

**TELFORD & WREKIN COUNCIL**

**PLANS BOARD**

**13<sup>TH</sup> APRIL 2011**

Schedule 1 - Planning applications for determination by Board

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TWC/2010/0637 Land adjacent, 34 Rhodes Avenue, Dawley, Telford, Shropshire, TF4 2EE  
Erection of 1no. detached 2 bedroom dwelling \*\* Amended Plans Received \*\*

**APPLICANT**  
Winthorn Developments Ltd

**RECEIVED**  
04/11/2010

**PARISH**  
Great Dawley

**WARD**  
Malinslee

THIS APPLICATION WAS DEFERRED AT 30<sup>TH</sup> MARCH 2011 PLANS BOARD TO ENABLE MEMBERS TO UNDERTAKE A SITE VISIT

There have been no updates to the Plans Board report which is attached below for information. The recommendation is for Approval subject to conditions.

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COUNCILLOR SAHOTA HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and design, Character and appearance, Impact on adjoining residential amenities, Highways safety

**THE PROPOSAL:**

The application seeks full planning permission for the erection of 1no. detached 2 bedroom dwelling at land adjacent to 34 Rhodes Avenue, Dawley.

**SITE AND SURROUNDINGS:**

The application site comprises garden land to the side of No.34 Rhodes Avenue and is bounded by timber fencing and a hedgerow, with Rhodes Avenue and a narrow access track to the north and west of the plot. The existing dwelling is an established red brick end-terrace property, with its rear elevation facing the garden area of No.33. No.34 has a door at ground floor and 2 windows at first floor on the side elevation, but these are not habitable room windows, serving landing and bathroom.

The arrangement of the gardens for the row of properties is such that No.34 has only a side garden with no rear garden area; and the entire garden area to the rear of No.33 and 34 serves No.33 only. This is the same arrangement for No.31 and 32 at the other end of the terrace. Opposite the site are the rear garden areas/ parking for properties in Alma Avenue; no properties front the development site. The access track to the side provides vehicular access to garages at the rear of No.s 28 to 30, but is principally a pedestrian access to the nearby school.

The site is located in an established residential area, close to services and facilities. The area comprises a mix of 1930s-40s hipped 2-storey buildings, semi-detached or rows of 4 terraced properties.

#### PLANNING HISTORY:

Pre-application enquiry regarding the erection of a detached dwelling on the site. Officers advised that there were some reservations to the proposal as there was limited amenity space available for the existing property and due to the existing arrangement of garden land in Rhodes Avenue. The Applicant's Agent sought to address these concerns in the formal application.

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing

#### Core Strategy:

CS1 Homes  
CS15 Urban Design

#### Wrekin Local Plan:

UD2 Design Criteria  
H6 Windfall Sites

#### CONSULTATION RESPONSES:

Great Dawley Parish Council: no objection

Highways: no objection subject to condition regarding car parking.

Drainage: No objection subject to details of foul and surface water drainage and greenfield runoff rates. The applicant must provide details on the location of the system and must have permission from properties in Alma Avenue to discharge into the private foul system before connection can be made.

Geotechs: no comments

Ecology: no objection subject to informatives regarding Nesting birds (vegetation), Replacement planting, and Bird boxes

Contaminated Land (Environmental Health): no comments

Shropshire Fire Service: no objection subject to informatives regarding access and sprinkler systems.

2 neighbour letters and a petition containing 11 names have been submitted, with the following comments:

- Design and character of proposal not in keeping with prevailing form of development
- Existing narrow road access
- Insufficient parking

- Safety of children walking to and from school during construction
- Inconvenience to residents accessing properties, parking and manoeuvring vehicles
- Silver Birch tree removed from site
- Dispute garden would become 'derelict land'
- 'Garden grabbing' should be discouraged

#### PLANNING CONSIDERATIONS:

The site is located in a residential area within the built up area of Telford. The site has no land allocation within the Wrekin Local Plan and can therefore be considered for development. The proposal comprises a small detached property with 2 bedrooms and a kitchen/diner and lounge area. The existing garden area to No.34 Rhodes Avenue would be subdivided to create the new plot and a reduced garden area to No.34. The garden area to the new property would be located on the triangular piece of land to the front and side, with bin storage to the rear. Garden land to No.34 would be located between the existing and proposed dwellings and to the front.

The plans have been amended following discussions with officers to ensure sufficient amenity space is provided for both the existing and proposed dwellings and to minimise problems of overlooking/ loss of privacy of adjoining properties in Rhodes Avenue given the existing arrangement of development and garden land. The building has been repositioned away from No.34 to provide usable amenity space to the side of the property. There are now no habitable room windows at first floor on the rear elevation of the new dwelling following the relocation of the bedroom window to the side elevation, thus there will be no overlooking of properties to the rear. It is now considered that there will be no detrimental impact on adjoining residential amenities following these amendments to the plans. Furthermore, a condition can be imposed to ensure no additional windows are added to the development (within the condition regarding the removal of permitted development rights).

Whilst the new property would be of a different form and design to the terraced row, the materials and detailing would match the prevailing character and appearance, with matching roof eaves and ridge height and window proportions. Materials are proposed to match the existing properties in Rhodes Avenue with multi red facing brickwork, feature bonding and red plain tiles. The proposal is considered acceptable in terms of the scale, design, form and materials and would comply with policies UD2 and CS15 and planning guidance contained in PPS1 and PPS3.

One parking space would be provided at the front of the site and a space for No.34. It is considered that the new property can be adequately accessed with sufficient parking provision for the existing and proposed properties, thus the proposal is in accordance with planning policy H6.

In response to the other neighbour comments, whilst it is noted that it is a narrow access road, the proposal includes offstreet parking provision and a single space is sufficient for a 2-bedroom dwelling. A condition can be imposed to ensure that details are provided of parking of construction traffic

and storage of materials in order to minimise inconvenience to adjoining residential properties and protect highway safety users on the pedestrian access to the side of the site. The loss of the silver birch tree could be addressed by suitable replacement landscaping scheme controlled by condition. 'Garden grabbing' is a reference to the updated PPS3 whereby private residential gardens no longer constitute previously developed/brownfield land, enabling Councils to protect gardens from inappropriate development by rejecting planning applications for development that is objected to by the local community and spoils the character of neighbourhoods. In this regard, officers note that local residents have raised concerns about the proposed development; however officers consider the development is acceptable on balance and that sufficient garden land will remain and will not adversely impact on the character of the area or on residential amenity.

The Applicant's Agent has also sought to respond to the neighbour concerns:

- Imposition of conditions could control deliveries and construction programme in relation to school times etc.
- When No.34 was renovated, there were no problems between residents and contractors
- Prior to renovation of 34, no off road parking provided
- Suitable materials and detailing to match existing properties will ensure development is in keeping
- Silver Birch was damaged and leaning over access road – danger to pedestrians

In conclusion, the proposed scale, design, form and materials of the development is considered acceptable in regard to the context of the site and area and there will not be a significant impact on adjoining residential amenity. The scheme proposes sufficient amenity space and parking to existing and proposed dwellings. Accordingly the proposal accords with national and local planning policy.

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

1. A04 Time limit
2. B06 Samples of materials
3. B07 Sample brick panel
4. B14 Landscaping design
5. B23 On-site construction
6. B24 Mud on road
7. B33 Foul and surface water
8. Bcustom Greenfield runoff rates
9. C19 Car parking
10. C38 Development in accordance with plans
11. D01 Removal of all permitted development rights

**REASON FOR APPROVAL:**

The principle of residential development is considered acceptable within this location in the built up area of Telford. It is considered the scale, design, form and materials is acceptable in terms of the context of the site and area, with provision of sufficient amenity space and parking. Furthermore, the development will not have a significant impact on the residential amenity of adjoining properties.

TWC/2010/0688 Land Adjacent to, 53 Maslan Crescent, Tibberton,  
Shropshire, TF10 8PB  
Erection of detached four bedroom dwelling \*\*\*\*\*Amended plans recieved\*\*\*\*\*

**APPLICANT**

Longford (UK) Limited, Gavin Major

**RECEIVED**

22/07/2010

**PARISH**

Tibberton and Cherrington

**WARD**

Edgmond

TIBBERTON AND CHERRINGTON PARISH COUNCIL HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Whether the proposal would meet the Council's housing location policy, the effect the proposal would have upon the character and appearance of the area, whether the proposed dwelling is likely to remove the adjoining sports facility, highway safety and residential amenity.

**THE PROPOSAL:**

This is a full application for the erection of a four bedroomed detached dwelling on a former garage site located adjacent 53 Maslan Crescent.

Following officer concerns about the size, scale and height of the proposed dwelling, and the fact that No.13 Maslan Crescent has been extended, which was not shown on the location/block plan the scheme has been amended. The ridge height of the building has been lowered to match the adjacent properties, and no.13's extension added which has enabled measurements to be taken to check that the separation distances between the proposed and existing dwellings are sufficient to ensure that there were no issues in respect of loss of amenity. Neighbours have been reconsulted as a result of the amendments.

**SITE AND SURROUNDINGS:**

The site occupies a corner location and comprises a former garage court with 6 garage lock-ups adjacent to No.53 Maslan Crescent, a two-storey semi-detached property in an established housing development. The site is enclosed with timber panel fencing to sides and rear, and wire mesh fencing to front. Estate roads are located to the east and south of the site, with access to garaging, Tibberton primary school, sports pavilion, tennis courts and sports ground beyond. It is wholly located within the village of Tibberton, which is one of the 3 rural settlements identified for new housing.

The adjoining sports ground has a multi-functional role, and is a well used recreation ground, benefiting the adjoining Tibberton Primary school, local village cricket clubs, who play regular matches on the sports ground, and football teams. The cricket pitch is laid out in a central position on the sports ground. The majority of dwellings in Maslan Crescent are some 20 metres

from the edge of the sports School and garages, with a shorter distance between No.53 Maslan Crescent and No.52 opposite of some 14 metres, with end gables facing the sports field.

#### PLANNING HISTORY:

Outline Planning application W2008/1054 was refused in September 2008.

By way of background the LPA considered that the number of houses committed within the rural area to meet the rural housing requirements had already exceeded the 170 dwellings set out in CS1 to meet local need to 2016.

Furthermore, the LPA considered that the proximity of the site to the existing Community sports facility/ playing field could have lead be a potential conflict between the interests of occupants of the proposed dwelling and the existing use

of the playing field. As a result the Agent submitted a scheme comprising safety

netting which could be erected as required and removed after the sports activities on the pitch have finished, located along the boundary of the site adjacent to the sports pavilion and playing field. This would have been the responsibility of the occupant of the proposed dwelling - it would therefore be difficult to control.

The application was therefore refused as it was

1. Considered contrary to policy CS1 and guidance contained within PPS3 as it exceeded the rural housing numbers and the rural area.
2. The development was considered incompatible with the adjacent sports field and the proposed ball stop fencing was inappropriate and was deemed contrary to policies CS10 and CS15 of the CS and policy UD2 of the WLP and national guidance contained within PPS1 and PPS3, and therefore refused.

However, the Local Planning Authority considered that the development site would be a similar size to the established properties in Maslan Crescent and could accommodate a dwelling of similar footprint to the adjoining semi-detached

properties with adequate access and amenity space, without significantly adversely impacting on the neighbour's residential amenity.

The applicant subsequently appealed the LPA's decision and the Inspector allowed the appeal and granted outline planning permission.

Planning application W2010/0096 for the erection of a four bedroomed was withdrawn on 16.03.10. The LPA did not support the proposal as it was deemed an over-development of the site and failed to respect the scale, size, building line and character of the existing dwellings and the streetscene.

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 – Delivering Sustainable Development.

PPS3 – Housing.

PPS7 Sustainable Development in Rural Areas.

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria,

Policy H9 – Location of New Housing,

Policy H10 – Scale of Development.

LDF Core Strategy

Policy CS1 – Homes,

Policy CS7 – Rural Area,

Policy CS10 - Community Facilities,

Policy CS15 - Urban Design.

#### CONSULTATION RESPONSES:

**Tibberton and Cherrington Parish Council:** Initially raised objections in respect of the application prior to the amended drawings, the issues raised were:

- That this is a straightforward re-submission of Application W2010/0096 that was withdrawn in March 2010.
- The Members of the Parish Council were unanimously opposed to this design then and they remain so now.
- They believe that the proposed property is too large for the site, with an inadequate curtilage at the front and rear. They also believe that its large 'footprint' in relation to the size of plot makes it out of character with the rest of the neighbourhood.
- They are concerned that the proposed driveway will not allow for vehicles to be turned. Therefore, unless vehicles are reversed onto the property they will have to be reversed off. This would create a potential hazard for young children attending both Tibberton School and the Pre-School. It should be noted that this is on the designated 'Walk to School' route.

They also raise two further matters relating in to this site:

- The roadway on the eastern side is the only point of vehicular access to the school and pre-school buildings and it is essential that it is kept clear.
- Whatever design is eventually agreed for the site, the Councillors believe that a necessary planning condition must be that no vehicles are parked in this roadway or building materials left there.
- When granting the Appeal in favour of Outline Permission, the Inspector made light of the likelihood of cricket balls reaching the property from the neighbouring playing field. However, those with local knowledge assert that it is not an uncommon occurrence as the site

lies within the natural 'mid-on' hitting arc for right-handed batsmen at the further-end of the wicket.

- As the field is owned and maintained by T&W, the Borough will need to consider seriously what measures are appropriate to protect the property and its occupiers as well as its own liability.

The case officer has met with Parish Councillors, a school governor and the owner of no.13 Maslan Crescent and discussed the amended scheme on site. No further comments had been received at the time of writing this report and any

further representations in respect of the amended drawings will be reported to Members at Plans Board.

**Shropshire Fire Authority:** Have no objections and suggest informatives in respect of Access for Emergency Fire Service Vehicles and Sprinkler Systems

**Drainage Engineer:** supports the proposal and recommends conditions in respect of drainage and soakaways.

**Highways Engineer:** supports the proposal.

Twenty one direct neighbour letters have publicised the application. Two representations have been received and the issues raised are:

- The overall size and height of the proposed dwelling is too large for the size of the plot.
- The proposed dwelling is not in keeping with any other property on the crescent. The current properties are semis and bungalows
- The proposed dwelling does not constitute an in fill, as it is on a corner.
- The close proximity of the nursery, infant and junior school already causes traffic problems. The Wrekin council has already identified this and has erected bollards on the pavements to help ensure child safety. In fact, the school is trying to maintain good relations with local residents regarding traffic problems and as such a meeting is being held December 1st 2010 at the school. The volume of traffic to and from the school does cause problems. The addition of another property, with access for two vehicles will exacerbate the situation.
- In the Local Context - Forms and Materials, a mention is made of a nearby property having a "side and rear extension". This refers to 13 Maslan Crescent, our property. The location plan which accompanies this application is not the latest detail and does not accurately reflect our property. Therefore, the proximity of the proposed dwelling to number 13 is much closer than currently shown. A privacy issue still exists with the first floor windows of the proposed dwelling, having a direct view into the bedroom and large kitchen window.
- In the application under "Neighbour and Community Consultation" the answer to this question is "No". Therefore, how is it possible to ascertain that "we have consulted neighbours, who generally feel the appearance of a detached dwelling on this site will be better than the previous view of derelict garages". Neighbours have not been

consulted and indeed would much rather have the garages on the plot. These garages were not derelict and provided security for resident's vehicles, and were in use until the council announced that the land was being sold and gave notice to tenants.

- The proposed dwelling does not constitute infill and will not harmonise with the existing dwellings. From the plans provided, they do not appear to reflect what is actually on the ground. If the rear of the property is built in line with the rear of 53, a detached dwelling of these dimensions, can not be accommodated in such a tiny plot, let alone providing parking spaces for two vehicles at the front. Are they vehicles without doors, because there will be no space to open them.
- With the plot being immediately adjacent to the village cricket pitch the first cricket ball to land in the garden or break a window could signal the end of village cricket.
- balls land in the garden, break tiles on the house roof and break panes of glass in the greenhouse
- We like the concept of village cricket and have a good rapport with the cricketers who always make good any damage and pay for any breakage.
- What assurances could you put into place to safeguard the cricket for the future against the possibility of the above happening?
- Loss of garage plot all for a paltry few thousand pounds for this ground, most of which has probably been swallowed up in legal and administrative costs and with no benefit to ourselves,
- By a reduction in the community charge, the whole exercise to have been a complete waste of time and money.

#### PLANNING CONSIDERATIONS:

Amended drawings have been received which have reduced the ridge height to 7.81m (as annotated on the drawing) so that it is comparable with the neighbouring dwellings and a slightly reduced the footprint to provide a 1.0m gap around the right (northern) boundary of the site.

Outline planning permission for a dwelling on the site has previously been approved by the Planning Inspector and therefore the principle of a dwelling on the site has already been established. The Inspector's decision to grant planning permission is a material consideration when assessing this application.

The Inspector considered that there were three main issues:

#### Whether the proposal would meet the Council's housing location policy

The Inspector opined that the site was Brownfield and in a sustainable location, and in one of the three service settlements where the majority of rural development is to be focussed, as advocated by PPS3 and Council policy CS7. The Inspector therefore concluded that just one additional dwelling would not harm the underlying objectives of the Council's housing location policy, in particular CS1 and CS7.

The effect the proposal would have upon the character and appearance of the area, in particular regard to the future need for ball-stop fencing

The Inspector noted that the existing dwellings adjoin the sports facility and do not have ball stop fencing. Although the existing dwellings are further away from the playing field she did not consider the difference in distance was material in this instance. In addition the pavilion and 3m high fence would provide an effective physical barrier. This application does not include the ball stop fencing element as the Inspector considered it unnecessary.

The design of the dwelling has been amended to respect the character and appearance of the existing dwelling in Maslan Crescent. The ridge height has been lowered to respect the neighbouring properties and the detailing on the gable end detailing matches that found on the estate. The imposition of a condition will require a brick sample panel to be built on site for inspection to ensure that the best match possible with the existing dwellings is achieved. Accordingly, the proposal complies with policy UD3 of the WLP and Policy CS15 of the CS.

Whether the proposed dwelling is likely to remove the adjoining sports facility.

The Inspector also commented that it is common for dwellings to back on to recreation grounds and parks and was not convinced that an additional dwelling would put pressure upon the Council to remove the facility. Accordingly, the proposal is compliant with policy CS10 of the CS.

Other matters

The Inspector noted comments from third parties in respect to highway safety and residential amenity and concluded that the addition of one dwelling would not be harmful to highway safety and that a dwelling could be designed so that residential amenity was not compromised.

Sufficient on-site parking and manoeuvring space is provided to enable vehicles to enter and leave the site in a forward gear. This situation is superior to the situation with the existing houses in Maslan Crescent some of which have no off-street parking and few have on-site manoeuvring space. The Council's Highway Engineer supports the proposal and it is considered that a single dwelling house will generate fewer vehicular movements than the previous use of the site which contained six garages. Hence, there will be a positive impact upon highway safety and the proposal is compliant with policy UD2 of the WLP and CS15 of the CS. Nonetheless, a condition will require details of where the operatives will park their vehicles during construction and the loading and unloading and storage of materials to ensure that the free passage of traffic and any disruption is kept to a minimum.

The footprint of the proposed dwelling is slightly larger than the indicative layout shown for the approved outline application and it is now a four bedroomed dwelling rather than a three bedroomed one. However, the room sizes are modest with two bedrooms being double and two singles. Moreover, the plot and footprint is comparable to the existing 2, 3 & 4 bedroomed dwellings. Therefore, the size of the dwelling is considered appropriate for the site and locality.

The separation distance between the proposed window of bedroom 3 the common boundary with no.13 is 10.2m. The window looks towards the rear of the garden and the large timber outbuilding belonging to no.13 Maslan Crescent. The window will be 21m when measured diagonally to the two storey side extension built at no.13. The minimum distance required in order to protect residential privacy is usually 21m when measured perpendicular. Given that the proposed dwelling will not directly face windows of no.13 and there is adequate separation distance it is considered that there will be no significant adverse impact upon the residential amenity on no.13 by way of over-looking or loss of privacy. Accordingly, the proposal is compliant with policy UD2 of the WLP and CS15 of the CS.

Whilst the comments raised by neighbours are noted, as stated earlier the principle of residential development on the site has already been approved on appeal by the Secretary of State. If Members are minded to refuse this application, their decision would be contrary to the Secretary of State's decision, and could be considered perverse and as such any subsequent appeal could lead to costs being awarded against the Council.

Accordingly, it is considered that the proposal complies with both local and national policies and a precedent for the development of the site has already been approved. The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the streetscene, residential amenity or the setting of the adjacent sports facility. Furthermore, sufficient private amenity space and off street parking is provided. The site was a brownfield and in a sustainable location, as advocated by PPS3, and will not harm the underlying objectives of the Council's housing location policy.

Therefore, it is recommended that the proposal is approved with conditions.

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

1. A04 Time limit.
2. B06 samples of materials.
3. B07 sample brick panel.
4. B14 soft landscaping.
5. B23 on-site construction.
6. B24 mud on road.
7. B33 foul and surface water.
8. B35 soakaways.
9. C19 car parking.
10. C38 in accordance with approved plans.
11. I32 Fire Authority.
12. I40 conditions.
13. I41 reasons for grant.

**REASON FOR APPROVAL:**

The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the streetscene, residential

amenity or the setting of the adjacent sports facility. Furthermore, sufficient private amenity space and off street parking is provided. The site was a brownfield and in a sustainable location, as advocated by PPS3, and will not harm the underlying objectives of the Council's housing location policy.

TWC/2010/0715 349 Holyhead Road, Wellington, Telford, Shropshire, TF1 2EZ

Erection of a two storey detached dwelling (Amended plans and information received)

**APPLICANT**

Dr Simon Frain

**RECEIVED**

24/11/2010

**PARISH**

Wellington

**WARD**

Ercall

COUNCILLOR HOSKEN HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Scale and design, Character and appearance, Impact on adjoining amenity, Highways safety, Impact on trees

**THE PROPOSAL:**

The application seeks planning permission for the erection of a two storey detached dwelling within the amenity area of 349 Holyhead Road.

The proposal comprises the erection of a two-storey detached property with asymmetrical shallow-pitched roof and an attached single storey element comprising store, plant room and double garage creating an 'L'-shaped form. The dwelling is 20.5 metres x 11.95 metres, with the garage and plant element measuring 6.1m x 9.55m. The dwelling has a ridge height of 7.6 metres. The proposed dwelling has been designed as an 'eco-home', and is intended to have very low carbon usage, but also meet the Applicant's accommodation requirements. The dwelling's principle elevation is south-facing and predominantly glazed to maximise solar gain and it has been designed to maintain appropriate levels of heating and ventilation.

**THE SITE AND SURROUNDINGS:**

349 Holyhead Road is a large detached two-storey property built in 1930s which is orientated to the south with no road frontage and is served by a private access drive which runs between No.'s 343 and 345 Holyhead Road and adjacent to the rear of properties in Barnfield Crescent. The dwelling itself is backland development and is located some 150 metres from Holyhead Road.

The application site is part of the large open front garden area to the south of the dwelling. The site tapers slightly to the south and is currently laid to lawn and comprises a vegetable patch with greenhouse, summerhouse, chicken pen and parking for a caravan, with mature trees and shrubs on the boundary. It is bounded by rear garden areas of properties in Avondale Road to the west and Barnfield Crescent to the east, with the application site located in a significantly elevated position above the Barnfield Crescent properties. The dwellings in Barnfield Crescent are approximately 13 metres from the

boundary of the application site, with 16 metres from the rear elevations of dwellings on Avondale Road to the boundary.

The surrounding residential development comprises a variety of housetypes, with a combination of 1930s and mid-late Twentieth Century semi-detached and detached properties. The adjoining properties are all two-storey except No.46 Barnfield Crescent, which is also set back in the plot. No other property in the vicinity of 349 Holyhead Road is of the same substantial size and footprint. The application site is located on the southern edge of Wellington.

#### CONSULTATION RESPONSES:

Wellington Town Council has raised no objections to the proposal.

Highways: support the proposal.

Drainage: no objection subject to Conditions B33 (Foul and surface water drainage) and B35 and a further condition regarding soakaway drainage or alternate method of surface water disposal.

Ecology: no objection subject to Informatives regarding nesting birds (vegetation), replacement planting, trenches, vegetation cutting, and bat and bird boxes.

Arboricultural: no objection subject to conditions regarding fencing plans and storage and no burning.

Shropshire Fire Service has no objection subject to informatives regarding access and sprinkler system.

In response to the original plans, 5 neighbour letters and a petition containing 18 names have been submitted. Their comments are summarised below:

- Discrepancy on plans – plans show incorrect boundary line, including land outside Applicant's ownership on access track, and 2D image does not reflect ground level differences and impact on adjoining properties
- Dwelling is inappropriate in this location on site between garden land of established properties
- Due to elevated position of site and proximity of development to boundaries, proposal would adversely impact on adjoining residential amenities re: issues of overlooking, loss of privacy and loss of light
- Size, height, design and materials not in keeping
- Overdevelopment
- Development not in keeping – will not improve quality or maintain character of the area
- Proposed development is not a bungalow as more than one storey
- Vehicular access – poor visibility on to Holyhead Road
- Increase in traffic light and noise pollution impacting on adjoining properties adjacent to access
- Vehicle movements from construction traffic on single track access

- Loss of light will impact on variety of bird species
- Loss of trees on site and impact of development on Oak tree on adjoining land
- Surface water drainage problems – currently drains into rear gardens of Barnfield Crescent
- Previous problems with laurel trees and conifers reducing light to adjoining properties
- Devalue property

Following reconsultation on the amended plans, 5 further neighbour letters have been submitted, with the following additional comments:

- Amendments to plans are minimal and do not address main concerns
- Impact of noise from building work
- Density of housing
- Dwelling “more in keeping with Spanish Costas”
- Development still too close to Oak tree
- Concerns regarding boundary walling – shadowing, maintenance

#### PLANNING HISTORY:

W78/0572 Residential Development, One Dwelling, Outline refused (OLR)

W80/0211 Erection Of An Extension To Provide Swimming Pool, Sauna, Changing And Exercise Room, Full granted (FG)

W81/0449 Erection of an Extension to Provide Dining Room, FG

W81/0924 Erection of an Extension and Alterations to Provide Utility Room and Porch, FG

W87/0478 Erection of a Single Storey Detached House, OLR

W87/0541 Erection of a Domestic Double Garage, FG

W89/0716 Erection of First Floor Extension to Existing Dwellinghouse, FG

W89/1044 Erection of One Single Storey Dwelling, FG

W92/0781 Erection of an Extension to Provide Additional Bedroom and Bathroom, FG

W97/0143 Proposed Conservatory, FG

Recent Planning History on Adjoining Site, 357 Holyhead Road –

W2010/0203 Erection of a Detached Dwelling, Full Refused and Appeal Dismissed. The Inspector considered the development would be cramped, conflicted and did not reflect existing street pattern and characteristic siting along the road frontage. Furthermore it would have an adverse effect on privacy and outlook. Accordingly it was contrary to UD2, H6 and CS15, and was dismissed.

#### POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPG13 Highways

Saved Wrekin Local Plan Policies

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport  
OL11 Woodland and Trees

LDF Core Strategy  
CS5 District and Local Centres  
CS12 Natural Environment  
CS15 Urban Design

#### PLANNING CONSIDERATIONS:

The application site has no formal land allocation within the Wrekin Local Plan and can therefore be considered for development. In June 2010, PPS3 was updated and private residential gardens no longer constitute previously developed/brownfield land. The reclassification of garden land is intended to enable Councils to protect gardens from inappropriate development by rejecting planning applications for development that is objected to by the local community and spoils the character of neighbourhoods. However, given the scale and siting of the existing property, No.349 Holyhead Road, which is backland development with no street frontage, it is considered that this plot is not out of character in principle.

The new dwelling would utilise the existing shared access drive on to Holyhead Road and would comprise 5 bedrooms (4 at first floor and the 5<sup>th</sup> at ground floor level) with large reception rooms at ground floor – kitchen, living room, snug/hall area, along with a study and utility. The entrance to the building would front No.349 around the central access. It is considered that there would be a sufficient separation distance between the existing and proposed dwellings. The garden area would be located to the principal (south) elevation of the property, with additional landscaping proposed. The building would be constructed in terracotta coloured render with grey window frames and artificial slate roof.

Following discussions between the Agent and the Local Planning Authority, the plans have been amended and the length of the proposal has been reduced from 27.4m to 23.5m and has been relocated so that it is a minimum of 22 metres from all surrounding dwellings. It is now located further from the eastern boundary with properties in Barnfield Crescent and the mature Oak tree in an adjacent rear garden at Avondale Road.

With regard to the relevant planning policies, the site is on the edge of Wellington and is therefore an appropriate location for housing development, subject to meeting various criteria, in particular design, how it relates to the context of the area and the impact of the development on adjoining properties. The site can be adequately accessed, with adequate amenity space and parking, and with sufficient amenity space retained for the existing property 349 Holyhead Road. Therefore the principle of a dwelling on the site is considered acceptable.

Officers acknowledge that 349 Holyhead Road is a substantial property with a large garden area, and the footprint of the proposed development is comparable to 349; however it is significantly larger than the other dwellings in

the vicinity – the adjoining property, 347 Holyhead Road, and adjacent properties on Avondale Road and Barnfield Crescent. The dwelling would be located at the end of the shared access drive and could be accommodated within the substantial site area, and would not be visible or prominent in the streetscene. Therefore, whilst the dwelling is larger than the majority of properties in the area, it is considered to be acceptable in this location.

The design of the building with its largely glazed south elevation does not reflect the prevailing character of the area – the mix of development in the area including 1930s detached and semi-detached properties with bay windows, the solid to void ratio of properties. The design has been dictated by the Applicant's requirement to build a low-carbon family home. The creation of a low-carbon property meets sustainable criteria; however this should also be assessed against design principles. In this regard, given the property's siting at the end of the shared drive, not being prominent in the streetscene, and the orientation of the building with the glazed southern elevation facing away from the site entrance and not overlooking other properties, it is considered that the design of the development will not adversely affect the character and appearance of the area.

There is a significant difference in ground levels between the application site and the adjoining properties in Barnfield Crescent, and there have been a number of local objections regarding the impact of the building on adjoining residential amenities. However there would be a separation distance of 22 metres between the rear of the dwellings in Barnfield Crescent and the side gable of the proposed property. In addition, there are no principle windows on the side gables of the building to minimise overlooking and loss of privacy. Given the position and orientation of the dwellings, the development is unlikely to reduce levels of light to the properties in Barnfield Crescent. In addition, permitted development rights can be removed to control additional windows, extensions and outbuildings to protect adjoining amenities. It is suggested that a condition is imposed to control the height of proposed landscaping on the boundary to Barnfield Crescent properties to protect light and outlook.

With regard to other issues that have been raised by local residents, the Agent has resolved the matter regarding ownership issues of part of the land adjacent to the access and has omitted this on amended plans. The position of the dwelling at the rear of other properties and its elevated position are not ideal; however given the position and orientation of 349 Holyhead Road, and the revised and more appropriate scale and mass, officers consider the development is acceptable. With regard to access and vehicle movements, there are no highways objections. Drainage issues can be resolved by condition. In order to protect residential amenities during construction of the dwelling, a condition can be imposed regarding hours of work. The Arboricultural Officer has assessed that the Oak tree will not be adversely impact by the development subject to appropriate conditions during construction. Impact on property values is not a material planning consideration.

In conclusion, the proposed low-carbon dwelling meets sustainable objectives and would not be overly visible or prominent in the streetscene. Following amendments, the development is now considered to be acceptable in scale and mass and the proposal will not be detrimental to the character and appearance of the area or adversely affect the residential amenities of properties in Barnfield Crescent and Avondale Road.

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

1. A04 Time limit
2. B06 Samples of materials
3. B07 Sample panel
4. B11 Details of doors and windows
5. B14 Landscaping design
6. B33 Foul and surface water
7. B35 Soakaway test
8. B73 Trees protective fencing
9. C07 Trees – no burning
10. C09 Trees materials storage
11. C11 Maintenance of hedges at maximum height of 2m
12. C38 Development in accordance with plans
13. D01 Removal of permitted development rights
14. D08 Windows obscure glazing
15. D11 Hours of construction work

REASON FOR APPROVAL:

The proposed low-carbon dwelling meets sustainable objectives and would not be overly visible or prominent in the streetscene. Following amendments, the development is now considered to be acceptable in terms of scale and mass and the proposal will not be detrimental to the character and appearance of the area or adversely affect the residential amenities of properties in Barnfield Crescent and Avondale Road.

TWC/2010/0820 Land off Queens Drive, Newport, Shropshire, TF10 7EU  
Erection of pair of semi-detached dwellings with integral garages (amended  
information received)

**APPLICANT**

David Tringham Developments,

**RECEIVED**

22/03/2011

**PARISH**

Newport

**WARD**

Newport South

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Previous Inspector's decision granting planning permission for two new dwellings on the site. Whether the site would be over-developed, impact on residential amenity, whether there would be adequate provision for the drainage of surface water and the effect on the safety and free flow of traffic.

**THE PROPOSAL:**

The proposal is for the erection of a pair of 4 bedroomed semi-detached dwellings with integral garages on a vacant piece of land situated between the rear garden of 4 and 6 Station Road and 1 Queens Drive.

**SITE AND SURROUNDINGS:**

Queens Drive is a Cul-de-Sac and the area is predominantly residential comprising various styles and ages of two storey and single storey 1950's – 1970's dwellings, and lies outside the Newport Conservation Area but is within the built up area of Newport. The site previously formed the rear gardens of no's 4 and 6 Station Road a pair of Grade II white painted stuccoed two storey Victorian dwellings.

The site extends 0.16 acre and is currently vacant scrubby grassland. It is bounded by timber panel fencing along the western boundary, a mature Holly hedge along the eastern and northern boundary and secured along the frontage (south) with Heras fencing. There is a telegraph pole located within the site and an approximately 2m wide or so landscape strip between the site and the public highway.

**PLANNING HISTORY:**

W2007/0152 Erection of a pair of semi detached dwelling was refused on 29.03.07; the reasons were:

- Over- development of the site,
- Detrimental impact upon the character and appearance of the area,
- Over-looking and loss of privacy,
- Insufficient information in respect of drainage,
- Highway safety due to restricted visibility.

However, the Planning Inspector appointed by the Secretary of State for Communities and Local Government considered that the proposal was acceptable subject to conditions and 'Allowed' the appeal on 10.10.07.

## PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 – Delivering Sustainable Development.

PPS3 – Housing.

PPS5 – Planning for the Historic Environment.

PPG9 – Biodiversity and Geological Conservation.

Saved Wrekin Local Plan Policies

Policy H6 – Windfall Sites in Telford and Newport.

Policy UD2 – Design Criteria.

LDF Core Strategy

Policy CS1 – Homes.

Policy CS6 – Newport.

Policy CS14 – Cultural, Historic and Built Environment.

Policy CS15 – Urban Design.

## CONSULTATION RESPONSES:

**Parish Council:** Support subject to conditions. Members discussed the many aspects of the application, considering the requirement for additional housing, 21<sup>st</sup> century design, larger houses on smaller plots and the boundary hedge, and were very mindful of the previous application and the comments made, and acknowledged that there were still similar concerns expressed by neighbours. However, following a narrowly contested vote, decided that if it was confirmed there were no significant changes to the former plans no objection should be raised, as previous permission had been granted on Appeal by the Planning Inspectorate, which would be difficult to overturn.

**Highways:** no objection subject to conditions in respect of driveway surfacing, visibility splay and gates.

**Engineers:** support subject to conditions for drainage, soakaways and landfill gas and advise that any soakaways should be located no less than 5m from any building or boundary.

**Shropshire Fire Service:** have suggested an informative for the provision of emergency vehicles and sprinkler systems.

**Ecology:** support and suggests informatives in respect of nesting birds (vegetation), trenches, enhancement planting and bat, bird and invertebrate boxes

The occupiers of ten neighbouring properties have made representations in respect of this application. The issues raised are:

- Proposal is similar/identical to previous application,
- Houses will create pollution, noise and additional traffic, inadequate off-street parking, loss of privacy and over-looking, loss of residential amenity,
- ‘garden grabbing’,
- Impact of neighbouring listed buildings,
- nothing has changed concerning the water, drain and sewer services; two more 4-bedroom houses can only add to already overstretched services,
- low water pressure,

- The proposed buildings are too large and are definitely not in keeping with the rest of the drive; it is not sensible to cram two more buildings on such a small site.
- Ownership of strip of land is unknown, strip maintained by the Town Council,
- Any parking in the road/ pavement, especially during building works, would be both inconvenient and potentially dangerous and could cause problems to the emergency services.
- This application was opposed by the residents of Queens Drive and refused by both the Newport Town and the Wrekin Councils. It was then over-ruled by the Planning Inspectorate.
- This present government's planning policy is that private gardens are not considered "brownfield". This application is affected by the change of government policy.
- The proposed houses are monstrous, and not in-keeping and will overshadow adjacent dwellings, and block out light, loss of ancient light,
- The existing hedges will not screen the proposed development,
- Planning criteria should be changed and should not allow high density unsuitable housing,
- Loss of light will impact on the existing Yew and Fig trees,
- Flooding and capacity of drainage system,
- Loss of habitat, potential damage to neighbouring trees,
- Queens Drive was originally designed for 12 dwellings,
- Application should be considered as a new application and determined by Plans Board and not delegated by Officers,
- The application does not comply with the requirements of the Town & Country Planning Act and therefore must be rejected,
- Lack of information in respect of service runs, changes in ground level, including the location of retaining walls, steps and back-filling, location of all site huts, temporary latrines, cranes, plant and other temporary structures, location of site construction access, location of storage areas for materials, spoil and fuel, cement and concrete mixing, and any contractors' car parking, visibility splays,
- The proposal is contrary to policies UD1, UD2, HE13, H9, H10, H12 & EH2.

It should be noted that UD1, HE13, H12 are no longer valid as they are not 'saved' policies from the Wrekin Local Plan and policies H9 & H10 relate to residential development in the rural area and not the urban area.

One neighbour has written to Mark Pritchard MP asking him to intervene in the light of amendments to Government policy.

#### PLANNING CONSIDERATIONS:

Due to the downturn in the economy the permission allowed on appeal has not been implemented and has lapsed hence this application.

This application is exactly that same as previously approved by the Planning Inspector and therefore, the principle of two dwellings on the site has

already been established. The Inspector's decision to grant planning permission is a material consideration when assessing this application.

#### Whether the site would be over-developed.

The proposed development would be seen in the context of detached and semi-detached houses that have reasonably spacious and open settings. The existing house plots tend to be relatively large, and the development often extends close to the boundaries of the plots. However, most houses have single storey attached garages at the side and views above the garages contribute to the feeling of openness.

In contrast to the above, the proposed development site is smaller. In addition, although each house would be off-set from the side boundaries, the development would have an effective height of two stories across the entire site.

Irrespective of the above, the Inspector did not consider that the site would have an over-developed appearance. To the southwest, there would be open space in the form of a rear garden of 4 Station Court. On the other side of the proposed houses, there is a single storey garage and entrance to 1 Queens Drive that will contribute to the openness. Moreover, the house on plot 2 would be off-set from the boundary by approximately 1.8m. Accordingly, the Inspector did not consider that the development would have an unduly cramped appearance or fail to respect the character and appearance of the area. Moreover, the proposed development is sufficiently distant from the adjacent listed building to ensure that they will not be adversely affected by the proposal.

Therefore, the proposal is compliant with Saved Wrekin Local Plan policies UD2 and H6, policies CS1, CS6, CS14 and CS15 of the LDF Core Strategy and national guidance contained within PPS1, PPS and PPS5.

#### Impact on residential amenity

The LPA previously raised concerns regarding over-looking and loss of privacy. In this regard the Inspector acknowledged that there would be views towards the rear garden of 2 Pen-y-bryn Way from bedroom window 3 of the house on plot 2. However, he opined that the substantial Holly hedge along the common boundary would provide effective screening between the two properties and even in the unlikely event that the hedge is removed, alternative screening could be provided. Therefore, there would be no detrimental impact on the neighbour's living conditions and the proposal complies with 'saved' policy UD2 of the WLP.

#### Adequate provision for the drainage of surface water.

Anecdotal evidence provided by neighbours is noted however the Inspector has previously pointed out that issues in respect of drainage could be addressed via appropriate conditions and was satisfied that adequate provision for drainage could be made for the drainage of surface water.

The Council's Drainage Engineer concurs with this approach and supports the proposal subject to conditions and advises that any soakaways should be located no less than 5m from any building or boundary. Therefore, the proposal complies with 'saved' policy UD2 of the WLP.

#### The effect on the safety and free flow of traffic.

Queens Drive is a quiet Cul-de-sac. The Inspector observed that traffic turning into and out of the site would have no significant effect upon the free flow of traffic. In addition, off street parking is provided within the site and thus movement on Queens Drive would not be impeded.

With regard to highway safety, providing a satisfactory visibility splay, at the entrance to the site, can be provided across the landscape strip, the safety of traffic would not be compromised. Adequate views would be available up and down Queens Drive and cars. Therefore, the proposal complies with 'saved' policy UD2 of the WLP.

#### Other matters

The ownership of the landscape strip is unknown and it is understood that the Town Council are considering making a claim on the land with the Land Registry stating that they have maintained it for the past 15 years. Although in August 2006 the Town Council confirmed to the Solicitor acting on behalf of the vendor of no's 4 and 6 Station Road that they had no interest in the land.

Nevertheless, land ownership is not a material planning consideration in determining this application. The Inspector observed that even if ownership was disputed, provided the applicant could secure the necessary visibility at the entrance traffic safety would not be compromised. The prescribed method of advertisement has taken place, including a press notice in the Newport Advertiser and the correct ownership certificate has been signed.

Parking of builders and trades man's vehicles and storage of machinery and building materials can be controlled via a condition requiring a scheme to be submitted prior to commencement of development.

Planning Policy Statement 3 – Housing has recently been revised to prevent 'Garden grabbing'. The policy now excludes residential gardens from the definition of previously developed land. However, whilst this gives less national support than was previously the case, it does not prohibit development of garden land and it is not justification alone for refusing permission for the proposal given the lack of harm discussed above.

The issue of loss of habitat and trees as been raised however, the Council's Ecologist has confirmed that she has no objection to the proposed development and suggests informatics in respect of nesting birds (vegetation), Trenches, Enhancement planting and Bat, bird and invertebrate boxes. Accordingly, the proposal is compliant with national guidance contained within PPG9.

Whilst the comments raised by neighbours are noted, as stated earlier the principle of residential development on the site has already been approved by

the Secretary of State. If Members are minded to refuse this application, their decision would be contrary to the Secretary of State's decision, and could be considered perverse, and as such any subsequent appeal could lead to costs being awarded against the Council.

Accordingly, it is considered that the proposal complies with both local and national policies and a precedent for the development of the site with two dwellings has already been approved. Therefore, it is recommended that the proposal is approved with conditions.

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

1. A04 time limit.
2. B06 samples of materials.
3. B13 details of enclosure.
4. B14 soft landscaping.
5. B23 on-site construction.
6. B24 Mud on road.
7. B33 Foul and Surface water.
8. B35 soakaways.
9. B35a soakaways to be 5m from boundaries and buildings.
10. C10 hedge protection.
11. C19 car parking.
12. C21 Visibility Splay 2.0m x 33m with nothing placed or allowed remain forward of the splay line that exceeds 600mm in height above the adjacent carriageway.
13. C27 foundation design – landfill gas.
14. C38 in accordance with approved plans.
15. DCustom no gates.
16. I25c bird boxes.
17. I25e Trenches.
18. I25g Enhancement planting.
19. I25j invertebrate boxes.
20. I25m nesting birds (vegetation).
21. I32 Fire Authority.
22. I40 conditions.
23. I41 reasons for grant.

**REASON FOR APPROVAL:**

The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the streetscene, residential amenity or the setting of the nearby Listed Buildings. Furthermore, the site is in a highly sustainable location and sufficient private amenity space and off street parking is provided.

TWC/2011/0017 Land at Prince Edward Crescent, Malinslee, Telford, Shropshire, TF3 2JU  
Erection of 12 Bungalows on existing public open space (Amended plans and additional information received)

**APPLICANT**

The Wrekin Housing Trust, Karen Lloyd

**RECEIVED**

17/02/2011

**PARISH**

Great Dawley

**WARD**

Malinslee

COUNCILLOR SAHOTA HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, Loss of Green Space, Impact on character and appearance of area, Highways issues, Impact on proposed and adjoining residential amenities, Impact on Trees

**THE PROPOSAL:**

The application seeks full planning permission for the erection of 12 bungalows on existing public open space on Land at Prince Edward Crescent, Malinslee. The proposal also includes the relocation and improvement of the existing play area to the south of the site.

The proposal is for full planning permission for 12 two-bedroom affordable bungalows specifically for the over 55s, with access on to Prince Edward Crescent, parking provision, private amenity space and landscaping. The accommodation mix comprises 2 mobility bungalows with the remaining bungalows comprising socially rented properties and other affordable types. The residential development would replace the existing area of open space and play area, with a new local equipped area of play (LEAP) relocated to the south of the site. The majority of the tree belt along the north and east boundaries of the site will be retained, with additional tree planting adjacent to the LEAP to the south of the site.

**SITE AND SURROUNDINGS:**

The application site comprises an existing area of public open space, with existing play area and disused ball court linked to the adjoining established residential estate via footpaths. The site is bounded to the north and east by a belt of mature trees, with main estate roads, Royal Way and Brunel Road beyond. Rear garden areas of residential properties in Prince Edward Crescent and Prince Charles Crescent adjoin the site to the south and west. The properties in Prince Edward Crescent are modern in design and a mixture of detached, semi-detached and terraced development, constructed in brown brick, painted brickwork and plain tiles.

The site is approximately 500 metres to the southwest of Telford Town Centre and Town Park and 200 metres to the north of Malinslee Local Centre, which

is subject of redevelopment, including new play provision (neighbourhood equipped area of play, NEAP).

**PLANNING HISTORY:**

W2008/1324 Residential development for maximum of 13 residential bungalows and relocation and improvement of local equipped area of play (Outline application), Outline granted at Plans Board on 25<sup>th</sup> February 2009 subject to conditions.

W2008/0651 Residential development for maximum of 12 residential bungalows and relocation and improvement of local equipped play area (Outline Application), Withdrawn as issues regarding proposed site access needed resolving.

**PLANNING POLICY CONTEXT:**

National Planning Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG17 Planning for open space, sport and recreation

**Saved Wrekin Local Plan Policies**

UD2 Design Criteria  
H6 Windfall Sites in Telford & Newport  
H23 Affordable Housing  
OL11 Woodland and Trees  
LR4 Outdoor Recreational Open Space

**LDF Core Strategy**

CS1 Homes  
CS3 Telford  
CS9 Accessibility and Social Inclusion  
CS10 Community facilities  
CS11 Open Space  
CS12 Natural Environment  
CS15 Urban Design

**Central Telford Area Action Plan (adopted March 2011)**

CT21 Protection of Green Space  
CT22 Provision of New Green Space

**CONSULTATION RESPONSES:**

Great Dawley Parish Council initially raised no objections; however following reconsultation, the Parish Council raised an objection on the grounds that the application was contrary to the Central Telford Area Action Plan (CTAAP) adopted by Telford & Wrekin Council on 3 March 2011.

Highways: no objection subject to conditions regarding road and footway construction, street lighting and drainage details, type and position of any tree-pits and items of street furniture in proposed highway areas, means of

access for construction traffic, including site and route management arrangements via Prince Edward Crescent.

Parks & Open Spaces: No objection subject to condition regarding details of the replacement equipped childrens play area. The replacement play facility should be built prior to the loss of the existing play provision, and any new overlooking properties to the play area are not built prior to the building of the replacement play area. Following installation of the equipped play area, a RoSPA Post Installation Inspection Report and Risk Assessment shall be carried out and provided to TWC Parks & Open Spaces.

Geotechs: no objection subject to condition regarding Shallow mining.

Drainage: no objection subject to conditions regarding Foul and surface water drainage, Soakaway test and Greenfield runoff rates

Arboricultural: Initial objections due to submission of insufficient information; however following submission of an Arboricultural Method Statement and Tree Protection Plan, there are no objections subject to conditions regarding details of landscaping activity at Plot 7, and that the developer notifies the Tree Officer when the protective fencing has been erected so that this can be checked.

Contaminated Land (Environmental Health): no objection subject to a condition regarding Land Contamination.

Ecology: no objection subject to informatives regarding Bats, Nesting birds (vegetation), Replacement planting, Trenches, and Bat, bird and invertebrate boxes.

Sustainability: There are some very positive sustainability aspects of the development, designed in conjunction with the appropriate build specification so that each dwelling will achieve code 4 of the *Code for Sustainable Homes*. Accordingly, this Code 4 rating should be conditioned.

Shropshire Fire Service: no objection subject to informatives regarding Access, Water supplies and Sprinkler systems

11 neighbour letters of objection and a petition containing 26 names have been received. Their comments are summarised below:

- Area listed in CTAAP document to be protected as Green Space
- Proposal is contrary to Telford & Wrekin Council's aims to retain green spaces and play provision
- Poor planning and design – benefiting new residents to the detriment of existing residents
- Access arrangements - road design is dangerous and impractical – access road should be from Royal Way or Brunel Road
- Highway improvements needed on Prince Edward Crescent
- Impact of construction traffic on narrow access road and residential amenity

- Reduction in play area and increase in traffic – health and safety issues to pedestrians especially children
- Loss of open space to detriment of adults and dog walkers
- Insufficient parking provision
- Mineshaft within site – possible reason why undeveloped
- Proximity of play area to rear of property – problems of noise, disturbance and antisocial behaviour – litter, graffiti
- Conflict between accommodation for older residents and children/teenagers using play area
- Play area only for young children – no provision for older children
- Play areas should be in more central location in Malinslee
- Malinslee is too densely populated and such development should be located in another area
- Adverse impact on quality of life
- Overlooking and loss of privacy and light
- Light and noise pollution
- Impact on birds and wildlife
- Southwater development will also cause significant upheaval to local residents

#### PLANNING CONSIDERATIONS:

##### Principle of Development

The principle of residential development on this site has already been approved at Plans Board in 2009 (W2008/1324 outline application comprising 13 dwellings, including access and layout); the proposed access was also approved under this application. The layout of development on site has been slightly revised from the outline scheme; therefore after discussions with the Local Planning Authority, the developers submitted a full planning application rather than an application for the reserved matters. Both the current application and W2008/1324 are considered in conjunction with the Malinslee Local Centre redevelopment (W2007/0359) in providing affordable housing associated with the residential element of the scheme. The site is in a highly accessible location within walking distance of both Malinslee Local Centre and Telford Town Centre. It is therefore considered that residential development of this scale and form, providing affordable housing on this site is acceptable and complies with local planning policies CS3, CS9 and CS10 of the Core Strategy, H6 and H23 of the Wrekin Local Plan and national guidance contained in PPS1 and PPS3.

##### Loss of Green Space

The site did not constitute Green Network in the Wrekin Local Plan; however when green spaces were evaluated for the Central Telford Area Action Plan (CTAAP) document, it was considered that this site should be included. At the time of this assessment, the application for outline planning permission was being considered for the site (Ref: W2008/1324).

The relevant policies relating to Green Space within CTAAP are policies CT21 (Protection of Green Space) and CT22 (Provision of New Green Space). Policy CT21 requires the protection of all green spaces within the designation,

however there is some flexibility built in to it to allow development where it is deemed to be 'unavoidable and appropriate'. In such cases the green space lost to development must be replaced to an equivalent or higher quality and accessibility in accordance with the Provision of New Green Space Policy (CT22). Policy CT22 sets an 'order of preference' for replacement green spaces to be provided, with the first preference being the provision of new green spaces on site within the development proposal.

Whilst the proposal would result in a loss of some open space, this would be mitigated by the improvements to the play area within the site and the new facilities at Malinslee Centre. Furthermore, the proposal would retain the belt of trees to the boundary of the site adjacent to Royal Way and Brunel Road, ensuring a green corridor is retained, with additional landscaping to screen the LEAP from adjoining residential properties. Therefore it is considered that the proposal would meet the requirements of policies CT21 and CT22 of CTAAP, along with the criteria of PPG17, policy CS11 of the Core Strategy and policy LR4 of the Wrekin Local Plan. Thus, on balance the loss of green space is considered acceptable in this instance.

#### Impact on character and appearance of area

Officers consider the proposal will alter the character and appearance of the existing site through the replacement of the area of open space and play area by the residential development and LEAP. However given the context of the site, in a predominantly residential area, with larger areas of open space and play provision in the vicinity at Telford Town Park and the Malinslee Local Centre redevelopment, in addition to the LEAP to the south and the retention of trees to the north and east boundaries of the site, it is considered that the proposal will not have a significant detrimental impact on the character and appearance of the area.

With regard to the existing trees on site and the proposed landscaping, there have been a number of amendments to the plans and additional information submitted in discussion with the Arboricultural Officer. The latest amendment and the information contained in the Arboricultural Method Statement have addressed earlier Arboricultural concerns. Retention of the tree bund and appropriate landscaping will help to preserve the character of the area and is in accordance with Policy OL11 of the Wrekin Local Plan.

With regard to the design and appearance of the development, the contemporary design and materials of the properties is in keeping with the redevelopment scheme at Malinslee Centre. The use of brick and render also relates to the adjoining development in Prince Edward Crescent. Accordingly the development would accord with urban design policies UD2 and CS15.

#### Highways issues

The vehicular access to the site between No.'s 22 and 23 Prince Edward Crescent was agreed at outline planning. It is acknowledged that Prince Edward Crescent is a narrow road; however the Highways Engineer has assessed that the additional traffic associated with this development can be accommodated without detriment to highway safety. The site includes a

shared surface/ traffic calming measures dictating lower speeds and ensuring safety of pedestrians, and children using the LEAP. Pedestrian links from Prince Edward Crescent will run through the west of the site, between No.'s 10 and 11 Prince Edward Crescent to the north, and 4 and 5 Prince Charles Crescent to the south linking the site to the wider area and ensuring access to the LEAP. Parking provision of one allocated space for each new dwelling and 9 visitor parking spaces is considered sufficient given the proximity to the Local Centre and Town Centre and public transport links.

#### Impact on residential amenities

The development is for 12 bungalows within the site, and the layout and orientation of the properties has been designed to ensure that the development does not have an adverse impact on existing and proposed residential amenities. As the buildings are single storey, there will not be a problem of overlooking, loss of privacy or light to existing properties whose gardens adjoin the site. However the area will benefit from dual aspect properties, providing natural surveillance. The proposed gardens are relatively modest in size; however they are considered comparable with the surrounding area and are acceptable.

There will be a 20 metre separation distance between the LEAP and existing properties in Prince Edward Crescent and Prince Charles Crescent which is considered sufficient to ensure the LEAP does not cause an unacceptable level of noise and disturbance to residents. Whilst it is impossible to ensure the behaviour of all users of the LEAP, the proposed development will provide a level of natural surveillance which will help to reduce potential antisocial behaviour in the area. As the play area is for younger children, it is considered less likely that there will be problems for the new older residents. Furthermore, additional planting is proposed between the existing properties and the LEAP to maintain residential amenity.

It is suggested that appropriate conditions are imposed with regard to on-site construction (details of parking, siting of materials etc.) and hours of construction work, to protect residential amenity.

#### Other issues

With regard to other matters raised by local residents, whilst officers note their concerns that the proposal will benefit new residents only and be to the detriment of existing residents, it is asserted that the proposal is being developed in conjunction with the Malinslee redevelopment scheme providing affordable housing and upgraded play provision, and is therefore benefiting the wider community. The Applicant is not required to provide contributions to improve access arrangements and the existing road layout of Prince Edward Crescent, as per the previous approval. The site is affected by former mining activity, and an appropriate condition regarding shallow mining shall be imposed; however evidence of mining does not prevent development. The Local Planning Authority is satisfied there are no known mine entries within the site. The LEAP is intended for younger children; however there will be provision for older children at Malinslee Local Centre where there will be a multi use games area and skate park, and the nearby Telford Town Park.

Due to the type of development for over 55's, it is considered appropriate to limit play provision design for the under 7's in line with the previous approval. Malinslee is relatively densely populated; however the scale of development is considered appropriate to the context of the area and will not lead to a complete loss of the existing open space, with the tree bund, LEAP and landscaping as well as the residential development within the site. The retention of the trees and additional landscaping will ensure the impact on birds and wildlife is minimised. This application is unconnected to the Southwater development. Given the proximity of Malinslee to Southwater, it is noted that there could be some inconvenience; however with both the Southwater project and this application, imposition of appropriate conditions will minimise the impact on local residents.

With regard to Parks & Open Spaces' comments, due to health and safety reasons, it is considered that the LEAP should be constructed prior to first occupation of the bungalows rather than during the construction phase of the dwellings. Accordingly this is suggested as a condition.

### Conclusion

The principle of residential development, the access arrangements and the relocation of the play facilities have already been agreed in principle by the previous granting of outline planning permission W2008/1324. The site is in a sustainable location, close to Malinslee Local Centre and Telford Town Centre. The development will provide affordable housing and a LEAP in conjunction with the wider Malinslee redevelopment. The layout of the site and the scale and design of the affordable bungalows with associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining properties. The proposed replacement play provision and retention of the tree bund meets the requirements of the green space policies CTAAP, thus the loss of the open space is acceptable.

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

1. A03 Time limit
2. B06 Samples of materials
3. B07 Sample panel
4. B11 Details of doors and windows
5. B23 On-site construction
6. B24 Mud on road
7. B26 Shallow mining
8. B30 Land contamination
9. B33 Foul and surface water
10. B35 Soakaway test
11. Bcustom Greenfield runoff rates
12. Bcustom Submission of highways details of construction, layout, services etc.
13. Bcustom Submission of further landscaping details at plot 7

- |     |         |   |
|-----|---------|---|
| 14. | Bcustom | Submission of details of LEAP and build standard including    |
| 15. | C38     | phasing   |
| 16. | Ccustom | Development in accordance with plans                          |
|     |         | LEAP to be completed prior to first occupation of dwellings   |
| 17. | Ccustom | and removal of existing facility                              |
|     |         | Dwellings to be built to Code 4 rating of the <i>Code for</i> |
| 18. | Ccustom | <i>Sustainable Homes</i>                                      |
|     |         | Development in accordance with Arboricultural Method          |
| 19. | Ccustom | Statement and Tree Protection Plan                            |
|     |         | Protective fencing during construction, in consultation with  |
| 20. | D01     | Arboricultural Officer  |
| 21. | D11     | Removal of permitted development rights                       |
|     |         | Hours of construction work                                    |

**REASON FOR APPROVAL:**

The principle of residential development, the access arrangements and the relocation of the play facilities have already been agreed in principle by the previous granting of outline planning permission W2008/1324. The site is in a sustainable location, close to Malinslee Local Centre and Telford Town Centre. The development will provide affordable housing and a LEAP in conjunction with the wider Malinslee redevelopment. The layout of the site and the scale and design of the affordable bungalows with associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining properties. The proposed replacement play provision and retention of the tree bund meets the requirements of the green space policies CTAAP, thus the loss of the open space is acceptable.

TWC/2011/0140 Hartshill Park Tennis Courts, Oakengates, Shropshire,  
Installation of 6no. 8m high column floodlights around existing 2no. tennis  
courts.

**APPLICANT**

Telford & Wrekin Council, Dave Drew

**RECEIVED**

04/03/2011

**PARISH**

Oakengates

**WARD**

Ketley and Oakengates

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Light spillage and glare, noise and disturbance.

**PROPOSAL:**

This Council application relates to the erection of 6no. 8m high floodlights at the Hartshill Park tennis courts, Oakengates to illuminate 2 existing tarmac surface tennis courts.

**SITE AND SURROUNDINGS:**

The tennis courts are located to the Eastern boundary of Hartshill Park in Oakengates. The site area measures just over 1000 hectares and includes two tennis courts, a bowling green, park and bandstand. Access to the tennis courts is off Hadley Road, to the East of the site. The courts are enclosed by 3m high mesh security fencing.

Two residential properties located on Hartshill road overlook the tennis courts. These properties are however at a distance of 40m away and are slightly elevated. Residential properties are also located on Hadley Road at a distance of 50m however they do not directly overlook the tennis courts.

**PLANNING POLICY CONTEXT:**

National Planning Guidance  
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria

LDF Core Strategy

Policy CS7 – Rural Area

Policy CS10 – Community facilities

**CONSULTATION RESPONSES:**

A site notice and 6 direct neighbour letters have publicised this application. No comments have been received.

The Parish Council supports the application but has the following comments to make: “The planning consent to make very clear that the lights should be so adjusted to prevent the lights from shining onto both the roads and also adjacent houses. Consideration should also be given to the possibility of the

lights being done in conjunction with the bowling club as they for little or no additional expense could also benefit from this investment.”

The Council's Geotechnics officer supports the application subject to the following Informatives – I17 Minerals Area and I20 Contaminated Land.

The Council's Highways Engineer supports the scheme.

#### PLANNING CONSIDERATIONS:

The Council is building an indoor tennis centre at Oakengates Leisure Centre and have recently contracted a professional tennis coaching team, First Point Tennis Coaching. First Point will provide a community coaching and competition programme for all ages and abilities based at the new tennis centre as well as from the Hartshill and Bowring Park sites and schools across the borough. This is fully supported by the Lawn Tennis Association and Tennis Shropshire who are working closely with the Council to deliver this vision. This vision for the development of community tennis in Telford & Wrekin is part of the Council's commitment to getting people to 'do more, enjoy more, feel better' through their Active Lifestyles priority plan.

For Hartshill Park the objectives are to improve the quality of the existing leisure provision and increase the physical and social accessibility of the provision. The proposed floodlights around the existing tennis courts in the park are an essential part of this and will enable a year-round community tennis programme which is delivered in easily accessible community sites across the borough.

Policy CS10 of the LDF Core Strategy states that the Council will support the provision of improvements to existing community facilities within the Borough. The Core Strategy supports the spread of facilities around the Borough, not only as an essential component of sustainable development, but also to promote social inclusion. Delivering sustainable and accessible sporting and recreational services is therefore seen as a key objective for the Borough.

The six floodlight columns would be located at the four corners of the tennis courts and at the mid point of the courts. The enhancement works will include dark sky lighting scheme. The light system is designed to IEE E1 standard, a standard deemed acceptable for areas of leisure parks etc. and prevents horizontal light spillage and contains vertical spillage to within 2 metres of the boundaries. The lights will be fitted with effective shields that will concentrate the light onto the playing surfaces at all times, and this will be conditioned accordingly.

#### Light Control

- The flood light operation is by a token. For the public this will entail the booking of the court and obtaining the flood light token from either Wellington Leisure, for Bowring, or The Place Theatre, for Hartshill. A tennis programme will be established outlining when the courts are available for public use and potential flood light use.

- Flood lights will not be used after 10.00pm
- Public use of the lighting will only be used between 1st September to 30th April, outside these dates there will be no public use of the floodlights.
- However, the Tennis Coaching Team ‘First Point Tennis Coaching’ based at the new Telford Tennis Centre at OLC has the ability to override this if so desired because of poor natural light conditions.
- ‘Telford Community Tennis Club’, a nomadic club that plays at various sites around the Borough including Bowring & Hartshill also has the ability to override this for club nights and matches if so desired because of poor natural light conditions.

The application site is well serviced by public transport with frequent bus services operating from Oakengates Centre. There are bus stops within walking distance. There is a vehicular access off Hadley Road where there is parking for several vehicles and two disabled parking bays. Oakengates railway station is within walking distance from the park.

In conclusion, it is considered that the installation of the floodlights will increase the usage of the tennis courts and provide an equitable programme that enables everyone within the community to access quality sport and recreation opportunities which accords with the Council’s objectives and priorities for active lifestyles. The floodlights have been designed to limit light spillage and glare. The park is well used at present and even if the courts were to be used most evenings of the week, it is considered that there will be no appreciable increase in the amount of any noise and disturbance that is experienced by local residents as a result of installing the floodlights.

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

1. A04 – Time limit – Full with no reserved matters
2. C38 – Development in accordance with plans
3. Lights to be concentrated on the playing surfaces at all times
4. Floodlights to be switched off between 10.00pm and 8.00am each day

**REASON FOR APPROVAL:**

The installation of the floodlights will increase the usage of the tennis courts and provide an enhanced community facility for the people of Oakengates and the surrounding area which accords with the Council’s objectives and priorities for active lifestyles. The net community benefits that this provision will bring will outweigh any adverse effects that may occasionally be experienced by neighbours of the site.

TWC/2011/0158 Gower Street, St Georges, Telford, Shropshire TF2 9DB  
Application for Prior Notification under Part 24 of GPDO for erection of 15m high telecommunications monopole with 6 antennas (total height 15.5m high) and equipment cabinet.

**APPLICANT**

Telefonica o2 (uk) Ltd,

**RECEIVED**

22/02/2011

**PARISH**

St. Georges and Priorslee

**WARD**

St. Georges

THE WARD MEMBER, COUNCILLOR RICHARD OVERTON, HAS REQUESTED THAT THIS DETERMINATION SHOULD BE CONSIDERED BY THE COUNCIL'S PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: The siting and appearance of the telecommunications installation and its visual impact on the surrounding area.

**THE PROPOSAL:**

This is an application for a determination as to whether prior approval will be required in relation to the siting and appearance of a new 15 metre high slim line telecommunications monopole, with a new equipment cabinet at its base.

This is a site sharing facility for Vodaphone and O2. There would be three Vodaphone antennae within the monopole, between 12.2 and 13.5 metres above ground level, and three O2 antennae, between 14.05 and 15.35 metres above ground level. All the antennae are contained within a smooth circular sheath.

There would also be a ground equipment cabinet at the base of the pole. The monopole would both be coloured grey and the equipment cabinet would be green.

The applicants have stated that the proposal is required in order to provide 3G coverage for this part of St Georges.

**SITE AND SURROUNDINGS:**

The application site lies within an area of public open space opposite the former Youth Centre in Gower Street St Georges and in front of a row of semi-detached dwellings.

**PLANNING POLICY CONTEXT:**

Wrekin Local Plan Policy T21: Telecommunications.

This policy emphasises the requirement to balance the need for telecommunication systems with the need to minimise the proposal's visual impact on the surrounding area. Evidence should be provided to show that every effort has been made to erect the apparatus on existing buildings, masts, and other structures, and to share apparatus with other operators.

In May 2009 the Council adopted a Supplementary Planning Document titled 'Telecommunications Development' which provides guidelines relating to the Council's planning approach towards telecommunications development in the Borough. The key points of this document are as follows:

- The Council should not question the need for the telecommunications system which the proposed development is to support.
- Operators are expected to undertake pre-submission discussions with the Council, Parish Councils, and other residential groups to discuss service objectives, technical constraints, and environmental implications. Discussions should also be held with schools and nurseries if they are within 200 metres of the proposed development.
- Mast sharing is encouraged and full consideration should be given to using existing buildings and structures.
- Telecommunications development should take into account the height of the site in relation to surrounding land, the existence of topographical features and vegetation, and the effect on the skyline or horizon.
- Monopoles and their associated ground equipment should be painted in an appropriate colour to mitigate the visual impact of the installation.
- All applications must include an ICNIRP Declaration that the electromagnetic emissions from a mast or monopole will be in compliance with the ICNIRP guidelines for public exposure.
- 'Slimline' monopoles may be acceptable in residential areas, provided they are not unduly prominent in the street scene and are in keeping with the scale and appearance of the existing street furniture. The installation should not add significantly to the existing street 'clutter'.
- Operators will be expected to examine alternatives to establishing new masts, including the use of existing buildings.
- The proximity of telecommunications installations to residential property is not a material planning consideration unless it would have a significant impact, due to its siting and appearance, on visual amenity.

#### Planning Policy Guidance Note 8: Telecommunications (PPG8)

This sets out the Government's policy for the planning of telecommunications development. PPG8 encourages local planning authorities to respond positively to telecommunications proposals while protecting the environment from visual intrusion.

#### ODPM: Code of Best Practice on Mobile Phone Network Development.

The Code provides practical advice on the siting and design of telecommunications development in order to minimise the environmental impact of installations.

#### CONSULTATION RESPONSES:

The Ward Member, Richard Overton, objects to the proposal on the following grounds:

- This would be an eyesore in a residential area
- There are health concerns for local people
- Mast should not be placed in the centre of residential areas

The Parish Council objects to the application on the grounds that the mast would be a visual intrusion to the residents who overlook the site, and would be a visual distraction, thus creating a traffic hazard to motorists.

To date 17 e-mails have been received objecting to the proposal, the grounds of objection summarised as being:

- Health implications for young children playing on the grass
- Effects on health due to harmful emissions
- Too close to houses
- It will be an eyesore
- The mast will be highly intrusive and out of character with the existing street scene
- Wholly inappropriate in a residential area
- Existing signal strength for Vodaphone and O2 is not a problem in this area
- There are enough masts in the area already
- Too close to a heavily used main road
- Would de-value property prices
- Would encourage vandalism and anti-social behaviour
- 3G is already outdated and will soon be superseded
- Would have a devastating effect on wildlife because of the electromagnetic emissions

#### ADDITIONAL INFORMATION SUBMITTED BY THE APPLICANTS:

The applicants have submitted some additional information in support of their application:

- The apple i-phone and the widespread use of 'dongles', which provide a mobile broadband service for laptops, mean that more 3G stations are required. In addition, people are increasingly using mobile operators to provide their only home phone line and broadband connection. This increases the demand for base stations in residential areas.
- The 3G cells for 3G masts are approximately 1000 metres across. Additional masts will be required to cover adjoining areas.
- The proposed monopole would stand at a height taller than the existing street lighting columns in order for the pole to accommodate the required antennae, plus amplifiers, which enable the installation to provide the required coverage to the target area. Without these amplifiers the installation would not provide the required level of coverage, and could result in the need for an additional installation in the surrounding area.
- In order to minimise interference within its own network and with other radio networks, O2 and Vodaphone operate their networks in such a way that the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision.

- There are no existing telecommunications operator sites in the area which are suitable for sharing.
- The majority of the search area for this cell is predominantly medium density residential development. Other sites were investigated but were dismissed for various reasons:-
  - (a) the pavements were too narrow to accommodate any apparatus,
  - (b) too close to adjoining base stations operated by O2 and/or Vodaphone,
  - (c) too close to a children's play area,
  - (d) outside of the required coverage area,
  - (e) conflicted with land owner's future plans for the land,
  - (f) roof top locations would not provide the required height,
  - (g) adverse environmental impact on the surrounding area.
- The chosen location will have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area.
- The mast is a slimline monopole that has been utilised across the whole country. A replica telegraph pole could be used but it would have had to be taller than a monopole because the antennae are stacked within the body of the pole, and thus are slimmer but longer.

#### PLANNING CONSIDERATIONS:

This is a telecommunications determination application and therefore the decision whether to give or refuse prior approval must be based on the siting and appearance of the installation.

The proposed monopole and its associated ground equipment cabinet would be situated within the area of public open space opposite the former Youth Centre. There are a number of 10 metre high street lighting columns along Gower Street, and the nearest residential property is approximately 30 metres from the proposal site.

The applicants have explored existing telecommunications installations, buildings, and other structures within the required coverage area, but all have been discounted for various reasons. The chosen site has been identified as the most suitable option that balances technical and operational requirements with local planning policies and national planning policy guidance, and also meets the need to minimise visual impact. The applicants state that careful consideration has been placed into finding a site that pulls the facility as far as possible away from any housing.

Although the monopole would differ in appearance from the existing angled street lighting columns, it would be in effect an additional item of street furniture and as such it would not be an alien feature to the street scene nor significantly visually intrusive. Its location within the grassed open space will not form an incongruous or unduly prominent feature on the skyline or on the

street scene. There is no fenced compound proposed, and it is normal to find various types of electrical equipment cabinets and relay boxes alongside urban roads. Therefore the overall impact of the installation on the street scene is considered to be acceptable.

There is much public concern concerning the possible adverse health impacts of telecommunication development. However consideration of this application should follow the advice given in PPG8. Paragraph 98 states: *“..it is the Government’s firm view that the planning system is not the place for determining health safeguards. It remains central Government’s responsibility to decide what measures are necessary to protect public health. In the Government’s view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.”*

The requisite ICNIRP certificate has been submitted with this application which confirms that the site and the proposed emissions would comply with the appropriate guidelines. Recent High Court and Court of Appeal decisions in relation to planning appeals for telecommunications equipment have established that when evidence is submitted to confirm that an installation falls within the ICNIRP guidelines, that a perception of fear or concerns about health issues do not provide justification for a Council to refuse an application.

Therefore, the proposed monopole is considered an acceptable installation in this urban residential area, where the appearance of a slimline monopole would not detract from the character of the area. The siting and design of the proposed development will ensure that there is no adverse impact on the character and appearance of the locality and the general street scene, and the mast sharing will help reduce the need for more masts in the area. Furthermore, proximity to dwellings is not a planning issue provided that the application includes an ICNIRP Declaration regarding emissions, which this application does, and that the installation satisfies normal planning considerations regarding the siting and appearance of development.

#### DETERMINATION:

The proposed 15 metre high slim line telecommunications monopole does not require a full planning application, and therefore **prior approval is given** for the siting and appearance of the telecommunications installation and its permitted development rights are hereby confirmed.

TWC/2011/0160 Hortonwood 30, Hortonwood, Telford, Shropshire TF1 7GT  
Application for Prior Notification under part 24 of the GPDO for erection of  
15m high telecommunications monopole with 6 antennae and equipment  
cabinet.

**APPLICANT**

Telefonica o2 (uk) Ltd

**RECEIVED**

22/02/2011

**PARISH**

Hadley and Leegomery, Lilleshall,  
Donnington and Muxton

**WARD**

Donnington, Hadley and Leegomery

OBJECTIONS RECEIVED: No.

MAIN ISSUES: The siting and appearance of the telecommunications  
installation, and its visual impact on the surrounding area.

**THE PROPOSAL:**

This is an application for a determination as to whether prior approval will be  
required in relation to the siting and appearance of a new 15 metre high slim  
line telecommunications monopole, with a new equipment cabinet at its base.

This is a site sharing facility for Vodaphone and O2. There would be three  
Vodaphone antennae and three O2 antennae within the monopole and they  
would all be contained within a smooth circular sheath.

There would also be a ground equipment cabinet at the base of the pole. The  
monopole would both be coloured grey and the equipment cabinet would be  
green.

The applicants have stated that the proposal is required in order to provide 3G  
coverage for this part of Hortonwood.

**SITE AND SURROUNDINGS:**

The application site lies within the highway verge on the northern side of  
Hortonwood 30, approximately 100 metres east from its junction with  
Hortonwood 37 and 50, in the middle of the Hortonwood Industrial Estate.

**PLANNING POLICY CONTEXT:**

Wrekin Local Plan Policy T21: Telecommunications.

This policy emphasises the requirement to balance the need for  
telecommunication systems with the need to minimise the proposal's visual  
impact on the surrounding area. Evidence should be provided to show that  
every effort has been made to erect the apparatus on existing buildings,  
masts, and other structures, and to share apparatus with other operators.

In May 2009 the Council adopted a Supplementary Planning Document titled  
'Telecommunications Development' which provides guidelines relating to the  
Council's planning approach towards telecommunications development in the  
Borough. The key points of this document are as follows:

- The Council should not question the need for the telecommunications system which the proposed development is to support.
- Operators are expected to undertake pre-submission discussions with the Council, Parish Councils, and other residential groups to discuss service objectives, technical constraints, and environmental implications. Discussions should also be held with schools and nurseries if they are within 200 metres of the proposed development.
- Mast sharing is encouraged and full consideration should be given to using existing buildings and structures.
- Telecommunications development should take into account the height of the site in relation to surrounding land, the existence of topographical features and vegetation, and the effect on the skyline or horizon.
- Monopoles and their associated ground equipment should be painted in an appropriate colour to mitigate the visual impact of the installation.
- All applications must include an ICNIRP Declaration that the electromagnetic emissions from a mast or monopole will be in compliance with the ICNIRP guidelines for public exposure.
- ‘Slimline’ monopoles may be acceptable in residential areas, provided they are not unduly prominent in the street scene and are in keeping with the scale and appearance of the existing street furniture. The installation should not add significantly to the existing street ‘clutter’.
- Operators will be expected to examine alternatives to establishing new masts, including the use of existing buildings.
- The proximity of telecommunications installations to residential property is not a material planning consideration unless it would have a significant impact, due to its siting and appearance, on visual amenity.

#### Planning Policy Guidance Note 8: Telecommunications (PPG8)

This sets out the Government’s policy for the planning of telecommunications development. PPG8 encourages local planning authorities to respond positively to telecommunications proposals while protecting the environment from visual intrusion.

#### ODPM: Code of Best Practice on Mobile Phone Network Development.

The Code provides practical advice on the siting and design of telecommunications development in order to minimise the environmental impact of installations.

#### CONSULTATION RESPONSES:

To date, no objections have been received.

#### ADDITIONAL INFORMATION SUBMITTED BY THE APPLICANTS:

The applicants have submitted some additional information in support of their application:

- The apple i-phone and the widespread use of ‘dongles’, which provide a mobile broadband service for laptops, mean that more 3G stations are required. In addition, people are increasingly using mobile operators to provide their only home phone line and broadband

connection. This increases the demand for base stations in residential areas.

- The 3G cells for 3G masts are approximately 1000 metres across. Additional masts will be required to cover adjoining areas.
- The proposed monopole would stand at a height taller than the existing street lighting columns in order for the pole to accommodate the required antennae, plus amplifiers, which enable the installation to provide the required coverage to the target area. Without these amplifiers the installation would not provide the required level of coverage, and could result in the need for an additional installation in the surrounding area.
- In order to minimise interference within its own network and with other radio networks, O2 and Vodafone operate their networks in such a way that the radio frequency power outputs are kept to the lowest levels commensurate with effective service provision.
- There are no existing telecommunications operator sites in the area which are suitable for sharing.
- The majority of the search area for this cell is predominantly medium density light industrial development. Other sites were investigated but were dismissed for various reasons:- (a) closer to residential areas, (b) outside of the required coverage area, and (c) adverse environmental impact on the surrounding area.
- The chosen location will have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area.
- The mast is a slimline monopole that has been utilised across the whole country. A replica telegraph pole could be used but it would have had to be taller than a monopole because the antennae are stacked within the body of the pole, and thus are slimmer but longer.

#### PLANNING CONSIDERATIONS:

This is a telecommunications determination application and therefore the decision whether to give or refuse prior approval must be based on the siting and appearance of the installation.

The proposed monopole and its associated ground equipment cabinet would be situated within the highway verge on the northern side of Hortonwood 30. There are a number of 10 metre high street lighting columns along the road, and the nearest residential property is over 500 metres from the proposal site.

The applicants have explored existing telecommunications installations, buildings, and other structures within the required coverage area, but all have been discounted for various reasons. The chosen site has been identified as the most suitable option that balances technical and operational requirements with local planning policies and national planning policy guidance, and also meets the need to minimise visual impact.

Although the monopole would differ in appearance from the existing angled street lighting columns, it would be in effect an additional item of street furniture and as such it would not be an alien feature to the street scene nor

significantly visually intrusive. Its location within the grassed highway verge will not form an incongruous or unduly prominent feature on the skyline or on the street scene, and the mast will be seen against the background of large industrial buildings. There is no fenced compound proposed, and it is normal to find various types of electrical equipment cabinets and relay boxes alongside urban roads. Therefore the overall impact of the installation on the street scene is considered to be acceptable.

There is much public concern concerning the possible adverse health impacts of telecommunication development. However consideration of this application should follow the advice given in PPG8. Paragraph 98 states: *“..it is the Government’s firm view that the planning system is not the place for determining health safeguards. It remains central Government’s responsibility to decide what measures are necessary to protect public health. In the Government’s view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.”*

The requisite ICNIRP certificate has been submitted with this application which confirms that the site and the proposed emissions would comply with the appropriate guidelines. Recent High Court and Court of Appeal decisions in relation to planning appeals for telecommunications equipment have established that when evidence is submitted to confirm that an installation falls within the ICNIRP guidelines, that a perception of fear or concerns about health issues do not provide justification for a Council to refuse an application.

Therefore, the proposed monopole is considered an acceptable installation in this urban residential area, where the appearance of a slimline monopole would not detract from the character of the area. The siting and design of the proposed development will ensure that there is no adverse impact on the character and appearance of the general street scene, which is within an existing industrial estate, and the mast sharing will help reduce the need for more masts in the area. Furthermore, proximity to dwellings is not a planning issue provided that the application includes an ICNIRP Declaration regarding emissions, which this application does, and that the installation satisfies normal planning considerations regarding the siting and appearance of development.

#### DETERMINATION:

The proposed 15 metre high slim line telecommunications monopole does not require a full planning application, and therefore **prior approval is given** for the siting and appearance of the telecommunications installation and its permitted development rights are hereby confirmed.