

TELFORD & WREKIN COUNCIL

PLANS BOARD

25th AUGUST 2010

Schedule 1 - Planning applications for determination by Board

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TWC/2010/0133

Watkins Nursery, Apley Castle, Telford, Shropshire,
Erection of 2no. dwellings with demolition of 4.1m section of wall to allow vehicular access to site

APPLICANT

Shropshire Homes Limited

RECEIVED

26/04/2010

PARISH

Hadley and Leegomery

WARD

Apley Castle

CASE OFFICER

Phil Baker

THE PARISH COUNCIL AND COUNCILLOR BLUNDELL HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS AT PLANS BOARD

MEMBERS WILL RECALL THE APPLICATION WAS DEFERRED AT PLANS BOARD ON 14TH JULY 2010 AS A FURTHER CONSERVATION APPRAISAL WAS BEING SOUGHT

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development and Impact on Listed Wall.

THE SITE AND THE PROPOSAL:

This application, and the accompanying Listed Building application (TWC/2010/0134), relates to the erection of two dwellings and the demolition of a 4.1 metre section of the wall of the former garden of Apley Castle to allow vehicular access, at Watkins Nursery, Apley Castle, Apley.

The proposed development site lies to the south of the former walled garden of the now demolished eighteenth century Apley Castle. The wall, which dates from the 18th Century, is approximately four metres in height and is Grade II Listed. The land to the south is heavily wooded, with all the trees protected by a group Tree Preservation Order. This area forms part of Apley Woods, a large area of public open space that is freely used by local residents for informal recreational purposes.

The two houses face each other and are identical in design and appearance. They are both two-storey four-bedroom houses, with an attached single garage. There is additional parking on the driveways. The houses match in style and appearance those that have already been approved within the walled garden.

The rear gardens of the proposed houses will be enclosed by 1.8 metre high walls. When the application was submitted it was intended to erect a 900mm high metal fence along the remainder of the site boundary. However, in view of the comments and objections made by some consultees about access into the woodland to the south of the site (mentioned in the next section of this report) it is now proposed to continue the 1.8 metre high wall along the whole site boundary.

The stability of the wall will be protected by the introduction of piers to the inner face adjacent to the opening. The salvaged bricks from the demolition will be re-used to replace damaged areas of brickwork elsewhere in the wall.

Amended plans have been submitted that show a 4.1m wide and 3m high archway instead.

CONSULTATION RESPONSES:

Councillor Blundell objects to the application on the grounds that a further breach of the Listed Wall will detract from its appearance, and also affect its character and the view from inside Apley Woods. As this wall is Listed in its own right it should be afforded protection. One breach has already been allowed and another one is not warranted for two extra houses.

Six letters and e-mails have been received from local residents, objecting to the application. These can be summarised as follows:

- Lack of respect for the historical importance of the whole area
- Would destroy the character, appearance and setting of the site and the walled garden
- Lack of concern for the conservation of the built heritage
- The proposal will not improve or enhance the setting of the walled garden
- A precedent has not been set by the previous permission as this proposal is outside the wall
- Will have a detrimental impact on wildlife in the area
- The habitat survey is worthless because it was carried out after the site was cleared of all wildlife and protected species
- Will prejudice security for future residents of the walled garden, increasing the risk of crime and anti-social behaviour
- Metal gates are not a local feature (these have now been deleted)
- Inaccurate statements in the Design and Access Statement

The Parish Council objects to the application on the following grounds:

- The length of wall to be demolished is 6 metres, not 4.1 metres (it has been confirmed that only 4.1 metres of wall will be demolished)
- The proposed development would destroy the whole character and setting of the walled garden area
- The proposals are contrary to Policy CS14 of the Core Strategy and Policies HE15 and HE16 of the Wrekin Local Plan

The Council's Conservation Officer is not objecting to the principle of development but is objecting to the demolition of part of the wall in order to provide the vehicular access.

On the amended scheme the conservation officer comments that it is an improvement on the original proposal as the effect on the integrity of the listed wall and enclosure is reduced by a sense of continuation of the upper part of the wall structure. She would really have preferred a narrower access through the wall ie for one vehicular width and not the two serving the private drive for 2 dwellings as this will even further reduce any impact and will reflect to a certain degree the existing pedestrian openings along the wall .

The Council's Arboricultural Officer objects to the application on the grounds that the trees bordering the application site will create heavy shading of the proposed houses, which will lead to pressures from the residents to prune these trees back.

The Council's Environmental Maintenance Officer objects to the application because it would encourage the use of an area of Apley Woods which people are being discouraged from using for conservation reasons.

The Council's Ecologist has no objections but is recommending that an Informative is attached to any permission stating that if any protected species are encountered during building works, that development is halted and a licensed ecologist and Natural England are contacted for advice.

The Council's Drainage Engineer has no objections subject to a condition restricting the run-off rates of surface water from the site.

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

Shropshire Wildlife Trust objects to the application on the grounds of degrading an area of green space which is already grappling with issues of visitor pressure. The proposals do not offer any mitigation measures or enhancements to offset these negative impacts.

West Mercia Police Crime Risk and Architectural Liaison Officer objects to the application on the grounds that another access into and out of the site, albeit pedestrian only, will increase the risk of crime and anti-social behaviour. (This access gate has now been deleted from the application).

PLANNING POLICY:

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

Wrekin Local Plan

H6 – Windfall Sites in Telford and Newport

UD2 – Design Criteria

HE15 – Demolition of Listed Buildings. This states that the Council will strongly resist the demolition of Listed Buildings and Structures in the District.

LDF Core Strategy

CS1 – Homes

CS5 – District and Local Centres in Telford

CS14 – Cultural, Historic and Built Environment

PPS1 – Delivering Sustainable Development

PPS5 – Planning for the Historic Environment

PLANNING HISTORY:

In April 2010 planning permission and Listed Building Consent was granted for the erection of 18 dwellings, and the construction of a new vehicular and pedestrian access through the wall of the former kitchen garden of Apley Castle (ref:W2010/0011).

PLANNING CONSIDERATIONS:

The application site is shown as 'white land' on the Wrekin Local Plan, where residential development is acceptable in principle. As the site is within the Telford boundary and is under 0.4 hectare it can be classified as a windfall site, and therefore complies with Policy H6 of the Wrekin Local Plan.

The Council's Conservation Officer does not object to the principle of development as historical research has found that the application site was once an integral part of the curtilage of the walled garden of Apley Castle, and the pedestrian gate into the southern part of the site still exists. In addition, a precedent has already been set for development adjacent to the wall by the erection of a dwelling – the Gardener's Cottage – to the west of the application that is also outside the walled garden. However, the access to this property is around the outside of the wall. Therefore, the setting of the wall has been compromised to a certain degree by other development around the wall.

Furthermore, there are no objections to the proposed development in terms of its design, appearance, form, scale, massing, proportions, details, and materials.

However, following further historical research officers have concerns about the demolition of a 4.1 metre wide part of the wall to provide the vehicular access into the site leading to the proposed dwellings. Although planning permission and listed Building Consent have been granted for the erection of 18 dwellings within the walled garden which entails demolishing part of the wall fronting the road, it should be noted that the original site for the vehicular access, in the centre of the northern wall, was rejected because of the detrimental effect it would have visual character of the wall, and the sense of enclosure it creates. The amended access along the western wall was considered more acceptable, and the development was approved with a condition that the existing Listed wall be repaired, and so safeguarded for the future.

The Design and Access Statement of the present application refers to the proposed development enhancing the current fabric of the wall, whilst retaining and improving its setting. However, officers consider that the significant physical alteration to the wall, with the new vehicular opening, which in effect forms a continuation of the housing development inside the wall, is such that it alters both the character of the Listed wall and its original purpose for continuous enclosure. The Listed structure would therefore not be enhanced but will, to the contrary, lose its integrity as a complete enclosing structure, and its intrinsic character would be compromised.

It is now considered that the development of the site can only be supported if an alternative means of access can be provided outside the walls, (as there is no objection to the two dwellings per se) and providing that all other planning considerations are acceptable.

Whilst the amended scheme, showing the archway instead of total demolition, goes some way to reducing the opening and maintaining some sense of enclosure with the brickwork above the archway, officers still consider that the sense of continuous enclosure is still broken. Therefore, officers consider that the proposed development will adversely harm the historic fabric and setting of the Listed wall.

RECOMMENDATION: REFUSE PLANNING PERMISSION on the following grounds:

1. The Local Planning Authority considers that the demolition of part of the wall of the former walled garden of Apley Castle to provide vehicular access to the proposed development would have a detrimental impact on the appearance of the wall, which is a Grade II Listed structure, and would have an adverse effect on the prevailing integrity and intrinsic character of the structure. The proposed development is therefore contrary to PPS5, Policy HE15 of the Wrekin Local Plan, and Policy CS14 of the LDF Core Strategy.

TWC/2010/0134

Watkins Nursery, Apley Castle, Telford, Shropshire, Erection of 2no. dwellings with demolition of 4.1m section of wall to allow vehicular access to site

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OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development and Impact on Listed Wall.

This is the Listed Building application in relation to TWC/2010/0133 which is the previous item on the Plans Board agenda.

RECOMMENDATION: REFUSE LISTED BUILDING CONSENT on the following grounds:

1. The Local Planning Authority considers that the demolition of part of the wall of the former walled garden of Apley Castle to provide vehicular access to the proposed development would have a detrimental impact on the appearance of the wall, which is a Grade II Listed structure, and would have an adverse effect on the prevailing integrity and intrinsic character of the structure. The proposed development is therefore contrary to PPS5, Policy HE15 of the Wrekin Local Plan, and Policy CS14 of the LDF Core Strategy.

TWC/2010/0302

Saint Marys RC Primary School, Coronation Crescent, Madeley, Telford, Shropshire, TF7 5EJ

Erection of new security fencing

APPLICANT

Telford & Wrekin Council

RECEIVED

11/06/2010

PARISH

Madeley

WARD

Madeley

CASE OFFICER

Andrew Mackriell

OBJECTIONS RECEIVED: No.

MAIN ISSUES: The impact of the fence on the amenities of the surrounding area.

THE PROPOSALS:

This is an application for a new boundary fence to improve security in the school grounds. The proposed fence would be a metal vertical bar 'single point' type to a height of 1.8 metres and 2.1 metres in part, and finished in green.

SITE AND SURROUNDING AREA:

Saint Mary's RC Primary School is situated adjacent to the Coronation Crescent housing estate to the north of Madeley centre. The site slopes down from north to south so that the school buildings situated at a lower land level than the playing fields. On the eastern boundary the school site is bordered by the Silkin Way footpath and cycle track. This boundary is generally verdant with maturing trees and vegetation. On the west boundary of the playing field there is a 1.6 metre maintained hedge adjoining Coronation Crescent.

PLANNING POLICY CONTEXT:

LDF Core Strategy:

Policy CS15 Urban Design

Wrekin Local Plan:

'Saved' Policy UD2

'Saved' Policy OL3 Green Network

'Saved' Policy OL4 Development in the Green Network

PPS1 Delivering Sustainable Development

CONSULTATION RESPONSES:

Madeley Parish Council support the application in principle.

Telford & Wrekin Council's Highways Officer has no objections, and the Council's Engineer recommends informatives regarding ground conditions on the site.

The Council's biodiversity officer recommends appropriate protection for any tree roots.

There is an issue regarding a National Grid gas pressure line on the site and the Council's surveyors are aware of this.

PLANNING CONSIDERATIONS:

The school grounds and the adjoining Silkin Way footpath are situated within the Green Network and the main planning issue in this case is the visual impact of the fence on the amenities of the surrounding area. The lower fence height of 1.8 metres is considered appropriate for the west boundary of the playing fields adjoining Coronation Crescent. The new fence would be positioned in front of the hedge, where it would have some impact due to it being of slightly greater height, however the hedge would be retained, and overall it is considered that the appearance would be acceptable. There are existing green-painted 1.8 metre metal fencing and security gates at the school entrance.

The 2.1 metre fence would be located on the north side and part of the eastern boundary at the foot of the landscaped bank adjoining the Silkin Way, where it would be relatively unobtrusive.

The boundary fence would provide increased security on the school site and is of a satisfactory design and appearance which would match the existing vertical bar fencing on the school site and would have little impact on visual amenities in the surrounding area. The siting of the fence would not detract from the general objectives of Green Network policy.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

A04 Standard time limit

C38 Development in accordance with deposited plans

Ground condition informatives: I17, I20

REASONS FOR APPROVAL:

The proposed boundary fence would provide increased security on the school site and would be of a satisfactory design and appearance which would not have a significant impact on visual amenities in the surrounding area. The fence would not detract from the function and appearance of the Green Network in the area.

TWC/2010/0349

Town Park, Hinkshay Road, Malinslee, Telford, Shropshire, TF3 4AQ
Proposed single storey visitor centre (Use Class Sui Generis)

APPLICANT

Telford and Wrekin Council

RECEIVED

27/07/2010

PARISH

Great Dawley

WARD

Malinslee

CASE OFFICER

Emma Green

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of development and the Green Network, impact on character and appearance on area, trees and ecology.

PROPOSAL:

The creation of a new single storey visitor centre (use class sui generis), to replace the existing visitor facilities at Spout Farm House. The existing centre is proposed for demolition to facilitate the new Southwater redevelopment scheme. The new building is a part of a wider project within the Town Park for improvements to facilities and attractions.

The building is to be single storey wooden structure with off white panels. The maximum measurements are 19.3m by 18.3m, and will comprise of the following facilities; toilets and baby changing facilities, information desk, café/refreshments area, staff room and office, all within Phase 1. The second phase is for an educational space and bicycle hire facility. The development has a phasing option to allow for flexibility to reflect issues in relation to funding options for this new facility.

SITE AND SURROUNDINGS:

The application site is within the Telford Town Park, which is 170 hectares of park land with a mix of woodland, grass land, water bodies, gardens and play facilities.

The site is currently grass land adjacent to the hard surfaced area used by the fairground located to the west. Withy pool is located to the south, Spout Pool and the play facilities are to the north, and the replica Norman chapel and arena are located to the east. There is a row of semi mature trees located to the immediate west of the proposed building on the boundary line to the fairground area.

The Silkin Way as a formal right of way is adjacent to the site, and there are a number of other foot and cycle ways through the park. There is car parking provision to the south off Dark Lane, and to the north in the Town Centre and adjacent to Telford International Centre.

PLANNING HISTORY:

There is no relevant planning history.

PLANNING POLICY:

National Planning Policy:

PPS 1 Delivering Sustainable Development

PPS9 Biodiversity and Geological Conservation

Core Strategy:

CS4 Central Telford

CS10 Community Facility

CS11 Open Space

CS15 Urban Design

Wrekin Local Plan:

OL3 Green network

OL4 Development in the green network

OL5 Extensions and redevelopment in the green network

OL6 Open Land

OL11 Woodlands and trees

UD2 Design Criteria

LR1 Provision of community facilities

CONSULTATION REPONSES:

The Council's Highways Engineer supports the proposal.

The Council's Drainage Engineer supports the proposal subject condition regarding sustainable drainage.

The Council's Ecologist raises no objections, subject to conditions. The new building does not increase or support biodiversity, and the design of the building gives no opportunity for bat roosts or birds nests, impose a condition for bat/bird and invertebrate boxes for wildlife enhancement. Tree removal as part of this scheme should be outside nesting season and subject to replacement planting.

The Council's Arboricultural Officer the siting of the building under the willow canopy and close proximity to tree belt will result in the loss of these self set semi mature trees. This loss can be mitigated through conditions for replacement planting within the wider park. The tree removal will open up views of the mature tree belt to the east and frame the new buildings in a woodland setting.

Great Dawley parish Council supports the proposal.

National Grid notes that there is high or intermediate pressure gas apparatus in vicinity of building, and no works or crossings can be carried out without detailed consultation. Recommend informative regarding safe working practices.

Comments are awaited from: The Council's Geotechnical

KEY ISSUES AND PLANNING CONSIDERATIONS:

Green Network and Principle of Development:

The green network is an interlinked system of green spaces, which are afforded significant protection under the local plan and provide informal and formal recreational facilities along with ecological and visual impact benefits. Saved policies OL3, OL4 and OL5 of the Wrekin Local Plan protect the land from development which is not predominantly open or is not for a community or ecological

benefit. The proposed visitors centre will enhance the role of the Town Park as valuable sports, recreation, open space, ecology and leisure asset. It will be a facility for the local community, as well as wider population and other visitors to park. It is considered that the wider community and education benefits that the building will offer are sufficient to mitigate the limited impact of this new structure upon the green network, and will offer a complimentary services to the function of the green network in this location and is therefore consider to accord with 'saved' policies OL3 OL4 and OL5 of the Wrekin Local Plan.

The siting of the visitor centre is in close proximity to the main visitor attractions within The Town Park and walking distance of the Town Centre. There are a number of footways and cycle routes adjacent to the building, and a reasonable level of car parking provision within close proximity. It is considered that the siting is appropriate for the function of the building and will serve the needs of the community and visitors and is acceptable in principle as it accords with the provisions of policies LR1 of the Wrekin Local Plan and CS4 and CS10 of the Core Strategy.

Impact on character and appearance of area:

The scale, mass, design and siting of the building have been carefully considered to be located close to facilities and amenities within the park and close to the Town Centre. It also has regard to the immediate context with regards to the chapel, allowing it to maintain the open setting which it currently benefits from. The modern design is in stark contrast to the existing chapel building and is considered appropriate and will not detract from the chapel or the surrounding park. The use of wood will ensure that the building will weather and blend with the surrounding over time. The building is single storey to allow full accessibility to all sections of the community, and has sufficient circulation space and separate access for toilet facilities, all of these are to overcome issue with the existing facility. It is considered that the proposed building accords with the guidance and principles in 'saved' policy UD2 of the Wrekin Local Plan, policy CS15 of the core strategy and PPS1.

Trees and Ecology:

The proposed building is to be located adjacent to a number of semi-mature trees and a mature Willow. The removal of these will be necessary and will ensure that there are no safety issues in terms of falling limbs from the Willow Tree. The building will continue to be framed by the mature tree belt to give it a woodland setting, so the loss of these trees will not have an adverse impact on the visual amenities of the area.

With regards to ecology, the new building does not increase or support biodiversity, and the design of the building gives no opportunity for bat roosts or birds nests. Furthermore, the loss of trees could mean loss of habitat for birds and bats. This can be mitigated through a scheme for replacement planting and installation of bat and bird boxes in the immediate vicinity of the building. Also given the close proximity to the water bodies and building occupying existing grass land, invertebrate boxes will be of benefit to ensure no adverse impact to ecology. These works can all be secured through the imposition of appropriate conditions. It is therefore considered that the proposal accords with 'saved' policies OL11 of the Wrekin Local Plan and guidance in PPS9.

Conclusion:

The visitor centre is appropriately located with regards to the amenities within the park and within close proximity to the Town Centre. It can be accessed through a variety of modes of transport. The design and facilities are inclusive for all sections of the community, and provides enhanced features from the existing facility, by being a single storey building. The community function of the building are complimentary to the aims and function of the green network in this location and are considered acceptable to mitigate the loss of incidental open space in this location in accordance with policy. The impact on trees and ecology can be adequately mitigated with use of appropriate conditions. The siting and design of the building are appropriate within the context of the site and accords with policy and guidance.

RECOMMENDATION: GRANT FULL PLANNING PERMISSION subject to the following conditions:

1. A04 - Time Limit
2. B06 – Samples of materials
3. B33 – Surface Water Drainage
4. B76 – Tree Replacements
5. B80 – Site Environmental Management Plan
6. BCustom – Details of ecology habitat boxes
7. C38 – Development in accordance with deposited plans
8. I05 – Separate Advertisement Consent
9. I25 – Birds
10. ICustom – National Grid Guidance
11. I40 – Conditions
12. I41 – Reasons for Grant of Planning Permission

REASON FOR APPROVAL:

The visitor centre is appropriately located with regards to the amenities within the park and within close proximity to the Town Centre. It can be accessed through a variety of modes of transport. The siting and design of the building are appropriate within the context of the site. The design and facilities are inclusive for all sections of the community, and provides enhanced features from the existing facility, by being a single storey building. The community function of the building are complimentary to the aims and function of the green network in this location and are considered acceptable to mitigate the loss of incidental open space in this location. The impact on trees and ecology can be adequately mitigated.