Park to the south.

Importantly, there is a fall across the site running north-west to south-east of some 9 metres, which has resulted in the terracing of both the built form of the Civic buildings and the car parks. This natural feature has formed a constraint and an opportunity for the proposal from a design perspective.

RELEVANT PLANNING HISTORY

There are no planning decisions within the application site that have relevance to the consideration of this proposal.

THE APPLICATION

The application for full planning permission is described in the particulars as a “superstore”, but for the purposes of this report may be better described as a foodstore. The foodstore will replace the Civic headquarters, which in turn is likely to be relocated to a site elsewhere in Southwater. The principal elements of the development proposal comprise:

- New foodstore to provide 7,897 sq m of gross floorspace with a total net area of 4,076 sq m. (2,500 sq.m net convenience goods and 1,576 sq. m net comparison goods) The store is to be located at first floor (on stilts) along the north-west boundary of the site with customer and service access via a realigned Southwater Way and, in the form of a ‘left in’, ‘left out’ access from Malinsgate.
- 500 space car park inclusive of 22 disabled spaces and 19 parent-child spaces and 10 trolley bays. Cycle racks enabling secure storage will be provided outside the store.
- Six bay ‘automatic’ Petrol Filling Station (PFS) with access/egress via Southwater Way.
- Provision of full traffic signal control at the junction of Malinsgate/Woodhouse Central/Coach Central incorporating a reduction of the size of the central island, realignment of kerblines to reduce the engineering of the ‘Box Road’.
- Pedestrian routes through the site linking the proposed store to adjoining land to the south-east and the Malinslee housing area to the north-west.

The application is subject to an Environmental Impact Assessment (EIA) and is accompanied by supporting information, as follows:

- Environmental Statement (ES)
- Design & Access Statement
- Report on Consultation (public engagement/consultation)
- Tree Survey and Arboricultural Implications and Assessment
- Construction and Demolition Waste Report
- Retail Impact Assessment (contained within the ES)
- Traffic Assessment and Outline Travel Plan (contained within the ES)

- Slope Stability Assessment (contained within the ES)
- Flood Consequences and Foul Sewage and Utilities Assessment (contained within the ES)

PUBLICITY AND CONSULTATION

The application has been advertised in the local press and on site as an Application the subject of EIA, as a Departure Application and of major significance. In addition, 12 immediate neighbours have been notified of the planning application.

A Statement of Community Involvement in the form of a Report on Consultation has been submitted with the application, summarising the measures taken to consult and involve the community prior to the submission of the application. However officers note that it has not been counter-signed by community representatives to confirm that it is a true record of this process and the outcomes from it.

The applicants explained the process followed as follows (in summary):

- Wrote to all identified stakeholders informing them of the applicant's intentions to bring forward a planning application;
- Issues a press release
- Organised a 2-day public exhibition preceded by a VIP preview in the main foyer of the existing Asda at Telford Town Centre in August 2009
- Creation of a dedicated web site (www.asda-telford.co.uk) which contains stakeholder feedback etc
- Full-colour quarter-page advert in the local press running the week before the exhibition
- Handing out of circa 1600 leaflets
- Consideration and follow-up of 200 forms received by the "Asda planning team"
- One-to-one meetings with identified stakeholders e.g. political leaders

CONSULTATION RESPONSES:

Great Dawley Parish Council: No objection but concerns expressed regarding PFS – already one PFS in town centre; another PFS would generate additional traffic; in close proximity to the proposed residential area.

Engineering Services: No objections subject to the imposition of conditions relating to retaining wall, foundation design, soil gases, slope stability and earthworks.

Pollution Control: Recommend Conditions.

Drainage Engineer: Reduction in current Surface Water discharge to the public sewer of 50% will be necessary together with provision of Attenuation up to 1 in 100 year storm (+30%). The Flood Routing and levels on the site are achievable with details to be further approved in accordance with a recommended condition. No development shall take place until a scheme for surface water limitation and flood routing has been submitted and approved by the Planning Authority. The approved scheme shall be completed before the development is occupied.

Highways Section: Recommends Conditions and a section 106 Obligation including the payment of a financial contribution for major highway projects (in line with a plan-led approach advocated in the Central Telford Area Action Plan) of £720,000 to include provision of a pedestrian crossing/junction improvements at Malinsgate/Coach Central/Woodhouse Central plus an additional sum of £5,000 for monitoring of the store travel plan.

The Transport Assessment has been produced using a different methodology to that currently being employed by the Local Highway Authority (LHA). The LHA is adopting a plan led approach (through the Central Telford Area Action Plan) to determine the impact of the development on the local highway network and to this end it is using both a VISUM and a VISSIM model to ascertain the impact of this and any future development proposals on the adjacent highway network and any corresponding mitigating highway and transportation measures. Therefore, it can be confirmed that the contribution, towards the Major Schemes Infrastructure identified in Table 5 Section 5 of the Central Telford Area Action Plan, June 2009, has been calculated using the LHA's own methodology broadly outlined above.

Similarly, whilst the Highway Authority is supportive of the new pedestrian crossing hub at the junction of Coach/Malinsgate/Woodhouse, the submitted layout is not satisfactory at this time. The LHA is in discussions with the applicant to revise the design to meet the standards contained in the Design Manual for Roads and Bridges and supported with a safety audit and AutoTrak runs.

In terms of the internal layout LHA recommends minor changes to the car parking arrangements. The site has a pedestrian entrance off Southwater Way. This is shown to tie into the realigned footway link to Malinslee (see W2009/0945). The submitted plans show a raised pedestrian table at this location but LHA would recommend a signalised crossing point is used instead

Highways Agency: Awaited – to be updated in the addendum report

Planning Ecologist: No objection

Environment Agency: Site within Zone 1 Flooding Zone. SUDS drainage recommended; Contamination Risk Assessment condition recommended.

Tree Officer: Concerned about loss of trees, three of which are worthy of TPO together with the loss of a commemorative tree. Should support be given, advise relocation of trees that are capable of translocation, as agreed with applicants and to be covered by condition.

Land Contamination Officer:

The report has identified the following site issues:

1. Elevated Polyaromatic Hydrocarbons and aromatic hydrocarbons in the C12-C16 and C16-21 range, with the potential to impact upon groundwater
2. Ground gas- Elevated concentrations of CO₂ have been observed to 16.4%, and methane at 3.8%, albeit with negligible flows at 0.3L/hr. As such, ground

gases have been characterised as “Characteristic situation 2” based upon CIRIA 665. I am in agreement with the proposed gas mitigation measures as per section 7.2 of the report.

Given point 1 above, the report proposes that a Detailed Quantitative Risk Assessment (DQRA) be undertaken. I am in agreement with these proposals. You may wish to include the requirements of a DQRA as a pre-commencement condition.

As an aside, the petrol station will require a petroleum license and a Permit to operate via the Environmental Permitting Regulations 2007 prior to opening.

Planning Policy Team: Wrekin Local Plan: The site is identified, in part, for employment use as part of the section 7(1) approval T90/0022 for office development granted permission 16 August 1991. However, this application will not be implemented. The site is not covered by any other specific designations therefore no site-specific issues are raised by this proposal. However, a number of policies should be considered as relevant to this proposal, namely Policy TC2 New Shopping Development in Telford Town Centre and Policy E9 Non-Employment Uses within Employment Areas.

The proposal is in conflict with Policy TC2, which directs new retail development to locations shown on the Wrekin Local Plan proposals map. In relation to Policy E9, the proposal will result in the loss of office floor space. However, this will be replaced on another site within the town centre. The development is also in close proximity to the town centre and existing public transport connections therefore accords with PPG13 transport policies. Further justification for transport proposals is set out in the Transport Statement.

Policy CS4 of the adopted Core Strategy in broad terms identifies Central Telford as the for major retail development serving the needs of the borough and the sub-region, and seeks to consolidate Central Telford and enhance it as the hub of the service centre hierarchy by recognising its role as a settlement of significant development (set out under RSS Policy SS1) and strategic town centre (identified under RSS Policy PA11). Therefore, due to the scale and nature of development proposed being most appropriately located within Central Telford, the proposal does not undermine the policy objectives of the Core Strategy.

Objection received from Telford Trustee No. 1 Limited and Telford Trustee No. 2 Limited ("the Trustees" of the Telford Shopping Centre):

“The Trustees strongly object to the proposed development which would conflict with important national policy on planning for town centres, is recognised by Asda as being in conflict with the saved policies of the adopted Wrekin Local Plan (1995-2006) and would result in significant and unacceptable impacts on the existing town centre.

The proposed development would result in the unnecessary loss of the key food retail anchor store from the town centre to a site within the ownership of TWC. It is difficult to envisage a more stark example of a proposal that would damage confidence and future investment in the centre and cause an unacceptable retail

impact. As such it flies in the face of the Government's town centre first policy particularly in current economically uncertain times.

Below we set out the Trustees' objections based on their initial review of the planning application. In summary the Trustee's initial objections are on the following grounds:

(i) Conflict with the sequential approach – there are available, suitable and viable sites for the development proposed within and at the edge of the existing town centre which are sequentially preferable to the Civic Offices site. Asda has failed to provide evidence to demonstrate why sequentially preferable sites are not available, suitable and viable in accordance with Planning Policy Statement 6: Planning for Town Centres ("PPS6");

(ii) Unacceptable impact on the town centre – the Retail Impact Assessment submitted in support of Asda's application is fundamentally flawed for a number of reasons as set out in section 3 below. The proposed development would cause a significant and unacceptable impact on the town centre;

(iii) Conflict with the adopted development plan – paragraph 4.5 of the Planning Statement acknowledges that the proposed development is "in conflict with Policy TC2" of the adopted Wrekin Local Plan. In addition, the proposal does not accord with Policy TC1 and is also in conflict with the vision set out in Policy CS4 and elsewhere within TWC's adopted Core Strategy Document 2007 to consolidate and enhance the Town Centre in the period to 2016. No weight should be attached to the emerging Central Telford Area Action Plan ("CTAAP");

(iv) Prematurity - the acceptability of retail on West Southwater and the Civic Offices site in terms of scale, location and phasing are key issues for CTAAP which has reached submission draft stage. The grant of planning permission for Asda in advance of the consideration of CTAAP at an Examination in Public would clearly have a substantial effect which would be so significant that granting planning permission would clearly prejudice CTAAP's consideration;

(v) Uncertainty regarding the replacement for the Civic Offices - no evidence has been submitted with the planning application explaining where it is proposed to relocate the Civic Offices to or to demonstrate that the assumption that Asda will obtain vacant possession of the application site by early 2013 is correct. Asda is clearly concerned about the potential for such a delay as, unusually, it has requested that the usual three year duration of any planning permission be extended to five years. Without clarity on this aspect the grant of permission could blight investment in the town centre for years to come;

(vi) Highway impacts have not been adequately addressed – the Transport Assessment prepared by Savell Bird & Axon in support the application contains a number of serious omissions, deficiencies and inaccuracies; and

(vii) The scheme's design fails to address key urban planning requirements – the proposed development has been designed as a stand alone superstore divorced from the town centre's primary shopping area ("PSA") with no proper regard to its urban environment.

Emails of support have been received from two individuals on the basis that a standalone Asda store would meet the needs of residents living close-by and offer free car parking.

PLANNING POLICY CONTEXT

Saved Wrekin Local Plan Policies :

TC1 Town Centre

TC2 New Shopping Development in TC

TC14 Town Centre Design

E9 Non-employment uses within Employment Areas

EH3 Flooding

EH7 Contaminated Land

UD2 Urban Design

UD4 Landscape Design

UD5 Public Art requirements

S1 Service Centre Hierarchy

S2 Site Selection

T14 Parking, Servicing and Commuted Parking Payments

Core Strategy 2007:

CS3 Telford – focus for Borough’s spatial development

CS4 Telford Town Centre

CS5 District and Local Centres

Regional Planning Policies

Policy PA11: Strategic Town Centres

National Planning Policies:

PPS6 Retailing

PLANNING POLICY BACKGROUND

Joint Shropshire and Telford and Wrekin Structure Plan 1996-2011 represents the strategic planning framework pending replacement by the LDF; it is however dated, but contains “saved” policies that are considered relevant to the consideration of this proposal. The Plan outlines a strategy that seeks to:

- Conserve resources and the environment by reducing reliance on car travel and length of journey, fostering bio-diversity and the conservation of natural resources
- Improve the quality of life by: protecting the natural and cultural assets of the area; improve employment prospects; and tackle levels of deprivation
- Achieve a sustainable environment by careful location of development; improve access and maximise use of previously developed land and existing infrastructure; and
- Foster a prosperous economy, support for the rural economy and encourage inward investment

The saved policy of relevance to this proposal includes:

- Policy 31 Sustainable Transport Strategy

Wrekin Local Plan (1995-2006) – This Plan together with the above Structure Plan form part of the ‘Development Plan’ (along with the Core Strategy) The Structure and Local Plans however are becoming increasingly dated and they are currently being superseded by LDF documents. However the “saved” policies of the Local Plan (some 88 in total) will continue to have weight in the determination of planning applications for the moment.

The West Southwater site lies within the Telford Town Centre boundary as identified on the Proposals Map and is partially allocated for employment uses. Although it abuts retailing to the east, the proposals represent a Departure to the Development Plan. The “saved” policies of relevance, include:

- Policy TC1 (Town Centre) which permits development which contribute to its function as a multi-purpose sub-regional centre subject to provisos contained within TC2, 3, 4, 6 and 7;
- Policy TC2 (New Shopping Development in Town Centre) – which restricts the location of further shopping to areas defined on the Inset Proposals Map and in accordance with TC3, 4, 6 and 14.
- TC14 – Town Centre Design

Telford Core Strategy -The Core Strategy Development Plan Document (DPD) was adopted in December 2007 and is the key strategic LDF document that sets out the vision and spatial development strategy for the area and for subsequent DPDs to follow.

Telford is identified as a Strategic Town Centre under the adopted Revised RSS 2008 and a Town Centre in the Core Strategy. Policy PA11 of RSS states that the Strategic Town Centres will be the focus for major retail developments and PA13 states that it is not envisaged that “any further large-scale (10,000 sq m plus) out of centre retail developments or extensions to existing developments will be required” during the period to 2021. The policy goes on to say that “Smaller-scale out of centre retail proposals should be considered in the light of policies and proposals in development plans and take full account of Government guidance including the requirement to demonstrate ‘need’ and the sequential test. No out-of-centre developments should be redefined as town centres”. The RSS Panel report to the Phase II Changes gave endorsement to the level of growth of retail development and to the focus on Telford Town Centre.

Policy CS4 in the adopted Core Strategy states that “Central Telford Area will be the focus for major....retail....development serving the needs of the Borough and the sub-region...”

The Council is currently pursuing a more up-to-date spatial development approach through the LDF process and has submitted the Central Telford Area Action Plan (CTAAP) document to the Secretary of State following a period of consultation. It has limited weight as a tool for development control at this particular time. Nevertheless it is an indication of the Council’s spatial planning ambitions and is worthy of mention as we enter the period of uncertainty that many Councils face as the new Development Plan system is introduced. Possibly of greatest significance

at this time and where we can reasonably consider (on the basis of the most up-to-date evidence) are the references within the Plan to the retail studies that have informed the Council's thinking.

In relation to new additional retail provision, the Council has commissioned a strategic retail study to assess the quantitative need for retail floorspace within the Borough – the White Young Green (WYG) Retail and Leisure Study 2006, updated 2009. WYG identifies that there is a net convenience capacity of between 2,560 sq m and 5,120 sq m (net) by 2016, increasing to between 3,490 sq m to 6,980 (net) by 2021. The Council's approach within CTAAP is to propose that this can be met in the primary shopping area (PSA) and the proposed PSA represents an extension to those collective areas previously allocated within the Local Plan for retail purposes; the application site sits within the proposed PSA.

Draft Policy CT2 in the CTAAP states that new retail development will be permitted to meet the need in the Town Centre and facilitate its regeneration and should come forward in the form of mixed proposals. Supporting text emphasises that when determining applications for out of centre retail applications, the principles of PPS6, in particular its sequential approach to site selection, will be applied.

As will be seen later the application will need to be assessed against both Local and National planning policies. Considerable reliance will be placed by both the applicants and objectors on Planning Policy Statement 6: Planning for Town Centres (PPS6). PPS6 requires out-of-centre retail developments to be assessed in accordance with an assessment of the need for the development; an assessment that the development is appropriate in scale; that there are no more central sites; that there are no unacceptable impacts on existing centres; and, that the location is accessible. The guidance goes on to state that development as a general rule should satisfy all of these criteria, whilst also taking account other relevant local issues and material considerations.

At this time, PPS6 is under review. However, it is worth pointing out in passing that the review draft PPS6 (July 2008) which has fed into PPS4 Draft (May 2009) proposes to refine the policy approach to planning for town centres rather than to make significant changes, and in so doing, proposes to strengthen the Government's policy on positive planning for town centres. There is no proposed change to the requirement for LPAs to assess the need for new town centre development or to take account of scale, impact and accessibility considerations, or the sequential approach to site selection when producing retail strategies or proposals for inclusion in their development plans.

A key change relates to how certain planning applications should be considered and tested. The draft proposes the removal of the requirement for the applicant to demonstrate a 'need' for a proposal which is in an edge-of-centre or out-of-centre location and which is not in accordance with an up to date development plan strategy.

The draft PPS6 proposes to replace the existing impact assessment with a new impact assessment framework which applicants outside of town centres will need to undertake in certain circumstances. Key features of the new test are a broader

focus with emphasis on economic, social and environmental as well as strategic planning impacts; identification of key impacts including impact on planned investment, whether the proposals is of an appropriate scale, impact on centre trade turnover; identification of wider impacts such as accessibility, traffic, employment and regeneration and how the proposal would make efficient and effective use of land.

KEY ISSUES AND PLANNING CONSIDERATIONS

The Development Plan

Before considering retail planning issues in detail, some consideration should be given to the status of planning policy documents that have been described above and what weight should be given to the various documents in the determination of this application.

The Development Plan comprises the following documents:

- The Regional Spatial Strategy (RSS) for the West Midlands. Part of the statutory development plan for Telford and Wrekin, it contains policies to apply to development and to be taken into account in preparing the Council's LDF. LDF documents are required to be in general conformity with RSS.
- Shropshire and Telford & Wrekin Joint Structure Plan 1996-2011. Policies within the Joint Structure Plan have formed part of the local Development Plan since November 2002. By Direction of the Secretary of State in September 2007, a number of Structure Plan policies ceased to form part of the Plan, whilst others were 'saved', until expressly replaced by new Local Development Framework policies.
- Telford Core Strategy -The Core Strategy Development Plan Document (DPD) was adopted in December 2007 and is the key strategic LDF document that sets out the vision and spatial development strategy for the area and for subsequent DPDs to follow.
- The Wrekin Local Plan was prepared in the mid / late 1990s, adopted in February 2000, and had an end date of 2006. In September 2007 certain policies were formally "saved", recognising that they were consistent with national policy and up-to-date. Whilst not part of the LDF these policies remain in force and form part of the development plan (all other Local Plan policies were discontinued at this date).

The relevant policies have been explained in the preceding section.

The application has been advertised as a "Departure" to the Development Plan thereby recognising that the proposed development is in conflict with saved Local Plan policy TC2 (that seeks to limit retail development to sites allocated for this purpose on the Inset Map to the Local Plan).

But although this Policy is 'saved', this must also be tempered by the fact that the original policy was formulated to respond to growth pressures within the particular Plan period up to 2006, extended to September 2007. As with most Development Plans, there is a period of uncertainty as LPAs move from one Plan to another. Clearly the RSS proposes a growth in households of 26,500 between 2006 and 2026 within Telford and the Council has responded to this growth scenario as part of

the Core Strategy in its WYG retail study by assessing the level of retail floorspace required to meet this level of growth.

There is an argument therefore to suggest that strict adherence to Policy TC2 would not constitute a proportionate response to the significant growth proposed for Telford in the RSS and may be damaging to the Council's aspirations going forward. Accordingly, while saved policies of the Local Plan and the approved RSS have the weight of s38(6) of the Act, the WYG report should be given appropriate weight and along with Planning Policy Statement 6 (PPS6) constitute material considerations that might outweigh the Local Plan policy, and this is explored in detail below.

A further policy consideration for Members here is Policy CS4 of the Council's own Core Strategy that in recognition of the RSS population figures albeit with a time horizon to 2016, acknowledges that "the role of the Central Telford Area will be consolidated and enhanced as the hub of the service centres hierarchy by [inter alia] creating more shops..." If Members accept the arguments using PPS6 contained within the remainder of this section of the report, then the proposal would clearly comply with the Core Strategy ambitions.

Central Telford Area Action Plan (CTAAP)

Again, before Members consider retail planning issues in detail, it would be appropriate to comment on whether CTAAP should play any part in consideration of the planning merits of the proposal. In agreement between the Council and the Planning Inspectorate, the examination of CTAAP has been suspended to allow additional work and consultation to be undertaken to support its policies. The suspension has the effect of placing the plan at "pre-submission" stage for the purposes of status in planning terms.

The principal objectors (Telford Trustees etc.) suggest (correctly in your officers' opinion) that CTAAP should not be afforded any weight given its current uncertain status but then goes on to argue that that the Council should refuse the application on the grounds that the development would be premature in the context of the emerging Action Plan. This argument appears inconsistent and conflicting and there is a need to consider the 'prematurity' point further at this point of the report.

Members' attention is drawn to paragraph 17 of the ODPM's document "The Planning System: General Principles" (2005) which sets out that "in some circumstances" ... "it may be appropriate" to refuse permission on prematurity grounds. This is a matter of discretion for the decision maker. It may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD. The Government advises that a proposal for development which has an impact on only a small area would rarely come into this category.

It is the view of your officers that 'prematurity' arguments would be stronger if the proposal was being assessed against the provisions of CTAAP; clearly this is not the case and as will be noted later in this report the proposals stand to be determined outside the CTAAP. Furthermore, the development proposal is not so significant

that by dealing with the application now it would seriously prejudice a particular policy provision or development proposal that would be covered in the CTAAP. Indeed, the application can be appropriately assessed against PPS6 tests on the basis of an edge-of-centre development, something that would occur with or in the absence of CTAAP.

The background research on highway considerations, which has contributed to the preparation of the LDF and CTAAP, has been used to advise consideration of this planning application. It is considered that the traffic modelling undertaken as part of this work represents the most up-to-date methodology available to the Council – see later in the report under Highway Considerations.

Retail Planning Considerations

The application raises issues relating to retail planning policy and the need to protect the town centre as the primary focus for retail development. This is highlighted by the principal objector to the scheme. The stance adopted by these particular objectors is an important consideration for the Council as they represent an important stakeholder in the economy of this town centre. It is therefore appropriate to consider two issues of principle raised by the Trustees. Firstly, they fear that the proposal if permitted would result in the loss of an important ‘anchor’ to the town centre shopping centre and secondly that this loss would damage the confidence and investment in the town centre, possibly beyond just their stakehold, thereby being in conflict with the Government’s town centre first policy.

What the applicants and the objectors appear to agree upon is that the existing Asda store in ‘qualitative’ terms’ is inadequate for today’s shopping experience and requirements. The owners of the Shopping Centre have announced that they are now proposing a new foodstore within the town centre, on the Red Oak Car Park. Although no application has been lodged as yet, the Council might be facing proposals that may appear on the face of it to be competing directly for a slice of the retail capacity available in Telford. Given that there may also be the prospect of Asda’s existing store at shopping centre being re-occupied by another convenience operator, the question of quantitative need will inevitably arise.

PPS6 is presently under review but the extant guidance requires out-of-centre retail developments to be assessed in accordance with the following criteria:

- The need for the development;
- That the development is appropriate in scale;
- That there are no more central sites that can accommodate the development;
- That there are no unacceptable impacts on existing centres; and,
- That the location is accessible.

The guidance goes on to state that development as a general rule should satisfy all of these criteria, whilst also taking account of other relevant local issues and material considerations. The tests for assessment are an appropriate methodology against which support or otherwise can be given to this proposal and how these may be undertaken are described in the following paragraphs below.

With regard to the demonstration of 'need' the guidance recognises that both quantitative and qualitative factors are of relevance albeit that local planning authorities tend to place greater weight on quantitative matters. Assessments should be on a 'goods' basis and should generally look to no more than five years ahead. The catchment area that is to be used to assess future need should be realistic and well related to the size and function of the proposed development and take account of existing centres. In addition qualitative considerations might provide additional justification for any development. A key consideration in qualitative terms is to provide for customer choice and ensuring that an appropriate distribution of locations is achieved; and provision is made for a range of sites for shopping which allow genuine choice to meet the needs of the whole community.

With regards to the issue of scale, the Guidance seeks to ensure that the scale of new development is directly related to the role and function of a centre and its catchment. The aim should be to locate the appropriate type and scale of development in the right type of centre.

In dealing with the sequential approach, the relevant centres in which to search for sites will depend on the overall strategy set out in the development plan, the nature and scale of the development and the catchment the development seeks to serve. When considering alternative sites, developers should be able to demonstrate that in seeking to find a site in or on the edge of existing centres, they have been flexible about their proposed business model in terms of the following considerations:

- The scale of the development
- The format of their development
- Car parking provisions, and
- The scope for disaggregation

In considering flexibility, the Guidance states that a single retail operator should not expect to split their proposed development into separate sites where flexibility in terms of scale, format, car parking provision and the scope for disaggregating has been demonstrated. It is not the intention of PPS6 to seek arbitrary sub-division of proposals.

Where a site is proposed in an edge of centre or out of centre location and is not in accordance with an up-to-date development plan strategy, LPAs should assess the impact of the potential development.

Quantitative Need

In terms of need, PPS6 currently requires a quantitative need assessment of the additional floorspace generated to be undertaken. The evidence prepared in support of the Council's Core Strategy (the White Young Green Borough-wide Retail Study – WYG) has been used by the applicant to determine whether the additional floorspace would prejudice the Council's objective of securing the future health of the town centre as the primary shopping destination for Telford.

WYG suggests that Telford will generate a growth in convenience expenditure within the primary catchment area (PCA) that may be influenced by this development rising from £180.4m in 2009 to £192.3m in 2014 and £199.3m in 2016. With retention levels equating to 69% (% of expenditure retained within the catchment area rather

than leaking to other areas beyond the catchment area) and allowing for inward expenditure from areas outside the primary catchment area, the available expenditure amounts to £173.1m in 2009, £184.1m in 2014 and £190.5m in 2016. Allowing for increased benchmark turnover from existing stores arising through efficiency improvements etc, and deducting committed retail developments (at Donnington, Madeley and recently Snedshill), this would equate to 'headroom' (available) capacity for new developments of £54.8m in 2009 growing to £62.8m in 2014 and £68m in 2016. This is more than sufficient to accommodate the proposed new store and the re-occupied Asda store at The Shopping Centre and leaving yet further headroom for additional convenience provision should future proposals come forward.

The objectors do not appear to dispute the Council's quantitative need assessment but do question the basis for the PCA and suggest that PCAs should be assessed against 10-15 minute drive times. The applicants however feel confident that they possess adequate and demonstrable knowledge of their customer base from data held about their current store. However a short further sensitivity analysis has been undertaken comparing the outputs from the 10-15 minute drive time with the submitted PCA evidence and this shows there is reasonable correlation with the differences not affecting the study between them which do not materially affect the Study or assessment undertaken.

Turning to the relatively modest comparison goods element that will be available at the proposed Asda superstore, this equates to some £13.6m of annual turnover. The WYG Study suggests that there is available capacity for £72m in 2014 and £156.6m by 2016. That equates to 12,783 sq m of floorspace requirement in 2014 and 26,985 sq m at 2016. The proposal would take up 19% of expenditure capacity in 2014 or 12% of equivalent floorspace capacity and by 2016 this would reduce to 9% of spending capacity or 6% in floorspace capacity terms. The comparison goods requirement identified in the RSS is 70,000 sq m of floorspace between 2006-26 and this was accepted EIP Panel into the Phase II Modifications in the report to the Secretary of State.

Your officers are satisfied that a quantitative need exists that could easily support this development in addition to the existing convenience foodstore in the Shopping Centre.

Qualitative Need

PPS6 states that when assessing the qualitative need, a key consideration will be to provide for consumer choice by ensuring:

- An appropriate distribution of locations is achieved subject to ensuring the vitality and viability of existing centres and the application of a sequential approach to site selection and to improve accessibility; and
- Provision is made for a range of shopping, leisure and local services, which allow for genuine choice to meet the needs of the whole community.

The applicant claims that the existing store is under-trading as a result of poor layout and aisle arrangement, poor car parking and requirement to pay at kiosks – all of

which result in a poor shopping and customer experience. This is at odds with the applicant's own RIA and tables in the appendix to that report, which suggests that the existing store is over-trading. The difference is explained on the basis that the over-trading figures are derived from an analysis of the household shopper survey, whereas the under-trading figures are obtained directly from Asda. This has little effect on retail capacity, which is derived in part from the catchment survey results as it is the overall level of spending that is the crucial factor which defines retail capacity and it is apparent that evidence exists that other large convenience stores in Telford are over-trading, citing their own Donnington Wood store and the Tesco Extra at the Wrekin Retail Park.

The objectors claim that the proposed store will be unable to compete with the much larger Tesco Extra and seriously question the applicant's claim that Tesco Extra is over-trading by 70% and Donnington Wood Asda by 100%. Irrespective, they suggest that the surplus expenditure arising from over-trading should be directed to a sequentially preferable, more centrally located new foodstore, which in addition would avoid customers having to traverse the difficult Box Road configuration. Whether the figures are entirely accurate is open to conjecture but your officers acknowledge that there is evidence of over-trading at both the out of centre stores and it would be desirable for this expenditure to be 'clawed back' to the Town Centre.

Members will need to ask whether the new proposed store will lead to qualitative improvements. Clearly any new modern store will offer an enhanced shopping experience and the applicant argues that a dedicated car park under the direct control of the store operator will certainly provide greater convenience to shoppers who presently shop at the existing Asda store at the Shopping Centre. The existing Asda store is presently compromised and appears to be unable to provide the qualitative opportunities necessary, at least as far as Asda is concerned. The applicants argue that a new store will provide an enhanced shopping experience and lead to qualitative improvements. These qualitative improvements in policy terms can include elements contained within the proposal such as wider range of goods, brighter store, wider aisles, the availability of convenient car parking etc.

Your officers consider that on balance, in terms of qualitative need there appears to be a draw of trade away from the town centre convenience store (Asda) to out-of-centre stores like Sainsbury's at the Forge Retail Park, Asda Donnington and Tesco Extra at the Wrekin Retail Park who can offer the qualitative experience and accessibility including (free) car parking facilities. The proposal would help off-set some of the deficiencies of existing provision.

Sequential Test Considerations

PPS6 requires a sequential approach to site selection for sites neither located within an existing centre nor allocated in the development plan. All options are required to be assessed within the town centre before moving on to edge-of-centre locations, followed by out-of-centre sites. This is a simple but nevertheless reasonable approach to adopt in order to protect vitality and viability of our town centres thereby encouraging linked shopping trips and use of a variety of transport modes.

Unlike CTAAP, the adopted Local Plan does not identify a Primary Shopping Area (PSA) for Telford although it does define the town centre. But it is recognised that the natural albeit imaginary boundary for the PSA in terms of Telford Town Centre can reasonably equate to land within the 'Box Road' and it is, after all, where the Local Plan sought to allocate retail uses to satisfy the needs of Telford at the time to 2006. It is clear that the Local Plan is increasingly dated and the Council has through the LDF process updated its retail capacity figures in the light of RSS population and household growth figures.

It is argued that PPS6 should be afforded greater weight than the Local Plan because it is a more up-to-date policy approach to retail developments. Given that the Council cannot rely on the provisions of the draft CTAAP as explained earlier, for the purposes of PPS6 it can be reasonably concluded that the application site for this proposal falls in an edge-of-centre location (although still within the Town Centre), thereby necessitating a sequential analysis to be undertaken against which the application can be assessed.

The sequential approach requires developers to be flexible in their requirements to the extent that they should look to reducing the footprint of their stores in order to secure more sustainable locations. In looking at other sites under the sequential approach, PPS6 acknowledges that such alternative sites should be reasonably 'available' in terms of time span, 'suitable' in terms of site characteristics and 'viable' in terms of servicing, costs of acquisition, design and operational considerations.

On this issue the applicants have pointed out that they require 2.2 Ha as a minimum and that this is somewhat less than ideal for a large quality foodstore like Asda. In choosing the Civic site, the applicants point out that they have already made compromises by incorporating undercroft car parking and travelators into the design. They claim that it would be unreasonable to expect the applicant to reduce further their minimum area requirement in the context of sequential analysis. This is reasonable in the opinion of your officers.

Realistically, there are few opportunities within the Box Road, which as described above is the natural 'PSA' for Telford. The Red Oak car park and the Ash Grey car park formed part of the applicant's sequential assessment, both of which are sequentially preferable to the application site. In relation to the Red Oak CP, the applicant considers that this would not be a viable proposition as the development of a new store at this location would have practical and economic impact on the current Asda which would need continuity of operation whilst the new store is built, effectively on a large part of 'their' car park.

Not surprisingly, the objectors who are keen to bring forward their own scheme for the Red Oak car park maintain that this site is readily available and that the applicants have failed to clearly demonstrate its lack of availability and suitability in compliance with PPS6 tests. This is an important point as the objectors have commented that active discussions did take place between themselves and Asda and that it was the Council's intervention in bringing forward the Civic site that has threatened future investment in the PSA. Moreover the objectors consider that continuity of operation is not an unfamiliar phenomenon in other town centres and is, in any event, not a planning issue.

The Council has to consider whether the two sequentially preferable sites in terms of PPS6 are genuinely available, suitable and viable. Taking the larger Red Oak car park site first, there appears to be a major constraint to the development of this site in that Asda would be able to block the early development at Red Oak. The existing lease between Asda and the owners of the Shopping Centre obliges the Trustees to maintain 600 parking spaces on the Red Oak car park during the period of the lease. Whilst the Red Oak CP site is closer to the heart of the centre ('PSA') and sequentially preferable and suitable, this site would not be available until 2014 at the earliest given Asda's current leasehold arrangements.

Turning to the question of viability, it is acknowledged that the particular set of circumstances arising within the Telford Town Centre is unusual in that it is Asda who is proposing the development and who are already within the town centre and have control over the Red Oak car park until 2014. In order for the Red Oak site to be viable in PPS6 terms, its redevelopment must be practicable to the end user, the applicant. The viability or 'practicability' of this site at the Red Oak car park coming forward is dependent upon agreement by Asda at least until 2014. Paragraph 3.16 of PPS6 highlights that LPAs should take into account genuine difficulties that the applicant can demonstrate are likely to encounter in operating the applicant's business model from sequentially preferable sites. Asda is unlikely to enter into any agreement with the owners of the Shopping Centre that brings forward the Red Oak site before 2014 as to do so would cause significant disruption to Asda, which could jeopardise their business at Telford, possibly irretrievably. Your officers conclude therefore that the Red Oak car park site is not viable as Asda has provided evidence to demonstrate that the business model could not operate viably from this site.

In relation to the Ash Grey car park, the applicant maintains that this would be too small to provide a reasonably sized store. Given that Asda's requirement is for a smaller store than their current location and that this requires a minimum site area of 2.2 Ha, your officers would agree that this site is unsuitable and unviable.

Moving out from the 'PSA', PPS6 sequential analysis requires an assessment of sites elsewhere within the town centre. The applicant has considered options at other edge-of-centre locations, including most importantly the area that has been designated as Eastern Southwater and Central Southwater in the consultation draft CTAAP, both of which enjoy a similar standing as the site of this planning application in terms of being edge-of-centre sites, but sufficiently close to the PSA so as to operate as part of the town centre shopping area. The site consists of two large retail 'boxes', including the presently occupied 'The Range' and the area adjoining the Town Park and consisting of Meeting Point House, the Library, the Ice Rink and Bingo Hall. These have been dismissed as unsuitable – the site of the large retail 'boxes' because The Range is still occupied and the car park used extensively as a shopper's car park and therefore, both are 'unavailable', whilst the Council has ambitions for the remainder of Southwater to become the cultural and leisure heart of Telford town centre.

Elsewhere, edge-of-centre sites have been explored although strongly discounted including the Cherry Pink Car Park, Mattherson House, Blue Willow Car Park and Lime Green Car Park. The applicants claim and your officers agree that none of these sites are suitable, available or viable for a foodstore.

The search for another sequentially preferable edge-of-centre site is largely academic as there is little doubt that within Central Southwater, it is the Civic site that undoubtedly offers the most realistic and ideal opportunity for a foodstore on several counts. Of importance is that this site is the closest site to a large somewhat deprived residential area; it is also close to the bus station, and; there are proposals within the application scheme enhance and improve the recognised pedestrian difficulty associated with the box road and link to the wider residential area in Malinslee.

Finally on the subject of sequential analysis, other centres have been considered including Hadley, Dawley, Oakengates, Donnington and Madeley. Such analysis in the view of your officers may be superfluous because in planning policy terms, Telford Town Centre is the highest order retail centre within the Borough's retail hierarchy and no other District Centre is able to compete in retail planning terms; however PPS6 requires this to be done.

Your officers have concluded that the applicants have demonstrated that there are no sequentially preferable sites within the 'PSA' or elsewhere within the town centre that could be described as available, suitable and viable. Your officers also agree with the applicant's findings in respect of other centres.

In policy terms, there appears to be no other sites within any edge-of-centre locations better placed than the application site. Whilst the Red Oak Car Park may be sequentially preferable, this site is not available in terms that would meet PPS6 tests until at least 2014. There is a strong argument to suggest that the proposed site would for all intents and purposes perform as part of the town centre retail offer and help kick-start the re-development and regeneration of the remainder of Southwater.

Retail Impacts on the Town Centre

The applicants have provided a useful 'health check' on Telford and conclude that the town centre performs reasonably well, despite present economic difficulties nationally, against the vitality and viability indicators set out in PPS6. Further analysis of trade draw has been undertaken to ascertain the likely impacts arising, particularly on the town centre should planning permission be granted for this development. This assessment has to assume that the existing Asda store within the Shopping Centre is re-occupied for it to be realistic in terms of impact on the town centre. The conclusions suggest that the proposed new foodstore would draw trade from Sainsbury's (31%) followed by other convenience shops in the Town Centre (Iceland and M&S Foodhall) (24%) and then Donnington Wood Asda and Tesco Extra at the Wrekin retail Park (9% each). This would be off-set by increasing comparison trade in the town centre. Impacts to out-of-centre convenience stores are not normally considered to be a planning issue, but rather a matter for commercial competitiveness.

In terms of the Town Centre itself the principal objectors stress that the new Asda store's trade diversion would mean £5m less being spent in the PSA. This is correct but only if the proposed store failed to function as part of Telford Town Centre i.e. as an out of centre/town stand alone store. The applicant has strongly countered this by arguing that the evidence from retail analysis and shoppers' surveys would suggest that the proposal would function as part of the town centre, because of

proximity and good accessibility and serve the needs of a deprived residential area of Telford in addition. Evidence put forward by the applicant of its experience in other towns suggests that the presence of Asda stores in those towns results in significant levels of linked shopping trips.

The objectors believe that retail impact considerations put forward in the application are flawed. They claim that the loss of Asda from its current location would be unlikely to result in that store's re-occupation by a national food retailer thus causing detriment to the vitality and viability of the town centre. They also provide conflicting evidence on vacancy rates and health indices citing that the Telford Shopping Centre has seen a reduction in the number of national retailers leaving the Centre and being replaced by temporary low-end retailers, which reduces in turn the retail offer that is available and its appeal to shoppers.

There is a degree of conflict between the evidence put forward by the applicant and that submitted by the objectors, who presumably can refer to up-to-date evidence of what's actually happening on the ground. But your officers believe that there is a quantitative need for additional capacity to be provided in the convenience sector going forward and that arguments about the current economic climate do not alter the fact that we are planning for a period well beyond the present recession.

On this latter point, the applicant has pointed out that the re-development of the Red Oak Car Park, even if that would be made available to Asda would result in the loss of parking and this, together with the resultant disruption to Asda would have an impact on their trade of up to 80%. The applicant claims that this figure is so high that it would result in the present store (already under trading and impacted upon by parking charges, outdated design and poor layout) having to close whilst the construction of the replacement store proceeded. If this was to happen it would in turn have a seriously detrimental impact on the viability and vitality of the town centre.

In relation to impacts on the Town Centre, there is a compelling argument to suggest that in order to secure the best outcome for the town centre the local planning authority should support the relocation of Asda to a new purpose built store without disruption and then pave the way for the redevelopment of the Red Oak car park site and existing Asda store for further retailing which the quantitative analysis shows is needed. The alternative – the “do nothing approach” - would slow down retail growth in the town centre and the regeneration opportunities would be diminished, at least up to 2014 and possibly beyond.

Your officers are satisfied that the evidence provided by the applicant and supported by the Council's WYG Study would suggest that the proposal will not harm the vitality and viability of the town centre in terms of retail impact. It is accepted that the proposal would function as part of the town centre retail offer, provide for linked trips and serve the needs of the local community thus encouraging social inclusion. In this context, the site is close to the bus station, pedestrian and cycle routes and within very close proximity to residential areas and would offer qualitative improvements to those living close by and others using different transport modes of travel. Moreover, it would help deliver one of the Council key objectives to regenerate the Southwater area of the town centre by providing a western anchor to the Southwater regeneration area.

Having regard to the above assessment, your officers conclude that the proposal accords with national and local planning policy in relation to retail planning considerations.

Design Considerations

The site falls away some 9 metres from the north-west and this has influenced both the siting and the car parking opportunities. The building will be located to the north-west and will incorporate undercroft parking. Essentially the sales floor level of the store is at about grade along its north western edge, but in the region of 5m above car park level along the elevation facing south east. All customers accessing the store, whether they have arrived by car, cycle or on foot, will access the store via a spacious vertical circulation pod on this elevation which will house stairs, lifts and travellers (inclined moving ramps which can be used by trolleys)

The Design & Access Statement explains that the goal for the proposed ASDA development has always been to provide a bright modern building, with crisp clean lines utilizing good quality, sustainable, low maintenance materials which sit comfortably within its surrounding environment. With that in mind the restaurant and 'colleagues' areas' have been sited along Malinsgate in order to provide some active frontages along the main road and key elevation. The main aspect however faces down to Southwater, in preparation for the redevelopment and regeneration of this area later. The intention always has been to provide a 'book-end' feature to this end of Southwater, with the future new 'High Street' leading from the Telford International Centre right up to the front entrance to this site.

The design of the development is described in the Design & Access Statement, which subdivides and explains the design concept in the following terms:

The Front Entrance: Double height predominantly glazed feature with the sales floor sitting above the undercroft parking, for the most part screened from view by the circulation pod. The pallet of materials consists of glass, white flat panel cladding and sustainable timber cladding, with the canopy and supporting columns providing articulation and modelling to the frontage.

The Gable Elevation facing Malinsgate: the various offices and restaurant areas have been positioned along this elevation to provide interest and variety, rather than the traditional blank sales area. Glazing is used to offer views in and out with a mixture of timber and white cladding elsewhere. A vertical access tower connects the undercroft with the upper areas and sales floor with a colonnaded canopy and 'brise soleil' (as the House of Fraser building opposite) providing depth and modelling.

The Gable Elevation facing Southwater Way: is set a little into the development and screened by existing and proposed trees. There is little scope for glazing to this elevation but a combination of timber and flat panelling will help break up this elevation. At a higher level, translucent glazing panels are used to provide light into the store and allow light out at night. The front entrance glazed area will form the end to this elevation

The Rear Elevation facing towards Malinslee Roundabout (although screened by the intervening Job Centre): The design of this elevation is somewhat utilitarian but having to accommodate the rear service yard. The proposal here comprises a mix of timber, white flat panelling and grey louvers accommodating the plant area. A pedestrian and cycleway runs alongside, which is proposed to be planted. A planning condition will require full details of walling to be agreed as timber fencing will not be sufficient at this location.

The Petrol Filling Station: By necessity – in order to afford site protection from potential slippage of Spout Mound, a retained landscaped bund will be provided which will soften the PFS area and provide a greener, softer edge from Southwater Way and Malinslee.

Pedestrian linkages were highlighted as fairly crucial in the pre-application discussions, particularly to create strong pedestrian linkages between Malinslee residential areas and the town centre, and south-eastwards towards Southwater. A 5 metres wide desire line is provided east-west and north-south that opens up into a public realm area 10 metres in width as pedestrians head towards Woodhouse Central/Coach Central. This can accommodate public art and form a useful outdoor space. In turn this connects to a wide at grade link onto Malinsgate and then towards a more pedestrian friendly crossing and pedestrian way towards House of Fraser or the Bus Station. There is also a strong 5 m wide tree lined pedestrian route leading from the store entrance towards the existing cycleway-footpath to the south-eastern boundary. This connection point will form a 'gateway' to the site and provide a strong legible access from the Southwater direction to the south-east and the future redeveloped area.

Your officers believe that there have been some physical constraints arising from the sloping nature of the site and the inclusion of steps and ramps at key points (the Malinslee entrance and the Southwater entrance) is unfortunate, however the vast majority of the development is well designed and is likely to achieve BREEAM Very Good standard of sustainability. With suitable conditions requiring the submission of further details, the development can be supported from a design point of view.

Highway and Transportation Issues

The proposals show two access points into the site; the main access via a proposed priority junction off Southwater Way providing access/egress for customers and servicing plus access/egress to the PFS. A secondary additional access is proposed from Malinsgate providing left-in/left-out arrangement for shoppers. Pedestrian linkages are given precedence in the design of the store, with the aim to achieve improved and enhanced pedestrian linkages from the site to the remainder of Southwater in an east-west direction and across the site roughly north-south to open up linkages and footfall to the town centre from Malinslee housing area to the south-west.

Configuration changes are proposed in order to facilitate these proposals to Malinsgate/Woodhouse Central/Coach Central. Whilst the basic form of these junctions will remain as existing, it is proposed to enhance conditions for traffic and pedestrians by introducing a full traffic signal control that will be integrated with the

existing House of Fraser car park traffic signals. In addition to the signalisation changes, the central island will be reduced in size and kerbs realigned to tighten the corner radii. The applicants suggest that these engineering works will start the process of reducing the dominance of the 'Box Road', slowing traffic and enhance pedestrian facilities and improve the environment for pedestrians. The entire junction, including the bus priority lanes, car park entrance and flow systems along Malinsgate/Coach Central//Woodhouse Central will be improved and be less 'highway dominated'. Multiple phases (movements) will be achieved resulting in greater efficiency of this part of the Box Road, particularly for pedestrians.

Indeed pedestrian accessibility and permeability are key to the successful integration of this proposal. It is accepted that the new 10m wide signal controlled pedestrian crossing will improve pedestrian flows to the town's shopping centre. However, it must be pointed out that although the configuration changes in this area appear to be possible, the LHA has suggested revisions to meet the standards contained in the Design Manual for Roads and Bridges and supported with a safety audit and AutoTrak runs. Your highway officers advise that conditional consent is possible.

The site has a pedestrian entrance off Southwater Way. This is shown to tie into the realigned footway link to Malinslee (see W2009/0945). The submitted plans show a raised pedestrian table at this location. However your highway officers consider that a signalised crossing point is used instead

The proposal shows a 500 space car park partly at grade, partly undercroft; PPG 13 would require 1 space per 14 sq m equating to a maximum of 580 spaces. A slightly lower allocation as proposed would reflect the site's central location and opportunities for more sustainable forms of transport. 500 spaces is deemed acceptable. In addition sheltered bike parking/storage is proposed. Servicing arrangements appears sufficient and largely separated from customer traffic and pedestrian movements. The LHA has again advised minor changes to the car parking arrangements and undercroft parking

The LHA's modelling work was completed as this report was being prepared and it is against this modelling work that your Highway Officers has assessed this application rather than the simple traffic modelling undertaken by the applicants. The Council is pursuing a plan-led approach in relation to strategic Borough-wide highway improvements and transport measures that will be deemed necessary to permit the scale of development envisaged in the Core Strategy and RSS. This modelling has identified the mitigating highways and transportation measures that will be necessary and your officers have carried out an initial assessment of the corresponding financial contribution that will be required.

Flood Consequences

PPS 25 'Development and Flood Risk' 2006 emphasises the importance of taking into account the consequences and not just the probability of future flooding events and adopts a risk based approach to steer developments to areas of least probability of flooding, taking account of climate change. The Council has produced a Strategic Flood Risk Assessment and the application site falls within Flood Zone 1 with no local issues. The EA's indicative floodplain suggests that there are no known flood risks within the application site and is assessed as having a less than 1 in 1000

annual probability in any year. The Council's work has revealed some flash flooding hotspots on site that occurs when surface water sewers in the vicinity reach capacity.

The ES assessed the impact of the proposal in relation surface and ground water quality, groundwater, drainage and flood risk. No watercourses are located within the site but investigation did take place on the effects arising from the proposal on surface water features in the area, namely Southwater Lake, Spout Pool and Withy Pool. It was concluded that in relation to each water feature, the development would be unlikely to have any notable impact on these systems.

In terms of both foul and surface water drainage, the site already benefits from Civic's drainage systems. The proposal will meet the Council's policy contained within LDF Surface Water Drainage SPD, which seeks a 50% reduction in existing surface water flow rates.

Ecology and Nature Conservation

An ecological impact assessment has been undertaken following an earlier scoping exercise and included the following surveys:

- Habitats and vegetation communities
- Invertebrate survey
- Reptile survey
- Badger survey
- Bat survey

The Civic site (unlike the corresponding application at Malinslee Link) supports no semi-natural habitat comprising buildings, car parks and associated landscape plantings. The site does not form part of any statutory or non-statutory site of nature conservation value. The only ecological impact is the loss of semi-mature trees, but even this has very little (site specific) impact. The Council's Ecologist confirms that the surveys reasonably conclude the low ecological value of this site.

Landscape Strategy and Arboricultural Considerations

An understandable and legible landscape strategy accompanies the D&A Statement and will form the landscaping framework for detailed planting. It has been designed in conjunction with the proposed Malinslee housing site to the south.

Specific landscape planting has been included within the design proposal to lessen the landscape and visual impact of the new supermarket. This includes additional trees and shrubs next to Southwater Way to replace some which will be removed, new trees and evergreen shrubs next to the proposed petrol filling station which is part of the supermarket car park, more tree and evergreen shrub planting to the eastern boundary to screen views of parked cars and partially screen the view of the supermarket, new trees and shrubs to a new landscaped area next to the western boundary to partially screen views of the supermarket and its service yard, more

trees and evergreen shrubs to the northern boundary to partially screen views of the supermarket and entrance road.

There are proposals for tree felling and these works will have an impact on the local scene. A total of 85 trees are scheduled for removal from an existing 123. The Tree Officer has identified two Red Horse Chestnuts and a Horse Chestnut of some 40 years of age that are worthy of TPO status and in terms of arboricultural standards are of B1 status, which according to British Standards means of moderate quality with a life contribution of a further 20-40 years. In addition a commemorative American Sweetgum is also proposed to be felled. This tree together with a Wellingtonia which has A1 status can be replanted

A condition will be imposed requiring further details of translocation of some of the trees. However it must be emphasised that the removal of a considerable amount of trees and shrubs will take place if planning permission is granted. Although regrettable, it is felt on balance that the design of the store and the use of natural levels to facilitate a respectful design should be supported albeit at the expense of the majority of trees at this location. It is important to recognise that there are no fully mature trees at this site and most semi-mature trees date only from the time of the new town. This is not to denigrate this resource as most certainly the trees really do contribute to the overall townscape at this location. But in this instance provided a comprehensive new planting scheme takes place, your planning officers, at least, consider it is a price worth paying.

Noise and Pollution Control Issues

The report accompanying the ES aimed to identify background noise levels and potential noise arising from supermarkets activities, and how those would affect existing and future sensitive receptors. The following issues were considered and assessed:

- Servicing activity,
- Mechanical plant
- Car parking
- Activities on the car park such as trolley movement and collection.

The assessment method chosen is based on Planning Policy Guidance PPG 24 Planning and Noise: 1997 (PPG24).

The types of noises that are normal to Supermarket operations are of a different nature than those compared to a normal background. They can consist of sudden, short-term 'impulse' noises arising from the use of shopping trolleys, delivery activities and customer activities, as well as the 'drone' of fan noise. Whilst the report submitted gives a measure of comfort in terms of overall noise levels, there is limited detail. This will need to be clarified in respect of appropriate standards, and control measures, with conditions imposed if a grant of planning permission is forthcoming.

Control Measures:

Mechanical Plant: Given the level of experience Adsa has with supermarket plant and the acoustic louvers in place the control measures appear acceptable.

Car Parking: The ES has considered car door/boot slams and appears to consider there to be no other sufficient noise impacts. However the report makes no mention of noise generated by customer trolley movement or supermarket employee collection and storage (see Car Park Activities below). In respect of Car Parking, the ES suggests that distance and character of the noise from the car park, as well as the barrier effect of the building, sufficiently protects the proposed residential properties from adverse impact.

Car Park Activities: These sources of noise occur at the same time as noise impacts from deliveries and car doors slamming etc. This can give rise to problems and additional control measures such as acoustically protected trolley collection points may be required.

HGV and other vehicle delivery: Additional control measures may be required to reduce impact. It may be necessary to extend the noise barrier shown on the plans in order to offer appropriate protection. The service area itself is basically an open yard surrounded by a high barrier. There is also some concern that the queuing of HGV traffic might occur on Southwater Road and have the potential to cause noise nuisance to the proposed residential properties without any noise protection measures in place. Controls may be necessary that restrict the hours of use of the service area.

Light Pollution: A scheme of light pollution control should be the subject of a planning condition requiring approval of details.

Air Quality: There are currently no air quality management areas with Telford and Wrekin administrative area. The information contained in the ES has been assessed and shows a slight increase in air pollutants predicted. A review of the area's air quality would be reviewed in the air quality assessments undertaken by your Pollution Control Service. Should the development be granted planning permission, this redevelopment would be included in that assessment. The additional work carried out should be funded by the applicant as part of a section 106 agreement.

Petroleum Licensing: under the Petroleum (Consolidation) Act the applicant will need to apply for a Petroleum Licence.

Ground Conditions

The close proximity of the site to Spout Mound to the south west was viewed as potentially problematical, particularly given evidence of minor recent slippages. The drilling of the mound and laboratory testing took place to ascertain the slope's factor of failure. The analysis suggests that the factor of failure which could directly affect the proposed development is within acceptable tolerances.

The Loss of the Civic Buildings

It is appropriate to make a short comment on the loss of the Civic buildings as the objectors to the proposal have raised it as part of their submissions, although it is open to conjecture whether the protection of existing uses such as these is a material planning consideration. The objectors argue that the relocation of the Council offices from the application site constitutes the loss of a “community facility” to which Core Strategy policy CS10 applies. Paragraph 9.65 of the Core Strategy notes that community facilities include “education, health, and social facilities such as schools, health centres, hospitals, libraries, community/day centres, prisons, village and community halls, post offices and churches” with public houses and local shops also forming part of the fabric of a community. It is highly unlikely that the existing Use Classes Order Class B1 office use can be described as a community facility as the CS Policy CS10 intended. In any event, the Council will need to react to the loss of Malinslee House and Walker House as it sees fit. The ES makes only scant reference to the sustainability gains that will occur from demolishing the current poor quality build Civic complex and its redevelopment by a BREEAM Very Good standard store construction. The Council will be considering a report on the preferred site for the relocation of its main administrative headquarters next month, although the Head of Property & Design has confirmed that his preferred location is at the Southwater Core area, which is currently the subject of a planning application for a mixed use development, to include B1 Office uses.

Other issues

The applicants have requested any approval to be accompanied with a 5 year time limited as opposed the usual 3 year approval, on the grounds that the relocation of Telford and Wrekin Council offices needing to be relocated, (planning permission gained and new building constructed) prior to vacant possession of the site being available. The likely timetable for site acquisition is early 2013. The Local Planning Authority has the discretion under section 91 of the Town and Country Planning Act 1990 (as amended) to grant permissions for longer than the statutory default period. Your officers consider that a request to increase the time limit is reasonable and justifiable; however, a period of 4 years is suggested to allow for vacant possession of the site and implementation of the store, in accordance with predicated timetables. This would help to prevent disruption of the operation of the existing store.

Planning Obligations Requirements

As landowner, the Council is an interested party; as such therefore, the avenue of a section 106 Obligation under the Planning Act is not open to Plans Board. A different approach is recommended - rather than entering into a formal Section 106 Agreement with itself, commitments will be made on behalf of the Council as landowner to abide by the planning ‘obligations’ and, should the land be transferred to make it a condition of that transfer that the new owner will have to enter into a Section 106 agreement to ensure that the obligations bind future owners.

The Council as both local planning authority and local highway authority intend to adopt a plan-led approach to planning contributions, particularly in terms of

infrastructure provision and this is entirely consistent with the Government's Community Infrastructure Levy (CIL) approach. In relation to local highway network, the Council is using both a VISUM and VISSIM model to ascertain the impact of future development proposals on the adjacent highway network that will lead to an improved understanding of corresponding mitigating highways and transportation measures that will ameliorate these impacts.

Your highway officers have identified inadequacies in the TA lodged with the planning application; these concerns are shared by the Highways Agency who may issue a Direction to defer consideration before the meeting of Plans Board this evening. Members will be updated at the meeting. However there is also some unity as to how these issues can be resolved. Members will be familiar with the scale of developments that will emerge over the next few years within the town centre in particular. Clearly developments cannot be allowed to proceed without contributing to infrastructure improvements and it is now becoming accepted practice to seek financial contributions towards major highway schemes based on the number of additional trip generation.

Members will recall the recently approved by Plans Board at Snedshill and The Forge Retail Park where contributions were sought from developers based on the impacts on the local highway network. A similar approach will be recommended here.

The LHA has assessed the impacts arising from the development using their own methodology and traffic modelling and advise that in accordance with the plan-led approach, a financial contribution of £720,000 will be necessary towards the provision of Major (highway, transport and traffic) Schemes and new pedestrian crossing hub at the junction of Coach/Malinsgate/Woodhouse. An additional sum of £5,000 will be required for monitoring of the store travel plan.

In addition, the Council should seek a contribution to public art in line with Local Plan Policy. Known as the percentage for art approach, it is recommended that a sum of £75,000 be required to commission public art on the site.

In addition, and in line with recent developments a sum of £10,000 be sought to monitor and enforce section 106 Agreement and conditions.

Conclusions:

The application has been the subject of an Environmental Statement under the Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The impacts have been fully assessed by the Local Planning Authority and the conclusions reached that any outstanding environmental effects can be satisfactorily mitigated with the use of planning conditions.

The proposed retail store has been fully considered and assessed to be in accordance with guidance in PPS6, the RSS and Core Strategy policies CS3 and CS4. The proposed store is of a suitable scale, mass and design, which respects and responds positively to the site context and surrounding environs, strengthening local identity of Telford Town Centre. The site layout creates and reinforces

pedestrian linkages to produce a safe and secure environment in accordance with the urban design policies in the Core Strategy and Wrekin Local Plan. The traffic movements generated by the development can be accommodated without detriment to the highway safety. The layout also provides adequate car parking and bike storage provision. The development will preserve either in-situ or through translocation those trees on the site which are of important value to the visual amenities of the area and reinforce this through additional tree planting and landscaping. Issues of ground conditions, flooding, drainage, ecology, noise and pollution have been fully assessed and it is considered that any impacts can be adequately mitigated through the imposition of suitable conditions. The proposal creates a demand for additional off-site requirement, which can be adequately achieved through planning obligation contributions.

RECOMMENDATION: That the application be referred to Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009 and subject to confirmation from the Secretary of State that she does not wish to call-in the application for determination and subject to the Council as landowner agreeing that the land will be bound by the obligations in respect of the provision of a sum of monies comprising a contribution of £720,000 for the provision of major highway schemes including new pedestrian crossing hub at the junction of Coach/Malinsgate/Woodhouse, £5,000 for monitoring of the store travel plan, £5,000 for the monitoring of air quality post development, £75,000 for the commissioning of public art on or off site as may be subsequently agreed and £10,000 for monitoring of covenants and planning conditions the Head of Planning & Transportation is authorised to GRANT planning permission, subject to the following conditions:

1. NS - Four year time limit condition
2. B23 - Landscaping
3. C80 - Landscape Implementation
4. B4 - Materials
5. B19 - Details of enclosure
6. B33 – On-site construction
7. B34 – Mud on road
8. NS – Environmental Health noise protection scheme
9. NS – Environmental Health restriction on noise levels
10. NS- Environmental Health time restrictions on delivery and service area use.
11. NS- Environmental Health illumination details
12. NS- Highways amended junction details
13. NS – Highways footways and parking materials
14. NS – Highways Travel Plan
15. NS – Trees Protection and Translocation scheme
16. NS – No dig method
17. NS – Drainage Ground water and Surface water limitation.
18. NS – Limit of floorspace
19. NS – Environment Agency Land contamination risk assessment
20. NS – Environment Agency Land contamination monitoring
21. NS – Environmental Health Land Contamination
22. NS – Demolition and construction hours of operation

23. NS - Retaining Wall details
24. NS - Foundation Design
25. NS – Earthworks Specification
26. NS – Soil gas protection
27. NS – Slope Stability

Informatives

- NS – Environment Agency guidance
- NS – Environmental Health guidance
- NS – Advertisement requires separate consent
- Sie20 – Land Contamination

REASONS FOR THE GRANT OF PERMISSION:

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The proposed retail store has been fully considered and assessed to be in accordance with guidance in PPS6, the RSS and Core Strategy policies CS3 and CS4. The proposed store is of a suitable scale, mass and design, which respects and responds positively to the site context and surrounding environs, strengthening local identity of Telford Town Centre. The site layout creates and reinforces pedestrian linkages to produce a safe and secure environment in accordance with the urban design policies in the Core Strategy and Wrekin Local Plan. The traffic movements generated by the development can be accommodated without detriment to the highway safety. The layout also provides adequate car parking and bike storage provision. The development will preserve either in-situ or through translocation those trees on the site which are of important value to the visual amenities of the area and reinforce this through additional tree planting and landscaping. Issues of ground conditions, flooding, drainage, ecology, noise and pollution have been fully assessed and it is considered that any impacts can be adequately mitigated through the imposition of suitable conditions. The proposal creates a demand for additional off-site requirement, which can be adequately achieved through planning obligation contributions.

Notes

Agenda Type : A

W2009/0917 Siting of 1no. 9m long storage container, portable WC and 2m high palisade fencing and retention of existing 8no. storage containers and club hut Oakengates Leisure Centre, New Road, Wrockwardine Wood, Telford, Shropshire. Recommendation Code: FG - Ward: Wrockwardine Wood & Trench

APPLICANT:
Telford & Wrekin Council

RECEIVED ON:
23/10/09

PARISH
Oakengates

WARD
Wrockwardine Wood & Trench

CASE OFFICER:
& Andrew Mackriell

OBJECTIONS RECEIVED: None.

MAIN ISSUES: The visual impact of the storage containers and their effect on the amenities of the surrounding area.

THE PROPOSALS:

The application is to site one new storage container and a portable wc facility on the Oakengates Leisure Centre site, near to the athletics running track. It is also proposed to regularise the situation regarding eight existing metal storage containers on the site some of which were the subject of now expired temporary permissions and others which have been in situ for many years and are immune from enforcement action. It is also proposed to relocate container 'K' which was given consent earlier this year under Ref: W2009/0401.

SITE AND SURROUNDING AREA:

The Leisure Centre is situated in a predominantly residential area north of Oakengates, between Wrockwardine Wood and Trench. The associated playing fields, and athletics track area are effectively an area of open space within the generally built-up residential surrounding area, and provide a verdant outlook for those properties in the vicinity of the site.

PLANNING POLICY CONTEXT:

LDF Core Strategy DPD Policy CS15 Urban Design
Wrekin Local Plan 'saved' Policy UD2

PLANNING HISTORY:

W2009/0401 temporary planning permission granted for two years for the siting of one metal storage container adjoining the athletics stadium circuit (container 'K' on Plan A). It is now proposed to relocate this container as part of this application.

W2003/1153 temporary planning permission granted for five years for the siting of two storage containers at the Leisure Centre. These two metal containers are part of this current application (containers 'A' and 'F') and permission is sought for their retention.

CONSULTATION RESPONSES:

Oakengates Parish Council as well as Wrockwardine Wood & Trench Parish Council have been consulted and no comments have been received. Members will be updated if any responses are received.

PLANNING CONSIDERATIONS:

The proposed single 9 metre long container would be sited within the existing gated compound which adjoins the car-parking area near to the access to the athletics track and sports area. This container will store an 'indoor mobile sports hall' trailer for use around the community by disabled persons. It is essential to store this trailer within a secure compound for insurance purposes. In this location it would have little impact on the appearance of the area and would not detract from local amenity.

The four existing containers marked B, C, D and E have been used to store sports equipment for many years; in addition to the kiosk marked on plans B/B1 they have been in situ since 1984.

All the existing containers as well as those proposed, are situated well within the Leisure Centre site, and therefore would have little impact on the residential amenities of any dwellings which adjoin the site. It is proposed to paint all proposed and existing containers dark green which would result in a unified appearance and would further reduce their visual impact on the site.

The containers are a ubiquitous if somewhat functional and utilitarian solution to storage requirements for the variety of sports equipment used on the site. As yet there are no proposals for a permanent storage building on the Leisure Centre site. Officers consider that the metal containers are unsuitable to form permanent development on the site, therefore a temporary planning permission for the new containers is considered appropriate in this case, however it is accepted that those containers which have been in situ since the 1980s are immune from enforcement.

RECOMMENDATION: GRANT PLANNING PERMISSION for a temporary period of three years subject to the following conditions:

1. Temporary permission for three years for the new container within the compound, the portable wc, and containers: 'A', 'F', 'G', 'H' and 'K'.
2. Exterior of all containers and the existing kiosk to be finished in a dark green colour the details of which shall be agreed with the LPA and carried out within one year of the date of planning permission.

REASONS FOR APPROVAL:

The retention of the existing containers and the proposed additional containers would be acceptable additions to the Leisure Centre site subject to a temporary planning permission in order to allow for future consideration of storage facilities. The existing containers together with those proposed would not have a significant detrimental impact on the amenities of the surrounding area.

Notes

Agenda Type : A

W2009/0945 Residential development and associated access (Outline) Land off,
Southwater Way, Town Centre, Telford, Shropshire. Recommendation Code:
OLG - Ward: Malinslee

APPLICANT:
ASDA Stores Ltd

RECEIVED ON:
30/10/09

PARISH
Great Dawley

WARD
Malinslee

CASE OFFICER:
Emma Green

OBJECTIONS RECEIVED: YES

MAIN ISSUES: Principle of development, impact on character and appearance of area, impact on neighbouring properties and highways implications.

PROPOSAL:

This application seeks outline planning permission for a residential scheme of approx. 79 units. The issue of access is to be considered at this stage with all other matters reserved for later consideration.

The indicative layout plan, shows that the proposed scheme could comprise of 7 x 3 bed 3 storey townhouses, 9 x 3 bed 2.5 storey townhouses, 4 x 4 bed 3 storey town houses and 59 x 1 or 2 bed apartments in blocks of between 3 and 5 stories.

SITE AND SURROUNDINGS

The application site area is 2.6 hectares, (however due to constraints in terms of trees, green network etc, only approx. 1 ha is potentially developable) and is currently open space, in a prominent location at Malinslee Roundabout and is a 'gateway' to the retail centre of Telford.

This site is considered to fall within Telford centre and is bounded to the east by Southwater way, which is a route to Council and retail car parks. There is an informal hedgerow, tree planting along this boundary currently. The Severn Gorge Public House and Job centre building with associated car parking are opposite the site. Alongside are the Council Offices, the site of which is subject to a separate proposal for a new Asda store.

There is a significant tree bank to the north and west of the site, which screens the existing residential area of Malinslee which comprises of a mix of 1 and 2 storey dwellings, interspersed with areas of open land and shared parking courts.

To the south is the footpath link (Silkin Way) to Malinslee, which is poorly illuminated, however frequently used and Spout Mound.

To the north of the site there is the existing NFU building and associated car parking, which had a hedge and fence boundary with the site.

There are ground level differences of approx. 20m across the site due to the tree

bank; however the developable area is largely a plateau, with a gentle slope to the south.

CONSULTATION RESPONSES

The Councils Geotechnics Engineers raise no objections to the proposal subject to conditions relating to shallow mining and land contamination and slope stability.

The Council's Sport and Recreation Officer has raised no objections, although the provision of a LEAP on site is not considered necessary due to proximity to Telford Town Park, however a contribution towards these facilities is considered necessary due to the increase demand this development will create. Furthermore, any open space to be adopted by the Council will need to be accompanied by a design and commuted sum for maintenance, which is to be agreed with the LPA.

The Councils Drainage Engineer no objections subject to a suitable condition relating to ground water and surface water limitation.

The Councils Planning Policy Officer has no objections as the proposal contains positive sustainable aspects and will retain the existing green network provision.

The Councils Highways Engineer has no objection to the proposal in principle. The proposed junction due to its location adjacent to the raised platform for the Silken Way crossing will need to be amended to be a raised junction to incorporate the existing feature, details to be submitted via condition.

The amount of journeys created by the development warrants the inclusion of a contribution of £85,278.13 for strategic road improvements in the vicinity.

The Councils Arboricultural Officer has no objections in principle subject to tree protection conditions.

The Councils Environmental Health Officer: The layout of the site should be orientated so that noise sensitive rooms are located away from major sources of noise, i.e. living and bedrooms to face into the development. Careful layout of the site to protect amenities is recommended. Noise from the supermarket development and local roads maybe issues that need consideration, although this can only be considered following assessment, which can be secured via appropriate conditions.

The Councils Scientific Officer has raised no objections to the proposal in terms of land contamination, subject to inclusion of relevant conditions.

The Councils Education Officer has raised no objections and seeks a contribution of £75,367.19 for the provision of primary education due the additional demand this scheme will create.

The Councils Ecological Officer has no objection to the proposal subject to conditions for mitigation of impact on invertebrate species and moths.

The Councils Housing Officer has no objection in principle and would seek to secure

a minimum of 25-30% affordable units with type, tenure and location to be agreed at the layout reserved matters stage, when more detailing is available.

Natural England has no objection to the proposed development in respect of legally protected species.

Environment Agency no objection to the proposal subject to imposition of conditions relating to contamination and monitoring to protect controlled waters

Shropshire Wildlife Trust consider that the reduction in ecological network is difficult to compensate or mitigate and that the proposed attenuation area, will offer a reduced ecological corridor.

Great Dawley Parish Council has no objections to the proposal and welcomes the preservation of trees and woodland and supports a mixed housing scheme however, has some concerns regarding drainage implications.

During the consultation process 1 letter of objection has been received and the comments can be summarised as follows:

Concerns about creation of a footpath link or road adjacent to 60 Coachwell Close, linking to the new Asda development site.

POLICY

The following planning policies are relevant in the determination fo this application

National Planning Policy

PPS1 – Delivering Sustainable Development

PPS3 – Housing

PPS9 - Biodiversity and Geological Conservation

PPG13 - Transport

PPG14 - Development on unstable land.

PPS 23 - Planning and Pollution Control

PPG24 - Planning and Noise

PPS25 - Planning and Flood Risk

Core Strategy

CS1 – Homes

CS3 – Telford

CS4 - Central Telford

CS9 – Accessibility and Social Inclusion

CS11 – Open Space

CS12 - Natural Environment

CS15 – Urban Design

Wrekin Local Plan (saved policies)

UD2 – Urban Design

UD6 - Major Transport Corridors and Gateways into Telford

H6 – Windfall Sites in Telford and Newport

H22 - Community Facilities

H23 – Affordable Housing
 TC1 - Town Centre
 TC7 - Housing Development
 TC14 - Town Centre Design
 EH7 – Contaminated Land
 EH8 – Remedial Action on Contaminated Land
 EH14 - Land Stability
 T4 – Development Principles
 T22 - Planning Obligations
 OL3 - Green Network
 OL4 - Development in Green Network
 OL6 - Open Land
 OL11 – Woodlands and Trees
 LR4 – Outdoor Recreation and open space.
 LR6 - Developers contributions to outdoor recreational open space provision within new residential developments.

PLANNING

CONSIDERATIONS

The proposal is for outline planning permission for approximately 79 dwellings and retention of existing woodland area.

Principle of Development: The application site is located on the edge of Telford Centre, and is designated as a ‘gateway’ site and for employment use in the Wrekin Local Plan. The application of course has been advertised as a “Departure” to the Development Plan thereby recognising that the proposed residential development is in conflict with allocations detailed in the Wrekin Local Plan. To date there has been no interest in an employment use on this site and Policy TC7 of the Wrekin Local Plan does permit housing development in the Town Centre on land that is not committed or required for other uses. Furthermore, the emerging guidance in CTAAP seeks to increase the mix of uses within Telford and introduce high density, high quality residential development on suitable site. The Malinslee link is identified in CTAAP as a suitable site for residential use, although as this is only emerging guidance limited weight can be afforded to this document.

As with most Development Plans, there is a period of uncertainty as Local Planning Authorities move from one Plan to another. Clearly the RSS proposes a growth in households of 26,500 between 2006 and 2026 within Telford, and new sites, not previously allocated in the saved plan, will need to come forward to deliver this level of growth.

Policy CS4 of the LDF core strategy states that Central Telford will be the focus for major housing, employment, retail, recreation, leisure and mixed use development. With the aim of encouraging people into the town centre at different times of the day and night, and to make the area easier, safer and more pleasant to walk in and with a mix of uses developed at a higher density.

It is considered that this proposal would improve the linkages of Malinslee and the Town Centre, creating a safer environment by improving the existing Silkin Way link with increased surveillance and aid in the introduction of the 24 hour economy to

Telford. If the original allocations in the saved local plan were adhered to this could limit the growth potential of Telford and Wrekin and damage the Council's aspirations to move forward with achieving a mix use for Telford Town Centre. If members are to accept the argument giving greater weight to the more recent policies in the Core Strategy, accordingly, this is a suitable site for residential development in accordance with policy CS4 of Core Strategy and TC7 of the Wrekin Local Plan.

Highways: This permission seeks approval for access along with the principle of development. Access to the site is to be gained from a single point off Southwater way. The central location of the site will allow for greater travel by foot and bicycle and use of public transport. The form of junction proposed is a simple priority junction, which the highways authority considers is appropriate for a development of this scale. However, concern is raised about the proximity of this junction to the raised pedestrian crossing point for the Silkin Way. It is therefore recommended that notwithstanding the submitted details that the access be formed as a raised table junction, which will incorporate the existing raised crossing. This detail can be secured through the imposition of a condition.

The indicative layout is insufficient information to comment on parking levels etc and will need consideration at the reserved matters stage. The layout will need to incorporate the following features; adopted carriage way width should be 5.5m reducing to 3.5m at any narrowing's with a minimum 2m wide footways. Visibility to accord with road speed as defined in Manual for Street. A turning facility for refuse vehicles needs to be included and the layout should not place any dwelling beyond a 40m servicing distance from the adopted highway. These details will be included as an informative on the decision document.

The indicative plans propose the realignments of the main footway to Malinslee. This is an adopted link and any realignment will require a formal 'stopping up' of any section that is no longer required, an informative on the consent would be sufficient to cover this issue.

The transport assessment has been carried out on the assumption that the site will accommodate 79 dwellings and the Highways Authority recommends that consent is limited unless otherwise agreed in writing. Due to the number of dwellings and the location of the development a contribution for off site contributions' (in line with a plan-led approach advocated in CTAAP) is required. This is based on the number of additional journeys created by this development and requires a sum of £85,278.13 for off site highway works. Planning Officers concur that it is reasonable to limit the scope of the permission to 79 units, unless otherwise agreed in writing, to give certainty to the decision making process. The proposal is considered in accordance with policies CS9 of the Core Strategy and 'saved' policy T4 of the Wrekin Local Plan.

Green Network, Open Space and Protected Species: Part of the site is designated as Green Network, this is the tree mounds to the west and land to the south adjacent to the existing footpath link. Policies OL3 and OL4 seek to protect this land. The proposed residential development has been planned to ensure that the Green network area is retained. The rest of the site is currently open marsh land and whilst

not protected does afford a wildlife habitat and the loss of this will impact on existing species using the site. There is to be no impact on any protected species, however mitigation and translocation of other species on the site has been identified as an issue and the imposition of relevant conditions are considered sufficient to ensure that this impact is managed. Accordingly, it is considered that the proposal is in accordance with 'saved' policies OL3 and OL4 of the Wrekin Local Plan, Policy CS12 of the Core Strategy and PPS9.

Design Principles: The proposed developable area of the site is approx 1 ha and the indicative layout drawings are sufficient to demonstrate that 79 dwellings could be accommodated on the development. There is however some concerns raised that the indicative layout is too heavily reliant on apartments and does not afford an adequate mix of unit types. Whilst a high level of density is deemed appropriate within this edge of centre location, the mix of development to create a sustainable community must also be reflected and it is therefore considered that a condition to limit the number of units to a maximum of 79 would be appropriate to aid in achieving this at the reserved matters stage.

This is in part a 'gateway' site, and will require a landmark building, the indicative layout shows that heights rise to 5 stories at the south eastern corner of the site, however, it is considered that this is an inappropriate location for such a landmark, which should be located to the north of the development. It is expected that the scale of the buildings along the southern boundary would be of a more traditional domestic scale up to a maximum of 3 stories to reflect the pattern of development in Malinslee while still providing adequate surveillance of the open space and footpath link. A condition relating to heights is considered necessary to ensure that a landmark building is provided in a suitable location.

A change in the scale and character of development within the site is considered appropriate given the constraints of the site and proximity of the internal development to the existing trees. Accordingly, it is considered that sufficient information has been provided to indicate that detailed submissions at reserved matters stage can be adequately designed and the scheme therefore complies with Policies CS15 of the Core Strategy and 'saved' policies UD2 and UD6 of the Wrekin Local Plan.

Trees and visual amenity: The existing tree bund to the north and west boundary of the site is to be retained. The retention of these trees will ensure that the visual amenities of the site are retained. There are a number of trees to be removed from elsewhere on the site, but these are category C trees, are poor quality specimens and do not merit retention or relocation. Conditions relating to construction methods and protective measures are considered sufficient to ensure that the proposed development will not adversely impact the retention of the trees and the visual amenity therefore afforded to the site by their retention. The proposal is considered to accord with 'saved' policy OL11. Furthermore, as the trees are to be largely retained, it is considered that the proposed development will not adversely impact on the local bird or bat populations.

Layout and Impact on neighbouring properties: The indicative layout shows development is to be contained to the east of the existing tree belt which is to be

retained. The tree belt is located on a bank and the developed land is set at a lower level in relation to the existing residential development in Malinslee. It is noted that the massing drawings do indicate that the development could be in parts up to 4/5 stories in height, these elements of the proposal are indicated adjacent to Southwater Way. It is considered that the retained bank and tree belt are sufficient to screen the development from the existing residential development of Malinslee to ensure that there is no adverse impact on residents amenities in terms of overlooking or loss of privacy, whilst reinforcing the residential nature of the area and providing natural surveillance to the used footpath link to improve access from the existing residential area and the wider town centre.

Education: The level of residential development will have an impact on existing levels of educational provision. In accordance with 'saved' Policy H22, and based on the indicative numbers provided on the scheme it is considered that a sum of approx. £75,000 is required as a contribution for primary education facilities.

Affordable Housing: The indicative layout proposes a scheme with 75% of development being apartments, and whilst there is a need for apartments, there is a greater need for housing, particular 2 and 3 bed units and a small number of 4 bed houses. The indicative layout currently has no 2 bed houses, and the Housing policy officer considers that it would be beneficial if at the reserved matters stage, 2 bedroomed dwellings could be included in the proposal, to create a greater balance and meet a wider range of needs.

There is also no indication of the split between 1 and 2 bed apartments, a limited number of 1 bed apartments would be acceptable for affordable provision, but due to the limited and inflexible nature for the types of households who can occupy them, for the purposes of providing affordable accommodation more 2 bed apartments would be acceptable.

If the mix of affordable is to be largely provided by apartment accommodation, then a percentage of 35% would be required. If more dwellings are to be included then this figure could be reduced to 30%, these figures are based on the indicative housing numbers and types. There is scope that the overall percentage could be amended if the layout can provide some 2 bedroomed houses. It is considered that the proposed development is acceptable subject to an agreement on the type and level of affordable housing, which is to be secured between 25-30% at the time of determining the reserved matters stage for layout, when a clear idea of number and types of units is available. An informative of potential break downs of tenure for affordable housing is to be included on the decision document. The proposal is considered acceptable and in accordance with the requirements of 'saved' policy H23 of the Wrekin Local Plan.

Leisure and Open Space: The indicative drawings show the potential for the inclusion of a LEAP, within the development site. However, given the proximity of the site to Telford Town Park, this facility is considered unnecessary as there is adequate provision locally. Nevertheless, this residential development will create a demand for such provision and an off-site contribution for improvement works to the Town Park would be reasonable. A sum of £600 per dwelling for 2 bed plus units is considered acceptable.

The space indicated as a LEAP could be used for open space or developable land, as deemed necessary by any layout to be submitted. Any open space on the wider scheme will need to include details for long term management and if it is to be adopted by the Council a commuted sum for maintenance will need to be agreed along with the design. The proposal is therefore considered acceptable in accordance with 'saved' policy LR6 of the Wrekin Local Plan.

Other Planning Obligations: the Council is seeking a sum of £10,000 to monitor and enforce section 106 agreements and conditions on strategic projects within the borough; this request is in accordance with other recent developments.

Ground conditions: The Councils Geotechnical Engineers consider that the applications are acceptable subject to conditions on shallow mining and land contamination and slope stability, in accordance with 'saved' policies EH7 and EH8 of the Wrekin Local Plan.

Drainage: The proposed foul drainage is to be linked to existing provision, and Severn Trent Water have confirmed that there is capacity for approx. 100-150 dwellings on this site, subject to a change in capacity with the Council offices being redeveloped. The green attenuation space provided to the south of the site is to accommodate a SUDs drainage solution. Due to the natural gradient of the land, this site is preferred and will allow for drainage via gravity. As a result of this SUDs solution there is negligible impact on surface water drainage in the vicinity. The Councils Drainage Officer has raised no objection to the scheme subject to a condition relating to ground water and surface water limitation drainage. The proposal is in accordance with guidance in PPS25.

Noise: The proposed development along Southwater way is to be set back due to an existing sewer easement. This set back will help to mitigate issues of noise arising from the road. The proposed Asda store on the opposite site, it to have the delivery and service yard located adjacent to Southwater Way, to ensure issue of noise are mitigated, the Asda scheme proposes the inclusion of an acoustic fence. The Councils Environmental Health officer requires additional information to be submitted to ensure that residents amenities are protected from the proposed supermarket opposite, this can be achieved through the imposition of a condition. Furthermore, an additional condition regarding sound insulation measures is considered necessary to ensure adequate amenity for future occupiers. Accordingly, the development is considered acceptable and in accordance with guidance contained in PPG24.

Other Issues: During the consultation period one neighbour has raised an issue relating to the proposed links to the existing Malinslee estate, and potential loss of garden space. There are to be no works proposed to widen or alter the existing footpath links, but the new development will connect to these existing footways to improve access and legibility between the proposed development and existing uses.

Planning Obligations: because the Council is land owner, rather than entering into a formal Section 106 Agreement with itself, commitments will be made on behalf of the

Council as landowner to abide by the planning 'obligations' and, should the land be transferred to make it a condition of that transfer that the new owner will have to enter into a Section 106 agreement to ensure that the obligations bind future owners.

In conclusion, the loss of some open space is considered acceptable, as the development will provide a link between the Town Centre and existing residential areas and encourage use of the Town centre day and night in accordance with the aims of policy CS 4 of the Core Strategy. The proposed dwellings are of a size and tenure to meet local need, and are to include a minimum of 25% affordable units. The site is in a highly sustainable location in relation to Telford town centre, with good access to public transport. Having regard to local objections and planning policy and guidance, officers consider, on balance that the principle of residential development and access subject to the revised access junction are acceptable subject to conditions.

RECOMMENDATION: that the Head of Planning and Transportation be authorised to GRANT OUTLINE PLANNING PERMISSION subject to the Council as landowner agreeing that the land will be bound by the obligations in respect of the provision of a minimum of 25% affordable housing subject to an agreement of type, mix and location at the layout reserved matters stage, a sum of monies for highways improvements, a commuted sum of £600 per dwelling for play facilities, a commuted sum for maintenance of open space, £10,000 for the monitoring and enforcement of S106 agreements and a sum of monies for primary school education contributions and the following conditions;

1. A1 – Standard Outline
2. A2 – Submission of Reserved Matters
3. B10 – Standard Outline
4. B11 - General Details required
5. B33 – On site Construction
6. NS – Highways details of layout, surface water and construction details
7. NS – Highways for the raised junction details.
8. B34 – Mud on road
9. B41 – Shallow mineworkings
10. B42 - Untreated Mine shafts
11. B44a – Contaminated Land
12. NS - Land contamination
13. B46 - Slope Stability
14. NS – Drainage limitation
15. NS – Limit on number of units to a maximum of 79 dwellings.
16. NS – No approval of indicative layout
17. NS – Building Heights
18. NS – Trees – protective fencing
19. NS – Trees – no dig methods
20. NS – Environmental health noise survey
21. NS – Environmental health sound insulation measures
22. NS - Water contamination
23. NS - Monitoring - water contamination

24. NS - Species Mitigation strategy
25. NS - Building to achieve Code for Sustainable Homes

Informatives:

Sie17 - Mineral Area

Sie22 – Conditions

NS - Environment Agency best practice and guidance

NS – Highways details

NS – Affordable Housing percentage and unit type details.

Sie26 – Reasons for granting outline planning permission

The proposed residential development is acceptable in principle. The traffic movements generated by the development could be accommodated without detriment to highway safety, subject to the inclusion of a raised table junction. The layout of the development would preserve those trees on the site, which are important to the visual amenities of the locality. The environmental issues raised in the EIA have been fully considered and any impacts can be mitigated through the imposition of relevant conditions. Furthermore, the residential development would not be harmful to the residential amenities of nearby dwellings. The additional demand for play facilities and education can be met by financial contributions to existing facilities.

Notes

Agenda Type : A

W2009/0947 Erection of 4no.dwellings following demolition of existing derelict dwellings 6, 8, The Avenue, Wrockwardine, Shropshire. Recommendation Code: FG - Ward: Wrockwardine

APPLICANT:
The Wrekin Housing Trust

RECEIVED ON:
30/10/09

PARISH
Wrockwardine

WARD
Wrockwardine

CASE OFFICER:
Valerie Hulme

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Erection of additional and replacement dwellings in the rural area, impact on Conservation Area, residential amenity, siting, form and design.

PROPOSAL:

Demolition of existing semi-detached units and erection of 4 terrace dwellings.

THE SITE AND SURROUNDINGS:

The application site comprises of a pair of semi detached properties within the Village of Wrockwardine. These dwellings have limited character, reflecting a modern post war two storey unit with single storey wings. The buildings are approximately 12m from the rear of the pavement, following a similar building line as the adjacent semis on both the north and south of the proposed development. The adjacent semis have similar architectural character in terms of gabled semi with single storey side wings, however the exact features differ, i.e. flat roof wings, depth of dwelling, eave and ridge height.

To the front of the site are a row of mature Lime trees, which line The Avenue's highway verge, framing the approach to the listed church, situated to the far north of the proposed development. As existing there is no vehicle access from the highway into the development site.

The open countryside is located immediately to the west of the development site. Residential dwellings predominately surround the development site, typically semi detached dwellings to the south and east, varying to detached dwellings to the far north.

PLANNING HISTORY:

W2006/0361 – Demolition of two dwellings and re-development of 4 affordable homes, withdrawn.

W2008/0011 – Demolition of two dwellings and erection of 4 dwellings – refused February 2008. The grounds of refusal were:

1. Insufficient information to demonstrate need
2. Scale, mass and design of the new dwellings are unacceptable, failing to preserve or enhance the Conservation Area
3. Failure to demonstrate that the proposal will not adversely affect protected species.

POLICIES:

Telford & Wrekin Core Strategy DPD 2007

CS1 Homes

CS7 Rural Area

Wrekin Local Plan 1995-2006 (Saved Policies)

UD2 Design Criteria

H10 Scale of Development

H24 Affordable Housing Rural Exceptions Policy

HE2 Demolition in Conservation Areas

HE3 New Development in Conservation Areas

CONSULTATION RESPONSES:

The Council's Housing Enabling Officer Strongly supports the scheme as it will meet the identified need for affordable housing for local people. The Parish Housing Needs Survey, carried out by the Wrekin Housing Trust demonstrates the need for two bedroomed houses. This survey in the Officer's opinion has provided sufficient, robust evidence to justify this proposal. Furthermore the village has a predominantly older population, the provision of housing to meet the needs of younger families will create a more balanced, mixed and sustainable community. It is expected that a lettings plan will be agreed with the council and the Trust to ensure that the properties are allocated appropriately.

The Council's Highway Engineer has raised no objection to the proposal subject to conditions.

The Council's Ecologist has raised no objections to the development.

The Council's Arboriculturalist has raised no objection to the felling of a Lawson Cypress located within the parking area immediately to the front of proposed plot 2. Concern is raised with regard to the root protection areas of the adjacent Lime trees, and the proposed service runs as no information has been provided. The officer raises no objections to the proposed development subject to conditions.

Comments are awaited from the Councils Conservation Officer.

To date no comments have been received from any local resident or the Parish Council.

PLANNING CONSIDERATIONS:

The application site is located within the designated Conservation Area of Wrockwardine.

Planning Policy Statement 7: Sustainable Development in Rural Areas; inter alia, encourages sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside. Furthermore, it discourages the use of Greenfield land, except in cases where there are no Brownfield sites available, and where such land must be used, ensures that it is not used wastefully.

Policy CS7 of the Core Strategy recognises the need to sustain rural communities, by focusing development on a limited number of rural settlements, which include High Ercall, Tibberton and Waters Upton. By focusing housing, employment and service facility development at these centres, a pattern of development should be created that maximises the accessibility of services and facilities to rural resident whilst reducing the need to travel by car and enhancing the local identity and character. The proposal is not located within these settlements.

Saved Policy H24 of the Wrekin Local Plan, is an exceptions policy for small scale affordable housing schemes, and has a number of criteria for applications to be assessed against. This criterion requires applications to be accompanied by a statement which demonstrates how the proposal meets local housing need. This statement must be supported by the findings of Parish Housing Survey. This statement should also addresses why the dwellings can not be accommodated within a suitable settlement. Paragraph 4.29 to 4.37 of the applicants Design and Access statement provides details with regard to this need, accompanied by the Housing Needs Survey template undertaken in Wrockwardine during March 2009. The findings of the survey conclude that there was a need for 2-bedroomed properties, with support for a small development to provide affordable housing within the village. Furthermore the D&A also reiterates that over the past few months the shortfall of affordable housing has been high on the national agenda. The Housing Needs Survey and findings has been supported by the Housing Enabling Officer; the officer is also satisfied that there are no forthcoming sites within the identified suitable settlements which would cater for this need, meeting part a and b of H24.

Policy H24 part c requires development to not have an adverse impact on the character and setting of the village, nor have any overriding environmental problems, and the access and services are satisfactory. The design of the dwellings has been subject to pre-application advice since the refused application. Officers are now satisfied with the design of the proposed scheme which will preserve and enhance the Conservation Area. There are no issues with regard to tree protection nor access which again has been subject to pre-application discussions; however officers have raised concerns with regard to the proposed parking layout which accommodates 4 new spaces along the frontage of the site. Whilst off road parking is normally encouraged, in this instance officers raised the issue of parking to these frontage where there previously had been none. The Council's Highways Officer raised no objections if two off road spaces had been provided, and two provided on road, as per the existing parking facilities. The applicants have not opted for this arrangement and submitted an application with four spaces on site. Whilst it is considered that this item would address the nature of the Conservation Area more appropriately, this is not sufficient reason to refuse this application and is considered acceptable.

Previous concerns with regard to protected species have now been addressed following the submission of a survey, which concludes that there is a colony of bats within the village. However there is no evidence that bats have ever used these buildings on site for the purposes of roosting or harbourage. No evidence of nesting birds or barn owls were found either internally or externally. Subsequently it is considered that the proposal has addressed the previous grounds of refusal.

The scheme involves only 4 units, less than the threshold of Policy H24; furthermore the proposal accords with other policies within the Local Plan including Conservation policies. Subsequently it is considered that the proposal meets the criteria of Policy H24, and other policies within the Wrekin Local Plan, the adopted Core Strategy and national planning criteria. It is therefore considered that subject to the applicant entering into a S106 agreement to ensure the dwellings are affordable accommodation in perpetuity, that the application is approved.

RECOMMENDATION: Subject to the applicant entering into a S106 agreement to provide 100% affordable housing, then grant delegated authority to the Head of Planning to GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 - Full planning
2. B15 - Samples of materials
3. B17 - Brick Panel
4. B19 - Details of enclosure
5. B26 - Landscape maintenance
6. B33 - On site construction
7. B34 - Mud on road
8. B50 - Foul and Surface water
9. B65 - Soakaway test
10. B61 - Details of works
11. C70 - Window details
12. Non Standard carry out in accordance with tree report
13. C80 - landscape implementation
14. C86 - Car parking
15. D125 - Removal of permitted development rights

REASONS FOR APPROVAL:

The existing dwellings have very limited architectural merit, and as such the proposed demolition is considered acceptable within the conservation area. The proposed replacement dwellings will fill the resultant gap with an acceptable amount of development which will preserve and enhance the character of the Conservation Area. The proposals will not have an adverse impact on the adjacent protected trees, nor will the proposal prejudice the safety and free flow of highway safety. The proposals will not have a detrimental impact on proposed or existing residential amenities.

Notes