

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 17 February, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors I.T.W. Fletcher (Chairman), N.A. Dugmore (Vice-Chairman), R.G. Chaplin, E.A. Clare (substitute for Councillor F.R. Picken), J.A. Francis, G.M. Green, H. Rhodes and M.J. Smith

PB-87 MINUTES

RESOLVED – that the minutes of the meetings of the Plans Board held on 27 January, 2010 be confirmed and signed by the Chairman.

PB-88 APOLOGY FOR ABSENCE

Councillor F.R. Picken

PB-89 DECLARATIONS OF INTEREST

Councillor I.T.W. Fletcher declared a personal and prejudicial interest in planning application W2009/0168 and indicated his intention to vacate the Chair and leave the room during discussion and determination thereon.

PB-90 TREE PRESERVATION ORDER 2009

The Board was informed that a provisional Tree Preservation Order (TPO) had been issued on 26th August, 2009 in respect of a Group comprising 28 apple trees, 4 damson trees and 1 plum tree within the grounds of 'Stackstones', High Ercall, Shropshire. On 25th September, 2010 an objection to the Order was received from fbc manby bowdler on behalf of the owner of the property.

The objection stated that in the opinion of the owner, 14 of the trees were unstable and dying, possibly due to root dieback and, therefore, he considered that they were lacking in amenity value and contributed nothing to the function of the Group. In conclusion, he accepted the principle of a TPO for the remaining trees but requested that the Council re-inspect the trees to confirm his opinion that the 14 identified be excluded from the Order.

The Council's Arboricultural Officer informed the Board that in his opinion the trees did have amenity value as they were located alongside the road and could also be seen from several vantage points hence the Group designation. He referred the Members to the photographs of the trees, as tabled, which had been taken the previous week. He explained that it was difficult to establish whether the trees were suffering from root dieback at this time of year and there was no evidence of recent ground disturbance work that could have caused this. He, therefore, proposed that the Order be confirmed and a further assessment of the trees be carried out in June when they were in full leaf and a full diagnosis of their health could be made. Any trees then identified as dead or dying could either be removed or remedial action taken. Under the Tree Preservation Order any trees removed would be required to

be replaced. The Board agreed with this proposed course of action and requested that they be informed of the outcome of the June assessment.

RESOLVED - that the Borough of Telford & Wrekin (Trees within the Grounds of 'Stackstones', High Ercall, Shropshire) Tree Preservation Order be confirmed without modification and the Board informed of the outcome of the re-assessment of the trees to be carried out in June 2010.

PB-91 PLANNING APPLICATIONS FOR DETERMINATION

- (a) W2009/0305 – Mere Park Garden Centre, Stafford Road, Newport, Shropshire

This was an advertisement application for the erection of a 7.5m high totem sign at the new entrance to the Mere Park Garden Centre on the A41 Newport by-pass. The proposed sign would be free-standing, double-sided and internally illuminated and comprise acrylic panels for each of the traders on Mere Park to advertise their name and logo, with the Mere Park Garden Centre logo on top and a decorative panel at the base of the sign.

Officers considered that the height of the totem sign was excessive and would be unduly prominent and visually intrusive into this semi-rural stretch of road on the outskirts of Newport where there were no other commercial signs. Amended plans had been requested to show the totem sign reduced in height to around 6m. Whilst a company acting for Whitbreads, who were building the new hotel and restaurant at Mere Park, had submitted amended plans showing the sign reduced to 6m, the applicant had advised that this company was not authorised to act on his behalf.

The applicant had subsequently offered to reduce the height of the sign to 6.75m and to take down the existing 5.7m high blue and white totem sign by the roundabout with the Stafford Road junction, or to reduce the proposed sign to 6m and retain the existing blue and white totem sign. As no revised plans or confirmation of any height reduction had been submitted this application was determined on the basis of the 7.5m high totem, as originally submitted. A photomontage showing the sign had been submitted and shown to the Board but its size had not been confirmed.

The proposed sign was shown located on the northern side of the access splay and would face towards traffic travelling in both directions along the A41. On the originally submitted plans it had been shown positioned on the site behind the existing hedge/fence line but the photomontage appeared to show it positioned at the end of the hedge. The Council's Highways Engineer had advised that this position would encroach onto land that was to be adopted by highways as part of the remaining Section 278 access works and was, therefore, unacceptable.

The Garden Centre currently benefited from a brown "tourist" highway sign opposite the site entrance on the A41 that clearly directed traffic to the site. In addition there was a blue and white totem panel sign at the roundabout on the A41/A518. However, the 5 year advertisement consent for this sign had expired in August 2009 and advertisement consent would need to be applied for if the sign were to be retained.

Advertisements are subject to control only in the interests of “amenity” and “public safety” and officers considered that, while a sign in this location would be acceptable in principle, a 7.5m high, illuminated totem sign would have an adverse impact on the visual amenity of this countryside area. They had advised that a 6m high sign would be favourably considered as being less overbearing and visually intrusive. The agents acting for Whitbreads hotel and restaurant had advised of their satisfaction with a 6m high shared totem sign.

The applicant’s sign agents had submitted a letter in support of the application, a summary of which was set out on the update report tabled at the meeting. In response, officers had commented that there were several planning applications for various new units at Mere Park and two applications to vary the restrictive covenants none of which had yet been determined as there were some wide ranging issues to be resolved regarding the impact of general retailing at Mere Park on Newport Town Centre.

Councillor E.A. Clare indicated her support for the application which she said would provide clear signposting for customers. In addition, she considered that companies bringing jobs and investment into the area should be supported. In response the Head of Planning & Transport informed the Board that the hotel, when built, would be easily noticeable without this sign and that some of the outlets shown on the photo-montage had yet to receive planning permission. The issue before the Board was that of whether the proposed sign was of an appropriate size and scale for a Garden Centre on the edge of Newport. The Planning Officer added that advertisement consent had already been granted for illuminated signs on the hotel and restaurant.

The recommendation that the application for Advertisement Consent be refused was supported although Members did suggest support for a 6m. high sign if a new application was submitted.

RESOLVED – that application W2009/0305 be refused for the reason stated in the report i.e. an illuminated totem sign would have an adverse impact on the visual amenity in the countryside location.

(In accordance with his declaration of interest, Councillor I.T.W. Fletcher vacated the Chair in favour of Councillor N.A. Dugmore and left the room for the following application.)

(b) W2009/0761 – Breidden Place, Land off Severn Drive, Wellington, Telford, Shropshire

The application sought approval for the demolition of 7 out of 8 disused residential blocks with the remaining block of 8 x 3 bedroom units being refurbished to blend in with the proposed new development and for the protection of the colony of rare noctule bats in the loft space of block 1 Cheney Hill Court. Approval was also sought for the erection of a new block of flats comprising 8 x 3 bedroom units and 43 new houses comprising a mix of 22 x 2 bedroom units, 27 x 3 bedroom units and 2 x 4 bedroom units, together with highways and other associated works. The proposal

would improve the quality of housing provision in the area. Whilst there would be a reduction in the number of units from 98 to 59, there would be a comparable amount of bed spaces.

Part of the site around the flats was designated as Green Network and was currently used as communal and play spaces. Policies OL3 and OL4 of the Wrekin Local Plan permitted development in the Green Network if the proposal met the specified criteria, as set out in the report. However, this part of the site failed to meet the aims of the Green Network as it was isolated from the adjacent open space, with no links, was of little ecological importance and, given the over-grown and disused play facility, did not provide any recreational use or create an attractive environment.

The proposal was for 83% affordable dwellings and would, therefore, make a significant contribution to the current backlog in provision, as identified by the Strategic Housing Market Assessment. Furthermore, it was proposed to manage the self-set trees and introduce new berry bearing bushes, etc. to improve the environment of the area and allow for bird foraging. Therefore, officers considered that the scheme would provide community and environmental benefits sufficient to meet the criteria of 'exceptional circumstances' to allow for the loss of Green Network in this location in accordance with 'saved' policies OL3 and OL4 of the Wrekin Local Plan.

The layout of the proposal to the north of the site had been determined having regard to the need to protect the bat roost and flight patterns, and one block of flats would be retained and the other rebuilt in a similar scale and siting. The design of the flats would be modern and contemporary with a palette of colours being carried through from the flatted development to the dwellings to give a cohesive appearance.

The surrounding area was characterised by linear development, in semi-detached format, with no strong architectural style to influence the nature of this development. The proposed layout included a mix of frontage development to Severn Drive, units which turned the corners into the site to give surveillance and enclosed streets, and a mix of parking to front and back. There would also be sufficient distance between the proposed and existing properties to ensure no adverse impact in terms of overlooking or loss of light and the scheme would permit the occupants of Severn Drive to retain views through the site to the parkland beyond. Amended plans had been received to adjust the plot positions of some dwellings to ensure that adequate garden space was provided to ensure no adverse impact to occupants in terms of overlooking or loss of privacy. Alterations had been made to the new flat block to give occupants improved links to the 'private' communal garden space to the rear. There would be improved links within the site and to the park land to the east and Plots 20-31 had been amended to omit unsecure covered walkways with appropriate boundary treatments to ensure that car parking areas etc had sufficient surveillance for a community safety perspective. Car parking was located to be accessible to dwellings with an appropriate mix of allocated and communal spaces. Therefore, officers considered that the layout and design of the scheme was acceptable and in accordance with 'saved' policy UD2 of the Wrekin Local Plan and policy CS15 of the LDF Core Strategy.

The Council's Highways Engineers had raised some concerns regarding the length of parking spaces and the use of rumble strips for traffic calming, and had requested details of the split of allocated to communal parking arrangements. Amended layout plans had been received to address these issues, including a raised table along Briedden Road for traffic calming measure. Therefore, there were no objections subject to conditions relating to details of construction and visibility splays.

The proposal will result in the loss of a number of lower quality trees across the site together with hedging to allow the site to be opened up and the views of the park land to the east to be exploited. However, pockets of trees of importance would be retained to ensure the visual quality of the development. The Council's Arboricultural Officer considered that the loss of trees would need to be mitigated with a tree planting scheme and the existing trees protected during demolition/construction works, which could be secured through appropriate conditions. Accordingly, it was considered that the proposal was in accordance with 'saved' policy OL11 of the Wrekin Local Plan.

With regard to planning obligations, in order to promote sustainable travel to and from the site, the Highways Authority had requested a Section 106 contribution of £10,000 towards improvements in the immediate bus infrastructure, with payment on commencement. However the applicant, following negotiations, had agreed to carry out these works under a Section 278 Highways Act 1980 legal agreement with details to be secured through a planning condition. The Council's Sport & Recreation Officer had requested a capital sum for a new youth facility but, as there was no such replacement facility proposed and the number of dwellings would be decreased, it was considered unreasonable to seek a planning gain contribution for open space or play facility. In addition, as the proposal was largely for affordable dwellings, officers considered that there was sufficient community gain to justify a departure from the usual requirement for a replacement facility. To meet the local demand for housing, 83% of the dwellings would be affordable properties with a mix of size of units and tenures to be secured through the Section 106 Agreement.

During the consultation period, one letter of objection was received from a neighbour, as summarised in the report. In response officers considered that the level of parking provision was in accordance with guidance in the Wrekin Local Plan and that the layout, positioning and design of properties would ensure that existing occupiers would maintain some view through the development to the wider parkland beyond. Furthermore, the properties had sufficient distance separation to ensure no adverse impact in terms of overlooking or loss of privacy.

In conclusion, the redevelopment of the existing flats and the loss of some open space were considered acceptable given the community gain and environmental benefits. The site was in a highly sustainable location in relation to Wellington District Centre and had good access to public transport. Having regard to local comments, planning policy and guidance, officers considered, on balance, that the redevelopment of the site in terms of scale, massing detailing and form was acceptable subject to conditions.

Members welcomed the application which would regenerate a site which had long been an eyesore and which would provide a high percentage of affordable housing.

However, Councillor E.A. Clare expressed her concern that the scheme contained no replacement youth facilities and would necessitate the loss of Green Network land. The Head of Planning & Transport responded that, while he appreciated her comments, the benefits accruing from such a substantial amount of new housing to meet local needs had been judged to outweigh the loss of facilities.

RESOLVED – that with regard to planning application W2009/0761 the Head of Planning & Transport be granted delegated authority to grant planning permission subject to the signing of a Section 106 agreement in relation to affordable housing and to the conditions as set out in the report.

(Councillor I.T.W. Fletcher returned to the room and resumed the Chair.)

(c) W2009/1030 – Land to the rear of 9 Bratton Road, Admaston, Telford, Shropshire

This application had been deferred from the meeting of the Board held on 27 January, 2010 to allow Members to make a Site Visit. In addition, as summarised on the update report tabled at the meeting, there had been an exchange of correspondence between the applicant and the Council's Highways Engineer following a site visit made by the latter. A letter in support of the applicant had also been received from Barbers, on behalf of the applicant, as summarised in the update report, and the applicant had sent a letter to all Members of the Board.

The Planning Officer highlighted the reasons for the officer recommendation that the application be refused and drew Members' attention to the reasons for refusal of application W2006/0265 as set out in the Planning Inspector's Decision Notice attached to the agenda. In particular she highlighted the harmful intensification of development, the inadequate access arrangements, and the poor visibility of the farm access with Bratton Road. She also informed the Board that it would not be possible to widen the access track as the land on both sides was in third party ownership.

The Council's Highways Engineer responded to the letters from Barbers and the applicant. The letter from Barbers stated that the track was wide enough for 2 cars to pass without difficulty but he drew Members' attention to the Site Visit, which had shown that this was only possible if one car mounted the verge. With regard to the left-hand visibility splay, he agreed that, while this was sub-standard, it was not critical, contrary to the opinion expressed by the Planning Inspector. However, it would only be acceptable to relax this standard if vehicles on Bratton Road could not overtake each other, and that was not the case at this point in the road.

With regard to the applicant's comments in respect of the planning permission granted for a property in the rear garden of 18 Bratton Road, the Highways Engineer informed the Board that he had raised no objections to this as the availability of parking to the front of the property meant there had been no intensification of use of the access track. The applicant had also made reference to two other planning approvals in the adjacent area but the Board was informed that one had been for an extension and the other had been for the enclosure of part of field within the domestic curtilage, neither of which had resulted in any additional traffic.

In conclusion, the Planning Officer drew the Board's attention to the statement in the applicant's letter that he would be willing to accept a Section 106 Agreement to restrict the proposed property for "*supported frail elderly (ie age related) use occupied as a single family dwelling only in conjunction with No. 9*"; however, this had not been part of the application as submitted and, hence, could not be considered at this meeting.

Members commented that, whilst they had sympathy for the applicant's personal circumstances, following the Site Visit made prior to the meeting they were in agreement with the Highways Engineer opinion that the access track was too narrow to allow two cars to pass safely. In addition, they agreed that granting planning permission would set an unacceptable precedent and there had been no material change in circumstances since the Inspector's appeal decision in 2007.

RESOLVED – that planning application W2009/1030 be refused for the following reasons:

- 1. The proposed development in the rear garden of No 9 Bratton Road would be located in a quiet buffer zone between farmland and the adjacent ribbon development of Bratton Road, subsequently the proposal would constitute as inappropriate backland development, creating a new pattern of development in this semi-rural area. Furthermore, the proposal would set an adverse precedent for further development on this track, and would cause a harmful intensification of development and detrimentally change the character of the area. Accordingly the proposal was contrary to 'saved' policies H6 and UD2 of the Wrekin Local Plan, CS15 of the Core strategy and guidance contained within national planning policy statements PPS1: Delivering Sustainable Development and PPS3: Housing.**
- 2. The proposed development was inappropriate as the means of access off the unmade track was unacceptable due to its restrictive width, construction and substandard visibility; furthermore the existing private drive was currently used by five dwellings, the normal maximum allowed for use of a shared private access; subsequently the proposed intensification of use would prejudice the safety and freeflow of highway users. Accordingly, the proposal was contrary to 'saved' policies H6 and UD2 of the Wrekin Local Plan, and guidance contained within national planning policy statements PPS3: Housing and PPG13: Transport**

(d) W2009/2010/0016 – Newport Girls School, Wellington Road, Newport, Shropshire

This application by Telford & Wrekin Council requested approval for the erection of a single storey extension to be located to the rear of the school and projecting off the south-west corner of the existing building. It would provide improved permanent accommodation, including a music studio, a modern languages suite and a food technology facility.

Officers considered that the proposed design was sympathetic to the 'original' Queen Anne style of the existing building and included red brickwork detailing, dressed stone parapet cappings and a slate roof. It would screen a previous unsympathetic addition to the school and, as such, accorded with policies UD2, CS15 and PPS1. The proposal would also allow the removal of two of the existing demountable buildings which would enhance the visual amenity of the area. The existing car parking arrangements would not be affected and the enhancement of these community facilities was, therefore, compliant with policy CS10.

The proposed extension would result in the loss of a small part of the playing field; albeit not part of a useable pitch due to the proximity of the existing demountable buildings and the slightly sloping topography of the site. Therefore, its loss was not considered to be significant and adequate provision of other facilities would be retained together with a 5-a-side football pitch belonging to and adjacent to Moorfield Primary School. It was considered that the proposed development was an improvement to the current facilities, was sympathetic to the original style of the school, and would have no adverse impact upon the character and appearance of the school or the wider landscape.

However, Sport England had raised a statutory objection, as summarised in the report. The update report tabled at the meeting informed the Board that, although Sport England had acknowledged the school had a variety of sports facilities and it being possible to accommodate the grass athletics track on an alternative area of the playing field, the fact that the area in question had been used as part of a previous grass athletics track indicated that it was a usable area of playing field. It was Sport England's role to seek to ensure that all playing field areas were protected in all but exceptional cases and, accordingly, it was not able to withdraw its objection to the proposal in its current form. However, it was keen to explore opportunities to reconfigure the area to include the proposed extension in a fashion that reduced the impact on the adjacent playing field.

Members were advised that, if they were minded to dismiss Sport England's objection, under the provisions of the Town and Country (Playing Fields) (England) Direction 1998, the application would need to be referred to the Secretary of State via the Government Office for the West Midlands (GOWM) for consideration. There was, therefore, no change to the officer recommendation as set out in the main report.

RESOLVED – that with respect to planning application W2009/2010, subject to Sport England withdrawing their objection with regards to the loss of an area of the sports pitch, delegated authority be granted to the Head of Planning & Transport to grant planning permission subject to the conditions: as set out in the report.

PB-92 **SITE VISITS**

None.

PB-93 **PLANNING APPLICATIONS DEALT WITH UNDER DELEGATED POWERS (FOR INFORMATION)**

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

The meeting ended at 7.08 p.m.

Chairman:

Date: