

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 16<sup>th</sup> February, 2011 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors N.A. Dugmore (Chairman), R. Aveley (substitute for Councillor R.T. Kiernan), D.R. Chaplin, J.A. Francis, H. Rhodes, F.R. Picken and M.J. Smith

**ALSO PRESENT:** Councillor I.T.W. Fletcher (for planning applications TWC/2010/0152/0722 and TWC/0798), Councillor C.F. Smith (for planning applications TWC/2010/0769/0829) and Councillor S. Burrell (for planning application TWC/2011/0015)

#### **PB-83      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on Wednesday, 26<sup>th</sup> January, 2011 be confirmed and signed by the Chairman.

#### **PB-84      APOLOGIES FOR ABSENCE**

Councillors G.M. Green and R.T. Kiernan

#### **PB-85      DECLARATIONS OF INTEREST**

Councillor H. Rhodes declared a personal and prejudicial interest in planning application TWC/2010/0586 (this was then deferred to allow a Site Visit to be made)

#### **PB-86      DEFERRED/WITHDRAWN APPLICATIONS**

**RESOLVED** – that determination of planning applications TWC/2010/0586 and TWC/2010/0772 be deferred until the next meeting of the Plans Board.

#### **PB-87      SITE VISITS**

**RESOLVED** – that a site visit in respect of planning application TWC/2010/0772 be made at 3.30 p.m. and a site visit in respect of planning application TWC/2010/0586 be made at 4.00 p.m. on 9 March, 2011 prior to the next meeting of the Board.

#### **PB-88      PLANNING APPLICATION FOR DETERMINATION**

- (a) TWC/2010/0152 - Redhill Clay Pit, Redhill Way, St. George's, Telford, Shropshire

Outline planning consent had been granted in 2005 for a site of approximately 17.4 hectares, including a large ecology park to the west and the access from Redhill Way to the east, both of which had been approved and completed prior to the submission of this Reserved Matters application. The application covered the remaining 11.79 hectares and would provide 337 dwellings to include 9 x 1

bedrooms, 113 x 2 bedrooms, 139 x 3 bedrooms, 76 x 4 bedrooms, of which 69 units would be affordable. Approval was also sought for the Neighbourhood Equipped Area of Play (NEAP), the balancing pond and the landscaping of the remaining site. This application was considered in conjunction with application TWC/2010/0722.

St George's & Priorslee Parish Council supported the scheme and 3 letters of objection had been received, as summarised in the report together with the planning officer's response.

The application had considered the core urban design principles established under the outline planning consent and the revised masterplan prepared in June 2008 and proposed a development that reflected a broad mix of dwelling types and tenure and created a sequence of focal spaces which responded to the surrounding topography and context.

In terms of design the proposal included seven character areas and key features which included the balancing pond, the 'high wall' on the southern edge of the residential development and the NEAP. Lower density development was proposed to the south at the peak of the development site, higher density town houses would be located adjacent to the high wall and apartments adjacent to the balancing pond. The development was predominantly two storeys with varying ridge heights dependant on the design of the building and three storey buildings within key areas would act mainly as focal points.

Amendments to the house types had been submitted following concerns over their design and an obscured plot had been redesigned to meet the needs of residents and address street scene issues by providing natural surveillance. This had further been increased for a number of properties by relocating the kitchens to the rear of buildings and lounges to the front to provide a variety of rooms overlooking the public realm.

The development respected and reinforced the character of St George's Victorian heritage by the replication of key features, as set out in the report. Whilst it was acknowledged that the development would not be carried out by the applicant, it was considered that future developers should continue these features through each phase to ensure that the development was not disjointed. Retaining walls were a feature throughout the development and amendments had been requested to make use of the front retaining walls to create feature elements and provide some enclosed frontages. As yet this had not been addressed, but it was considered that further consideration should be given to this aspect and subsequently conditioned.

Access into the site was from the new roundabout on the eastern boundary of the site with emergency access only via Rookery Road to the north-west of the site. A loop road from the central access would act as the main vehicle route with speed restraints proposed to ensure highway safety. Secondary routes branched off the main loop road with priority for pedestrian use through home zones and shared surface mews courts, with a speed limit of 15mph. This emphasis on pedestrian over vehicle would assist in creating a high quality character for the development.

Parking throughout the site was a mixture of allocated and unallocated, which had

allowed flexibility to the design of the streets and the extent of highway adoption. A total of 483 spaces were allocated for private accommodation, 69 spaces for affordable accommodation together with 40 unallocated spaces, equating to 1.8 spaces per private units and 1 per affordable unit, a provision which had increased since the submission of the application. Garages had now been included and, subsequently, required a condition to restrict their use. With the exception of a few plots visitor parking would be on the highway but Highways Officers had raised no objection to this or the quantity of provision. The extent of the highway boundary had yet to be agreed and consideration given to the layout for highway drainage, services and utilities, all of which could be resolved during the Section 38 Technical Audit and by condition.

There were four main areas of open amenity proposed, a NEAP, a balancing pond, the southern slopes, and the area within the centre of the site, as detailed in the main report. Since the preparation of the main report further assessments had been made of the drainage, slope stability, mineshafts and the health and safety of the pond, as set out in the update report.

With regard to the drainage of the highwall located to the south of the site, this slope suffered from erosion. It would be transferred to the Council in accordance with the S106 Agreement and the proposed design aimed to minimise the extent of the erosion with minimal maintenance by the use of a grass and wildflower mix similar to the highway landscaping works at the site entrance. Two access points had been provided to the toe of the highwall, in addition to a 3m service strip to allow the excavation of the drain and filtering of material. The Council's Drainage Engineers were now satisfied with the submitted calculations and drainage mitigation methods, subject to conditions and the Council's Environmental Engineer was satisfied that the layout could be achieved without effecting slope stability. However, variation to the layout, levels, size of plot etc might have an adverse impact and, as such, needed to be appropriately considered through alternative applications with supporting evidence. Clarification had now been provided to the supporting documents with regard to the 9 mineshafts located within the development area to the satisfaction of the Council's Environmental Engineers subject to the comments relating to slope stability. .

Concerns had been expressed regarding the proposed balancing pond, which would be transferred to the Council under the terms of the original S106 Agreement. Following an on-site meeting with the Council's Health & Safety Manager, it was recommended that a permanent fence should be installed around the pond, the footpath repositioned to the top of the bank rather than centrally, and a suitable landscaping scheme submitted which provided open views across the pond and required little maintenance. In addition, two access steps had been installed to the pond to ensure a clear route for both maintenance and possible rescue. Health & Safety were satisfied with these installations but had requested that they be gated and locked. Warning signs around the pond would be adequate for the construction phase but would need to be re-assessed once views to the pond had been determined. Subsequently, it was considered that the pond layout and sections should be amended to take account of this with landscaping and signage details to be provided through conditions.

A noise impact study submitted with the application had assessed the changes in the proposed development from those assessed under the outline application, following which it was recommended that thermal glazing and ventilators were used in addition to acoustic fencing adjacent to the embankment with formal details to be submitted through conditions.

With regard to affordable housing, the S106 Agreement sought 20% provision with tenure to be agreed and the applicant had identified certain plots which were likely to come forward as these units and their design had been considered within this application to ensure they maintained the high quality of development proposed throughout the site. The Planning Officer stressed the need for the actual siting to be agreed to ensure their delivery as soon as possible in the early phases of the development.

With regard to the consultation comments of local residents, the principle of development has previously been approved. Highways Officers considered that the adjacent highway could support the increased volume of traffic and necessary works had been carried out. With regard to the carbon emissions from the properties, such issues would be considered through building regulations but there would be no smoke from the properties as the chimneys were imitation. The impact on existing units from noise would be minimal as the use was residential and hours of work had previously been considered and conditioned on the outline application, prohibiting work on Sundays and Bank Holidays.

Councillor I.T.W. Fletcher, Ward Member, spoke in support of the application as did James Stone of Lands Improvement, the applicant and the Board welcomed the application

**RESOLVED – that with respect to planning application TWC/2010/0152 the Head of Housing & Planning be authorised to grant planning permission subject to amended plans for the balancing pond layout and to the conditions as set out in the update report tabled at the meeting.**

(b) TWC/2010/0644 - Wesley House, 4 Station Hill, St Georges, Telford, Shropshire

This application by Telford & Wrekin Council sought planning permission for the conversion of the former Methodist chapel from a homeless hostel into 4 residential units with associated alterations and parking together with the removal of an earlier, unsympathetic three storey rear extension in order to create three 2 bedroomed units and one 3 bedroomed unit.

Externally the chapel was a handsomely proportioned non-conformist style building with stained glass windows set in a pleasant memorial garden/chapel yard. It was a Local Interest Building and currently disused. In 1991 it was converted into a homeless hostel but no longer met current standards.

Following publicising of the application two representations had been received, as set out in the report. St George's & Priorslee Parish Council supported the proposal but had advised that no alterations be made to the front façade. The Council's

Highway's Engineer supported the application subject to a condition requiring the provision of access and parking being carried out in accordance with the submitted plans prior to occupation of the converted building.

As the leylandii hedge on the eastern boundary of the site was in a poor condition and did not provide adequate privacy screening between Wesley House and its immediate neighbours, it was proposed to replace it with a more effective laurel hedge. In addition, the existing windows would be restored and fitted with obscured glazing to protect mutual privacy. The existing car park would be surfaced in tarmac and block paving to form the transition between the car park and the building with adequate off-street parking being provided within the site.

In order to create outside space for the residents of the building it was proposed to lower the sills of 3 windows on the east elevation to allow the introduction of French windows and to retain the existing amenity space for communal use. A bin store would be provided for recycling containers but the residents of units 1 and 4 would also be able to store their refuse adjacent to their properties if they wished.

As detailed in the report, certain features of the building needed to be safeguarded particularly the arts and craft design stained glass and leaded windows. The internal features of the chapel included a gallery but its retention would prejudice the conversion into separate residential units and uses that permitted an interior to be retained as a single open space were limited. Therefore, on balance, the removal of the gallery was acceptable as the building had already been subdivided and a re-ordering of the accommodation would ensure the appropriate re-use of this important and prominent building.

Conversion of the existing building would utilise the same area as the existing hard standing parking area and the Green Network land beyond would remain unaffected being used as amenity space for residents. Therefore, as the proposal did not result in a loss of Green Network or significantly affect its function within the locality, it was compliant with Policy OL5 of the Wrekin Local Plan.

The mining report submitted indicated that, at some point in the past, coal might have been worked at or close to the surface. Therefore, it would be necessary to fit a gas membrane to protect the future occupants of the building and for the developer to demonstrate that the original foundations were suitable for the proposed development.

**RESOLVED** – that with regard to planning application TWC/2010/0644 be granted planning permission subject to the conditions as set out in the report.

(c) TWC/2010/0691 - 42 Meese Close, Dothill, Telford, Shropshire

This application proposed alterations in the form of a dormer extension on the front roof slope and a single storey extension at the front to provide a ground floor lavatory and canopy to the side entrance door. The property was a two-storey end-of-terrace house situated in a residential area and surrounded by dwellings of a generally similar design and size with their fronts facing onto an attractive area of open green space with pedestrian access only. Although the rear elevation of the house fronted

a highway, for the purposes of the General Permitted Development Order, it was not the 'principal elevation' of the dwelling and the proposed rear dormer did not, therefore, require planning permission.

Wellington Town Council had submitted objections on the grounds that the proposals represented incongruous, unsuitable development which would harm the privacy of the adjoining properties. Telford & Wrekin Council's Highways Officer had no objections

As the proposed dormer on the front elevation would not exceed the height of the main roof and the existing eaves and roof verge would remain unaltered, it was considered that it would be subservient to the existing roof and would not dominate the front roof slope. Although there were no other front dormers on this part of the estate, the resultant appearance of the roof would be acceptable in the street scene and the dormer would not cause significant overlooking to the detriment of adjoining amenities.

The ground floor extension would create an extended porch/canopy at the front and side of the dwelling, and would be of an acceptable appearance with sufficient distance to the adjacent dwelling, No.41, to mitigate any potential impact on its residential amenities.

**RESOLVED** – that with regard to planning application TWC/2010/0691 planning permission be granted subject to the conditions set out in the report.

(d) TWC/2010/0718 - Priorslee Community Centre, Priorslee Pre School, Priorslee Avenue, Priorslee, Telford, Shropshire

This application by Telford & Wrekin Council was for the installation of new children's climbing frame at the rear of the Community Centre. The frame was plastic coated metal with overall dimensions of 6.2m in length, 2.3m in width and 2.9m in height and would include a tower, slide, net, walkway, connecting staircase, platform and steps. In addition, it was proposed to remove, relocate and extend the existing fencing to incorporate the existing and the additional area. The facility would be suitable for children aged between 2 and 5 years old and be solely for use by local children attending the pre-school classes in the Community Centre. The planning application was partly retrospective as the site had been cleared ready for the development.

The application site was an informal play area and was currently grassed with a small vegetable patch. The Community Centre shared the site with Priorslee Primary School, which had recently become independent of Local Authority control and was leasing some land from the Council. However, the Community Centre and surrounding land was to be retained by the Council. The site and the existing play area were shown as "white land" on the Local Plan Proposals Map and, as such, were not restricted by any planning designations.

Following publicising of the application, the Chair of the Governors of the Primary School had stated that he had no objection in principle provided that the play equipment did not impede the maintenance of the boundaries or free passage

around the site. However, amended plans had been received altering the position of the boundary between the Community Centre and the Primary School and the location of the play equipment was now wholly within the retained area of Council controlled land.

The existing play area was very small and, whilst not unsafe, did not provide sufficient play value or allow many children to use it at any one time. As the land was currently within amenity/recreational/play use, the proposed climbing/activity frame was not out of keeping with the context of the site. The proposed fencing would match the existing boundary treatment and, therefore, would have no adverse impact upon the street scene or the wider landscape.

The proposed development would not result in any loss of car parking or have a detrimental effect upon the adjacent Priorslee Primary School. In addition, there were no nearby residential properties to be affected by this modest extension to an existing community play facility.

**RESOLVED – that with regard to planning application TWC/2010/0718 planning permission be granted subject to the conditions as set out in the report.**

(e) TWC/2010/0722 - Redhill Clay Pit, Redhill Way, St Georges, Telford, Shropshire

This application, which was considered in conjunction with application TWC/2010/0152, sought a Variation of Condition 2 of outline planning permission W2003/1316 to allow ten years from the date of approval for submission of Reserved Matters. Outline planning consent was approved by the Plans Board in 2004 with planning permission being granted in 2005 following the completion of the Section 106 Agreement.

The provision of affordable housing remained at 20% and tenure was currently being discussed in accordance with the S106 Agreement and some minor alterations to the wording of the schedule might occur under the deed of variation. This would not affect the quantity of provision but would allow some flexibility on the delivery mechanism.

Councillor I.T.W. Fletcher, Ward Member, sought clarification of the need to seek an extension of ten years given that application TWC/2010/0152 had previously been granted planning permission. In response, James Stone for the applicant explained that Lands Improvement was the strategic developer of the site and had been responsible for providing a strong design framework but the implementation of the Reserved Matters approval would be undertaken in a number of phases by different developers.

The officer confirmed that the approval of the application would, therefore, preserve the planning position during implementation, allowing different developers to submit additional reserved matters applications specific for the phase without altering or complicating the existing Section 106 planning obligations. Whilst the application sought to extend the time limit of implementation from 5 years to 10 years, this was from the original date of approval and, subsequently, only a further 5 years would be

conditioned through this application.

**RESOLVED** – that with regard to planning application TWC/2010/0722 the Head of Housing & Planning be authorised to grant planning permission subject to the conditions as set out in the report.

(f) TWC/2010/0763 - 17 Holyhead Road, Ketley, Telford, Shropshire

This application was for the demolition of the existing cottage and the erection of 7 dwellings together with the formation of a new access and car parking spaces. A terrace of 3 dwellings at the eastern end of the site would be 2 storeys in height with 2 x two bedroom and 1 x three bedroom houses. A second terrace of 4 dwellings at the western end of the site, 3 storeys in height at the front and 2 storeys in height at the rear, would be set back from the road all with three bedrooms and an integral single carport on the ground floor. A new vehicular access would be provided from Holyhead Road leading to a communal parking area that provided 10 spaces and, together with the integral car ports, this provided 2 parking spaces per dwelling. The external materials of the proposed dwellings would comprise facing bricks and concrete interlocking roof tiles.

One letter had been received from a neighbouring resident who was concerned about the stability of his land and property because of the change in levels between the two sites. Ketley Parish Council had no objections to the application.

The Council's Highways Engineer had no objections subject to a contribution from the applicants of £5,000 for the implementation of a Traffic Regulation Order and associated double yellow lining across the frontage of the site, if it was deemed necessary in the interests of highway safety. This money would be held for 5 years and, if at the end of that period, no parking problem had materialised the money would be repaid.

The site was shown as 'white land' on the Wrekin Local Plan, within the built-up urban area of Telford and within a mixed commercial and residential area, where appropriate residential development was acceptable in principle. In addition, the site had consent for 8 x four-bedroom three-storey houses and, thus, the principle of a similar scheme on the site had already been established. However, the applicants believed that such properties were difficult to sell as purchasers considered them to be 'top heavy' with bedroom space compared to living space and this was heightened by the fact that the approved houses only had an internal width of 3.7 metres. By reducing the number of dwellings on the site, increasing their width, and providing a range of properties, the applicants believed that the proposed scheme would be more attractive to potential buyers. Furthermore, the previously approved scheme would have required expensive retaining walls around the rear boundaries of the site and the applicants considered that the present scheme was a more efficient use of the site and took better account of the site levels.

The car parking had been moved to the front as the most level part of the site and the slope could be partly taken out by cutting plots 4-7 into the bank with three storeys at the front and two storeys at the rear. The rear gardens could then follow the existing ground levels removing the need for a retaining wall along the rear

boundary of the site. To prevent parking at the front becoming too overbearing it was proposed to provide a wide landscaping strip supplemented by a low wall and railings. In addition, the stagger of the two terrace blocks would bring the housing close to the site frontage and thus reduce the impact of the parking.

It was considered that the proposed development would substantially enhance the character and appearance of a site that, until recently, was unkempt and overgrown and would greatly improve the street scene. The design and appearance of the proposed dwellings related positively to their context and respected and responded to the characteristics of the site and the prevailing townscape in the immediate vicinity. It was considered that the proposed development would not have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

Councillor Aveley raised concerns relating to access from the site onto the Holyhead Road and suggested that the central reservation be extended. In response the Council's Solicitor explained that, should such a problem arise in future, it could be addressed by the imposition of a Traffic Regulation Order.

**RESOLVED – that with respect to planning application TWC/2010/0763 planning permission be granted subject to the applicants entering into a Section 106 Agreement relating to a financial contribution of £5,000 towards the implementation of a Traffic Regulation Order and to the conditions as set out in the report.**

(g) TWC/2010/0769 - Unit 4, 107A Trench Road, Trench, Telford, Shropshire

This application requested Advertisement Consent for an internally illuminated 4790 x 1020mm fascia sign displaying the Pizza Hut corporate logo to be located on the full width of the shop front elevation and a 1100 x 810mm internally illuminated projecting sign displaying the Pizza Hut corporate logo to be located on the left hand side of the fascia sign above the pilaster. The application was considered in conjunction with planning application TWC/2010/0829.

The application site was part of a small parade of shops with a large tarmac parking area to the front and a secure gated service area to the rear. The building, originally a supermarket, had been granted planning permission in 2006 for shop front alterations and sub-division and now consisted of 6 separate units. Adjacent shop units in the parade had illuminated fascia signs and two units also had projecting signs.

Wrockwardine Wood & Trench Parish Council had objected to the hanging sign only, as summarised in the report. In addition, it had requested that the Traffic Engineers take account of the volume of traffic on the unit's car park and take steps to ease the congestion it caused to Stanmore Drive but the Board was advised that this was not relevant to the consideration of the application.

The report outlined the requirements of Policy S31 and PPG 19 and the Board was advised that advertisements could have a major impact upon the character and

amenity of an area and, therefore, needed to be carefully located and designed. However, in this instance, the signs were in a row of shops with similar signage and would not look out of place or out of character or result in an adverse impact upon the street scene or the amenity of the area. In addition, the base of the projecting sign would be 2.6m above the ground level and would not interfere with the free passage of pedestrians or vehicles.

With regards to illumination, as this was a hot food take-away that could open until 11.30 p.m., it was considered reasonable to expect and allow illuminated signage. In addition the premises were in a row of shops and would, therefore, not be in an isolated and incongruous context. However, a condition would be imposed to require the illuminated signs to be switched off when the premises were closed.

Councillor C.F. Smith, Ward Member, said that the application, if approved, would increase the proliferation of signs on Trench Road and drew the Board's attention to the requirements of PPG19, as set out in the report. Some Members agreed with his comments while others considered that, for consistency with existing signs, the application should be approved. On being put to the vote it was:

**RESOLVED – that with regard to planning application TWC/2010/0769 Advertisement Consent be granted subject to the conditions as set out in the report.**

(h) TWC/2010/0798 - 155 Brands Farm Way, Randlay, Telford, Shropshire

This was a retrospective application for the erection of a car port which measured 3.0m x 9.7m with a maximum height of 3.0m due to the slope of the ground. The site, designed on a Radburn layout, comprised a small rectangular parcel of former open space land that had been brought into the applicant's rear garden and enclosed by 1.8m high fencing. The car port, which was sited at the end of the rear garden and accessible from the allocated residential car parking area, consisted of green metal posts supporting profiled roof sheeting and was enclosed by green panel fences with concrete posts and gravel boards. 2m high wooden panelled fencing enclosed neighbouring rear gardens and similar developments were noticeable close to this location.

Hollinswood & Randlay Parish Council had commented on the loss of 'essential green space area' and had stated that it did not support retrospective applications for such structures. A site notice and 14 direct neighbour letters had publicised the application but only a single letter of objection had been received from the occupiers of 195 Brands Farm Way.

The carport was currently used to store up to two vehicles and for domestic light storage and the applicant claimed that the land was taken out of open space and the structure built around 10 years ago, which effectively meant that the land was no longer open space. Therefore, in this context, its loss was not considered significant.

The posts and supported roof of the car port protruded approximately 1m above the surrounding fence but it had been made less intrusive by having been painted dark green. In addition, the fencing panels matched the existing fencing that ran along

the boundaries of other properties and did not look out of character. Trees and shrubs had been planted around the carport to improve its overall look and, as it was situated at a suitable distance from neighbouring properties, any issues of noise disturbance should not arise.

Councillor I.T.W. Fletcher, on behalf of Hollinswood & Randlay Parish Council, spoke against the application and said that the car port had been erected on general amenity space outside of boundary of the dwelling. The Council's Solicitor advised the Board that the ownership of the land was not a relevant issue in determining the application.

**RESOLVED – that planning application TWC/2010/0798 be refused planning permission on the grounds that the Local Planning Authority considered that the scale and appearance of the carport was detrimental to the visual amenities of the area and open space and adversely impacted on the character and appearance of the area.**

(i) TWC/2010/0822 - Willow Vale, Longdon-upon-Tern, Shropshire

This application sought planning permission for the erection of a detached double garage at the rear of the property and the conversion of the existing double garage to form annexe accommodation for the existing bungalow. Willow Vale was a modern detached dormer bungalow set back from the road, to the front of which was a large hard surfaced parking and turning area. A double garage was located to the side with ancillary accommodation at first floor level, accessed by a side door and an internal staircase, with rooflights on both sides of the roof. Rodington Parish Council had requested that the application be determined by the Plans Board as it considered it to be an over development of the site. Following submission of an amended plan indicating the proposed garage in a slightly revised position, Rodington Parish Council and neighbouring properties had been reconsulted.

The report set out the policies considered relevant in the consideration of the application. In particular, Policy CS7 stated that development within the rural area should be limited to meet its needs and focussed on the three key settlements of High Er call, Tibberton and Waters Upton. Longdon-on-Tern was not one of the key settlements and, therefore, separate residential dwellings would be limited to agricultural, forestry or other occupational dwellings or affordable housing, having regard to national policy guidance.

The proposed garage, which would be located on part of the rear amenity area of the property and measure 6.5m x 5.39m with a height of 2.25m to eaves and 3.9m to ridge, would be constructed in the same materials as the main dwelling and existing garage. The development would be smaller in scale than the existing garage but of an appropriate design and form. Being located at the rear of the existing buildings and partly screened by the existing conifer hedge and boundary treatments it would not be overly visible or prominent and the majority of the existing amenity space would remain. It was considered that the proposal would not adversely affect the adjoining properties, the agricultural land to the rear or the character of the area.

The proposed annexe would comprise a sitting room/dining area at ground floor and bedroom/en-suite at first floor in the existing habitable space and the conversion

would require only minor alterations to the ground floor with the replacement of the 2 garage doors with windows and brickwork as the external door and rooflights were already in place. As no new openings would be created, the conversion would not lead to overlooking or loss of privacy of adjoining residential properties.

It was, therefore, considered that the new garage could be adequately accommodated on the site without having a detrimental impact on the character and appearance of the area and would not lead to overdevelopment. Furthermore, restrictive conditions would be imposed and a legal agreement would ensure that the Local Planning Authority could control use of the proposed development so that a separate dwelling was not created and the annexe accommodation was only used in association with the existing dwelling and garaging/storage.

The update report tabled at the meeting informed the Board that Rodington Parish Council had revised its comments following a discussion with the applicant and no longer objected to the proposal subject to the imposition of conditions to ensure the proposed garage was retained as a garage and the proposed annexe to the main property did not become a separate dwelling.

**RESOLVED** – that with regard to planning application TWC/2010/0822 the Head of Housing & Planning be authorised to grant planning permission subject to the applicants entering into a Section 106 Agreement that the development should be retained as ancillary accommodation to the main dwelling and not sold as a separate unit or let as a separate unit, and to the conditions as set out in the update report tabled at the meeting.

(j) TWC/2010/0829 - Unit 4, 107A, Trench Road, Trench, Telford, Shropshire

Planning permission TWC/2010/0213 was granted in 2010 for a change of use from an A1 (shop) use to an A5 (hot food takeaway) use with the opening hours restricted from 09:00 to 23:30 on Monday to Sunday and Bank Holidays. Pizza Hut had now taken over the unit and wished to vary condition 4 by extending the opening hours until midnight 7 days a week. The application was considered in conjunction with TWC/2010/0769.

Planning Policy Guidance 24 Planning and Noise (PPG24) was considered relevant to this application as it gave guidance on the use of planning powers to minimise the adverse impact of noise.

Following publicising of the application, one letter of objection had been received, as summarised in the report. Wrockwardine Wood & Trench Parish Council had also objected to the application as it had concerns that the extended hours would cause anti-social behaviour late at night, especially at weekends, and potential noise nuisance to local residents.

The nearest residential dwelling was approximately 40m away on the opposite side of Trench Road and deliveries and customers would use the front door of the premises which opened onto the public car park. Therefore, it was considered that an additional half an hour opening until 12:00 midnight would not have a significant adverse impact upon the amenities of those properties. In addition, one of the other

hot food take-aways in the row was already open until midnight on Friday and Saturday. Furthermore, the Council's Environmental Health department had confirmed that they had not received any complaints in respect of noise or disturbance associated with the parade of shops from nearby residents. However, although the hours conditions could be varied to midnight, there should be an additional requirement within that condition that the premises were vacated by staff and customers at midnight and not merely closed to customers.

Councillor C.F. Smith, Ward Member, spoke against the application and said that the additional hours would cause noise and nuisance to neighbouring dwellings, particularly those in Stanmore Drive. Members expressed concerns that approval of this application could result in other take-away establishments in the vicinity seeking to extend their hours of opening. They also considered that it would be difficult to enforce the requirement for customers and staff to vacate the premises at midnight.

**RESOLVED – that with regard to planning application TWC/2010/0829 planning permission be refused on the ground that the Local Planning Authority considered the extension of opening hours until midnight every day would set a precedent for other units in the parade that would increase the potential risk of noise, disturbance and anti-social behaviour and be detrimental to the amenities and character of the surrounding area.**

(k) TWC/2011/0012 - Wombridge County Primary School, Hartshill, Oakengates, Telford, Shropshire

This proposal by Telford & Wrekin Council was for the erection of 1.8m high fencing to the western and northern boundaries of the school playing field, 2.1m high fencing to the eastern boundary, to replace the existing chain link fencing, and the erection of 3 palisade gates at the school entrance fronting Hartshill. All the fencing and gates, which would be painted green, were required to provide security and safety by restricting unauthorised access to the playing field during and after school hours.

There would be differences in the detailed design of the fencing as some lengths would be relocated from other sites but there would be a consistency of colour and overall appearance. The design was functional and acceptable in visual terms.

The properties situated on Stallard Court overlooked and were elevated above the playing field and, therefore, the fencing would have little impact on the amenities of those residents. 1.8m high fencing would be introduced along the northern boundary of the site, parallel to Hartshill, but would not be visually detrimental or have an overbearing effect on the residential properties opposite as the fencing would be palisade and coloured green. Trees surrounded other boundaries and, therefore, it was considered that the proposal would not have any seriously detrimental impact in terms of visual character or residential amenity.

**RESOLVED – that with respect to planning application TWC/2010/0012 planning permission be granted subject to the conditions as set out in the report.**

(l) TWC/2011/0015 - Tibberton Stores, Tibberton, Telford, Shropshire

This application requested approval to change the use of the currently vacant village shop into a two bedroomed flat. The application site was a large, modern, detached two storey property comprising a general store/newsagents in one half of the ground floor, a Manager's flat at first floor which had recently been converted to a 2 bedroomed flat, and a 1 bedroomed flat in the other half of the ground floor. An area of hardstanding and an attached garage provided parking for some 5 cars. Tibberton was one of the three named settlements with a range of services and facilities that were identified in Core Strategy policy CS7 to receive new housing development.

Following publicising of the application two letters of support had been received, as summarised in the report. In addition, a petition with 176 signatures in support of the change of use had been received from residents of Tibberton, Great Bolas, Cherrington, Edgmond, Kynnersley, Meeson Heath and Pickstock. Tibberton Parish Council unanimously supported the proposal, as summarised in the report.

The report detailed the previous planning history of the application site. In planning policy terms, the key consideration for this current application was the importance of retaining this important community facility in a rural service centre in line with national and local planning policy, as detailed in the report. When submitting previous applications, the applicant had not provided sufficient supporting evidence of the ongoing viability of the shop to justify its loss. Following the refusal of application W2009/1092 by the Secretary of State on appeal, it was incumbent on the Council to be satisfied that there had been significant changes to warrant a change of approach.

The Council could not prevent the shop closing but, in assessing the application against the relevant policies, it needed to be satisfied that there was little prospect that the use could continue. Supporting documentation had now been submitted to demonstrate that the premises were marketed by professional agents until August 2009 and by the applicants until their retirement in October 2009, although there did not appear to have been any active marketing since 2009. The marketing evidence now submitted was a material factor and it was accepted that the applicant might not have presented the Planning Inspector with the full facts when the appeal was determined and not in the form now accompanying this planning application, which had some substance and, therefore, weight in planning terms. At the time of the appeal, the Sutherland Arms Public House had provided a temporary shop, which had suggested to the Inspector that there was an ongoing need for a shop at Tibberton. The recently formed Community Shop Steering Group (a Parish Council initiative) suggested that a demand for a shop of some kind still existed.

A further change since the appeal decision was the continuing changing/declining economic situation which was now being reflected in draft national policy changes. The views of local communities on individual planning applications had always played an important part in the planning process but would have additional weight in future given the requirements of the Localism Bill. Consequently, Members needed to have regard to the views of the Parish Council and the 176 residents who had

signed the petition. While the loss of the shop was regrettable, they supported the change of use of these long-term unused premises and the applicants' wish to realise a return on their property.

Accordingly, whilst the Local Planning Authority considered that the proposed change of use would lead to the loss of an important community facility that was contrary to policy, it recognised that there were material considerations and additional evidence since the Appeal Inspector's decision and there appeared to be greater support from local residents and the Parish Council for the development than the desire to retain the use as a shop. In addition, the proposal to create a new dwelling in Tibberton would further exceed the 170 units envisaged by Policy CS1 but planning permission for an additional flat within an existing building could not be withheld on the basis of this policy alone as it would be difficult to demonstrate it had strategic significance.

In recommending this application for approval, Members were advised that the application was a Departure to the Development Plan and would need to be publicised in accordance with the Regulations.

Councillor S. Burrell, Ward Member, spoke in support of the application. He informed the Board that there was strong grass roots support for a community shop within Tibberton, as shown by the Steering Group that had been set up, but not in these particular premises. The community shop set up in the Sutherland Arms Public House had closed due to time commitments but the brewery was fully supportive of it re-opening. In addition, the Chairman and Vice-Chairman of the Steering Group had both indicated their support for this application.

Members regretted the loss of this community facility but acknowledged that there was no business case for its retention in the current economic climate.

**RESOLVED – that with regard to planning application TWC/2011/0015 the Head of Housing & Planning be authorised to grant planning permission subject to there being no objections following advertising the application as a Departure to the Development Plan and subject to the conditions as set out in the report.**

(m) TWC/2011/0016 Telford Town Park, Hinkshay Road, Malinslee, Telford, Shropshire

This application by Telford & Wrekin Council was for the erection of a new single storey Visitor Centre (use class sui generis) to replace the existing facilities at Spout Farm House, which would be demolished to facilitate the Southwater redevelopment scheme. The application would replace the previous consent approved by the Board on 26<sup>th</sup> August 2010 following which there had been on-going discussions with regards to the design and siting of the new facility and an alteration to the budget provisions which had enabled the present design.

The building would be single storey with a mono pitched roof, in a mix of brick, wood and glass materials in a contemporary design. Its shape would be in a splay similar to a bird's wing formation with a maximum frontage of 44m and a maximum depth of 17m together with an enclosed rear space. The building would comprise toilets and

baby changing facilities, an information desk, café/refreshments area, staff room and office, educational space and a bicycle hire facility.

The Council's Arboricultural Officer had commented that the siting of the building under the willow canopy and in close proximity to the tree belt would result in the loss of self-set semi-mature trees. However, this could be mitigated through conditions for replacement planting within the wider Park and the removal of trees would open up views of the mature tree belt to the east and frame the new buildings in a woodland setting. Hollinswood & Randlay Parish Council had objected to the proposal on the grounds of the style and design of the building but supported a Visitor Centre with disabled facilities in this location.

Although the site was located within the Green Network, it was considered that the proposal would enhance the role of the Town Park both for the local community and other visitors to the Park. In addition the wider community and education benefits provided were sufficient to mitigate the limited impact of this new structure upon the Green Network and was, therefore, it would accord with 'saved' policies OL3 OL4 and OL5 of the Wrekin Local Plan.

The scale, mass, design and siting of the building had been carefully considered given its location close to facilities and amenities within the Park and the Town Centre. Its modern design was in contrast with the existing chapel building but was considered appropriate and would create a prominent building clearly identifiable as a Visitor Centre. The use of wood, brick and glass was a blend of traditional and contemporary materials to match the chapel and these materials would be reclaimed from the site. The mix with wood would reflect the natural environment which was the backdrop to the development and ensure that the mass of the building did not dominate the site. These elements were linked by glazing and a floating roof to give a contemporary feel and provide light into the building and reduce its scale and bulk.

The building was single storey to allow full accessibility to all sections of the community and its design would offer greater flexibility for future internal alternations if required. It would be constructed to 'PassivHaus' standards, as described in the report, and use around 90% less energy than standard UK builds and was, therefore, a high level of sustainable development.

The building would be integrated into the Park and adjacent Southwater through the wider landscaping proposals for the public realm element of the Southwater development and Parks for the People Project, as set out in the report, in accordance with the guidance and principles in 'saved' policy UD2 of the Wrekin Local Plan, Policy CS15 of the Core Strategy and PPS1.

The facility was expected to open 08:00 to 18:00 hours Monday to Sunday but there could be special events on mornings or evenings, which would require it to open outside these times. Given the fairly remote location of the building within the Park and the significant distance, in excess of 280m, to the nearest residential properties, it was not considered necessary to limit or control the hours of opening in order to preserve amenity,

**RESOLVED** – that with regard to planning application TWC/2010/0016 full planning permission be granted subject to the conditions as set out in the report.

(n) TWC/2011/0024 - Mannerley Wood, Riddings Close, Ketley, Telford, Shropshire

This application by Telford & Wrekin Council sought approval for the provision of a small equipped children's play area for use by children between 3 and 12 years old on a circular piece of land 18m in diameter.

One letter of objection had been received from a local resident, as summarised in the report. Council consultees had raised no objections subject to the imposition of appropriate conditions and an informative, as set out in the report. The update report tabled at the meeting informed the Board that one further letter of objection had been received together with one letter of support.

There was currently a very limited amount of play provision for young children within this area of Ketley and numerous attempts to find a location over the past 10 years had not been successful. The provision of a Local Equipped Area of Play (LEAP) to serve this area had been identified in the Council's adopted Play Strategy. Both Ketley Parish Council and the Borough Council considered the site to be acceptable and funding would be provided from Section 106 Agreements secured as part of the adjacent Cow Wood development some years previously.

The site was shown as Green Network on the Wrekin Local Plan where new development would not be permitted unless there were exceptional circumstances, it contributed to the aims of the Green Network, or environmental and community benefits were an integral part of the proposal. In this case, it was considered that there were substantial community benefits in providing the proposed equipped play area in an area already used for informal recreation.

National guidelines in relation to older children's play provision suggested a minimum distance of 30m from the edge of the facility to the boundary of existing or proposed residential properties and, in this instance, there was only one dwelling within that distance. The proposed location would provide a balance between ensuring that local residents were not unduly disturbed and the play area had a degree of surveillance. At present the location was screened by trees from the nearest dwellings in Riddings Close and, in line with guidance on security of users and safety of equipment, it was proposed to thin out this area of woodland and open up vistas from Riddings Close into the proposed play area. Properties in Riddings Close would then overlook the open space from a distance whilst retaining a buffer distance between the play area and the housing.

The play area would be surrounded by 1.2m high metal railings and a litter bin would be provided. Management of the facility would comprise a twice weekly safety inspection, including litter picking and bin emptying, a six weekly structural inspection, and an annual safety inspection.

**RESOLVED** – that with regard to planning application TWC/2011/0024 planning permission be granted subject to the conditions as set out in the report.

(o) W2004/0972 - Land at Lawley Farm, Lawley, Telford, Shropshire

This was an application to vary the terms of an existing Section 106 Agreement in relation to outline planning permission W2004/0972 for 8 social rented dwellings and 7 private market affordable dwellings, which represented approximately 9.5% of the total dwellings to be built on the site. The private market affordable would not be managed by a Housing Association but would be retained at a discounted price in perpetuity. The variation was necessary due to the current economic recession and down turn in house building and to secure the restoration and conversion of Lawley Farm House, a Grade II Listed Building on the site.

Condition 12 of outline planning permission W2004/0972, as granted on 31 October 2005, stated that *“No work shall commence on the development site until detailed plans for the renovation of the listed Lawley House have been submitted to the Local Planning Authority. The Plans submitted shall include a ‘programme of implementation’ in respect of the proposed works”* and Condition 13 required the renovation works to be carried out strictly in accordance with the ‘programme of implementation’. Planning permission for the conversion of Lawley Farm House was granted in March 2007, including a programme of work, but, due to the original roof timbers needing to be dried out, it had not been possible to start works and the building had since been covered and protected.

In considering a request to modify a Section 106 Agreement guidance from the Homes & Communities Agency required that it be accompanied by a detailed financial appraisal and open book accounting process. The applicants had provided such information, which had been assessed by the District Valuer on behalf of the Council. Taking all the issues into account, he was of the opinion that the scheme was not viable in the current market and that the developer would not make a profit. The required restoration of the former Farm House would only exacerbate this situation.

Discussions had taken place between the developer and officers to identify opportunities to reduce costs without compromising the quality of the development but they had only been of marginal significance and officers had strongly resisted requests for a reduction in contributions for infrastructure works on the basis that such provision should not fall on the public purse. Therefore, the extent of the affordable housing provision was the only remaining element that could assist the development’s viability.

At present the developer had constructed or was in the process of constructing 15 affordable housing units and had offered to complete and transfer 8 to a Housing Association for social rented housing with the remaining 7 being marketed on the developer’s discounted market value model i.e. at 75% open market value. All units would be offered for a minimum period of 3 months to those registered on the Council’s list of nominees with the future transfer of each unit being controlled by a restrictive covenant in perpetuity limiting its value to 75% of open market value at the time. The developer had requested that all the unbuilt plots no longer be subject to the affordable housing requirements under the current S106 Agreement.

All other S106 contributions towards education, highways and leisure facilities would remain unchanged and the developer was prepared to give an undertaking in any revised S106 Agreement to restore and convert Lawley Farm House with works to start by 30<sup>th</sup> September at the latest together with a commitment that they would be completed within 12 months.

The Council's Housing Officer was of the opinion that the developer's discounted market value model should be considered. In addition, it would bring forward the dwellings that had nearly been completed as social rented properties and facilitate the restoration and conversion of the Listed Building.

As nearly half of the site had been completed, it was important that the development continued and the Listed Building restored and occupied. In the current economic climate a reduction in affordable housing provision was not unreasonable but officers wished to ensure that the situation was monitored and time limited to reflect current circumstances. If the economy and housing market improved before the development was completed, the affordable housing provision could then be reviewed and it was recommended that the S106 Agreement be reviewed on the second anniversary of this meeting.

Councillor A. Hussey, on behalf of Lawley & Overdale Parish Council, spoke in support of the application but stressed its wish to see Lawley Farm House restored to its original state within the proposed timescales to prevent the structure further deteriorating. Councillor F.R. Picken expressed concern at the reduction in the amount of affordable housing but the Head of Housing & Planning responded that, whilst this was always to be regretted, the applicant had provided evidence of the current down turn in the economic situation.

**RESOLVED** – that the S106 Agreement be amended to provide for 8 social rented dwellings, 7 discounted open market dwellings with no further affordable dwellings to be provided. If the development was not completed within 2 years then the affordable housing provision should revert back to 25% or be subject to a further review, including a detailed independent viability report with all costs borne by the developer. Works to repair, restore and convert the Listed Farm House should be started by 30<sup>th</sup> September at the latest and completed within 12 months. All other financial contributions in the original S106 Agreement to remain unchanged.

#### **PB-89      REVIEW OF SCHEME FOR PUBLIC SPEAKING AT PLANS BOARD**

The Chairman sought the Board's view of the operation of the Scheme for Public Speaking at Plans Board since its introduction in June 2010. In doing so, he informed the Board that he had not yet received comments from the Parish & Town Councils and that any proposals for changes could not be considered by Full Council until after May 2011.

Members put forward the following suggestions:

- (i) The time for each public speaker be reduced from 5 minutes to 3 minutes

- (ii) That the applicant or their agent only be permitted to speak if there was a speaker(s) against the application
- (iii) If a Ward Councillor or Parish/Town Council had requested that an application be considered by the Board (Green Carded) rather than be determined under delegated powers to an officer, the Councillor or a representative of the Parish/Town Council should be required to speak at the meeting.

In addition to public speaking, the Board also made a number of suggestions with regard to the way the meeting was conducted:

- (i) All public speakers for an application come to the table together
- (ii) The order for each application to be an introduction by the officer/public speakers/officers' response or comments/discussion by the Board

The meeting ended at 8.46 p.m.

**Chairman:** .....

**Date:** .....