

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 13th April, 2011 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors N.A. Dugmore (Chairman), R.T. Kiernan, D.R. Chaplin, J.A. Francis, G.M. Green, F.R. Picken, H. Rhodes, and M.J. Smith

ALSO PRESENT: Councillors K.S. Sahota (for planning applications TWC/2010/0637 and TWC/2011/0017) and R. Overton (for planning application TWC/2011/0158)

PB-105 DATE OF NEXT MEETING

The Chairman advised the Board that the next meeting of the Plans Board, scheduled for Wednesday, 27th April 2011, would be cancelled due to the Borough Council Election timetable and the dates of the Easter holiday.

PB-106 MINUTES

RESOLVED – that the minutes of the meetings of the Plans Board held on Wednesday, 30th March, 2011 be confirmed and signed by the Chairman.

PB-107 APOLOGIES FOR ABSENCE

None.

PB-108 DECLARATIONS OF INTEREST

None.

PB-109 DEFERRED/WITHDRAWN APPLICATIONS

RESOLVED – that planning applications TWC/2010/0688, TWC/2010/0715 and TWC/2010/0820 be deferred until the meeting of the Board on the 1st June, 2011 to allow Members to make a Site Visit and that planning application TWC/2011/0108 be withdrawn for consideration at a later date.

PB-110 SITE VISITS

RESOLVED - that Site Visits be made in respect of planning applications TWC/2010/0688, TWC/2010/0715 and TWC/2010/0820 commencing at 3.00 p.m.

PB-111 PLANNING APPLICATION FOR DETERMINATION

- (a) TWC/2010/0637 – Land adjacent 34 Rhodes Avenue, Dawley, Telford, Shropshire

This application sought full planning permission for the erection of a small detached 2 bedroom dwelling with a kitchen/diner and a lounge area on the side garden land of an established red brick, end-terrace property. Councillor K. Singh Sahota had requested that the application be determined by the Plans Board and its determination had been deferred until this meeting to enable Members to make a Site Visit.

Great Dawley Parish Council had no objections to the proposal but 2 neighbour letters and a petition with 11 names had been submitted, raising a number of objections including the safety of children walking to and from school during construction, the inconvenience to residents when accessing properties, parking and manoeuvring vehicles, and the removal of a silver birch tree from the site. The Council's Highways Engineer and the Drainage Engineer had no objections subject to appropriate conditions, as set out in the report.

The site had no land allocation within the Wrekin Local Plan and could, therefore, be considered for development. No.34 had only a side garden with the rear garden area serving No. 33 Rhodes Avenue. It was proposed to sub-divide the side garden area to create the new plot, with a garden located on the triangular piece of land to the front and side, bin storage to the rear, and a reduced garden area to No.34.

Following discussions with officers, the plans had been amended to ensure that sufficient amenity space was provided for both the existing and proposed dwellings and to minimise problems of overlooking/loss of privacy of adjoining properties in Rhodes Avenue. The proposed dwelling had been repositioned to provide usable amenity space to the side of the property and the rear bedroom window relocated to the side elevation. As a result, there were now no habitable room windows at first floor on the rear elevation and, therefore, there would be no detrimental impact on adjoining residential amenities. A condition could be imposed to ensure that no additional windows were added to the development. Whilst the new property would be of a different form and design to the terraced row, the materials, roof eaves, ridge height and window proportions would match the prevailing character and appearance.

One parking space would be provided at the front of the site with a space for No.34, which was considered to be adequate for both properties. Following the concerns raised by neighbours, a condition could be imposed to ensure details were provided of the parking of construction traffic and the storage of materials in order to minimise inconvenience to adjoining residential properties and protect highway users on the pedestrian access to the side of the site. The silver birch tree, which had been removed for safety reasons, could be addressed by a suitable replacement landscaping scheme controlled by condition.

Councillor K.S. Sahota, Ward Member, spoke against the application on behalf of local residents and stressed their concerns as set out in the letters of objection. Ms. Kayleigh Willetts, a local resident, spoke against the application and reiterated the concerns expressed by Councillor Sahota.

Tony Appleby, the applicant's agent, spoke in favour of the application. He said that understood the concerns of residents, which he had sought to address when

preparing the application. With regard to any potential problems from construction and delivery vehicles, these would be controlled by good site management. He would be relocating to Telford and would be available to resolve any issues raised by the residents during the construction process. In conclusion, he emphasised that the Council's Highways Engineer had raised no objections to the proposal.

Members voiced a number of concerns about the application in particular the loss of amenity space, access issues, and the closeness of the proposed dwelling to the boundary. There being no proposer for the recommendation to approve the application, it was proposed and seconded that the application be refused.

RESOLVED – that planning application TWC/2011/0637 be refused as it was considered to be overdevelopment of an unacceptable site which would result in an insufficient area of amenity space for the proposed dwelling.

(b) TWC/2010/0820 – Land off Queens Drive, Newport, Shropshire

This was an application for the erection of a pair of 4 bedroomed semi-detached dwellings with integral garages on a vacant 0.16 acre site situated between the rear gardens of nos. 4 and 6 Station Road and 1 Queens Drive. Queens Drive was a cul-de-sac in a predominantly residential area comprising various styles and ages of 2 and single storey dwellings. It lay outside the Newport Conservation Area but was within the built up area of Newport. The site had previously formed the rear gardens of nos. 4 and 6 Station Road, a pair of Grade II white painted stuccoed 2 storey Victorian dwellings. There was a landscape strip approximately 2m wide between the application site and the public highway.

Newport Town Council supported the application subject to conditions and the Council's Highways Engineer had no objections subject to conditions in respect of driveway surfacing, visibility splay and gates.

Planning Application W2007/0152 for the erection of a pair of semi-detached dwellings was refused in March 2007 but had been allowed on appeal by the Planning Inspector. Due to the downturn in the economy this permission had not been implemented and had lapsed leading to the submission of the current and identical application. However, the principle of 2 dwellings on the site, as established by the Inspector's decision, was a material consideration when assessing this application.

The occupiers of 10 neighbouring properties had made representations in respect of the application, as outlined in the report, and to which the officer's report had responded, as follows.

With regard to the size of the proposed development, in allowing the appeal the Planning Inspector had taken the view that the proposed development should be seen in the context of detached and semi-detached houses that had reasonably spacious and open settings. In contrast, the proposed development site was smaller and, although each house would be off-set from the side boundaries, the development would have an effective height of 2 stories across the entire site. Despite this, the Inspector did not consider that the site would have an over-

developed appearance. To the south-west there would be open space in the form of the rear garden of 4 Station Court and a single storey garage and entrance to 1 Queens Drive opposite, which would 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. In addition, the proposed development was sufficiently distant from the adjacent Listed Buildings to ensure that they would not be adversely affected.

Concerns had been raised by neighbours regarding overlooking and loss of privacy. However, while the Inspector had 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, he had been of the opinion that the substantial holly hedge along the common boundary would provide effective screening between the two properties and, in the unlikely event that it was removed, alternative screening could be provided. Therefore, there would be no detrimental impact on the neighbours' living conditions and the proposal complied with 'saved' policy UD2 of the Wrekin Local Plan (WLP).

With regard to the provision of adequate drainage of surface water, anecdotal evidence provided by neighbours was noted but the Inspector had previously pointed out that such issues could be addressed via appropriate conditions and was satisfied that adequate provision could be made. The Council's Drainage Engineer had agreed with this approach and had no objections to the proposal subject to conditions. Therefore, the proposal complied with 'saved' policy UD2 of the WLP.

Neighbours had raised concerns regarding the impact of additional traffic but Queens Drive was a quiet cul-de-sac and the Inspector had 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 was provided on the site and, thus, movement on Queens Drive would not be impeded. With regard to highway safety, providing a satisfactory visibility splay could be provided at the entrance to the site across the landscape strip, the safety of traffic would not be compromised and adequate views would be available up and down Queens Drive. Therefore, the proposal complied with 'saved' policy UD2 of the WLP.

The ownership of the landscape strip was currently not known, as raised by objectors to the application, but Members were advised that this issue was not a material planning consideration. In addition, the Inspector had observed that, even if ownership was disputed, traffic safety would not be compromised provided that the applicant could secure the necessary visibility at the entrance.

In response to the concerns expressed by neighbouring properties, Members were informed that the parking of construction vehicles and the storage of machinery and building materials could be controlled by a condition requiring a scheme to be submitted prior to commencement of the development.

Objections had also been submitted that the application was an instance of 'garden grabbing'. Whilst Planning Policy Statement 3 – Housing had recently been revised to prevent this, by excluding residential gardens from the definition of previously developed land, this gave less national support than previously and did not prohibit

development of garden land. Therefore, it was not justification alone for refusing planning permission.

The Planning Officer advised Members that, if they were minded to refuse the application, their decision would be contrary to the Secretary of State's decision and could be considered perverse and a subsequent appeal could lead to costs being awarded against the Council.

The update report tabled at the meeting informed the Board that an additional representation, including historical maps of the area, had been received from the occupier of no. 9 Queens Drive. The issues raised, which related to the strip of land between the application site and the public highway, were summarised in the report. In response, the Planning Officer stated that, regardless of the boundaries indicated on the old maps and the Town Council's intention to claim this strip of unregistered land and having previously maintained it, this did not impact upon the principle of the development of the site. The correct ownership certificates had been signed and the requisite publication and advertisement of the application had taken place. Members were advised that lines on Ordnance Surveys maps were features which were present on the site when the land was surveyed, i.e. walls, buildings, verges, and the centre line of hedges, but did not necessarily show boundaries, land ownership and title. The update report further listed the other issues raised in the representation.

Ms. R Borsley spoke against the application with reference to the loss of light and privacy to two properties, and the narrowness of Queens Road. In addition, she said that great crested newts had been found on the site and asked that a full ecological survey be undertaken. She had taken legal advice and stated that the application was not in keeping with a Grade II Listed Building and the proposed dwellings were too large for this small plot. If the application were to be approved, she asked how the conditions would be enforced and any breaches reported. The application stated that there was sufficient space for vehicles to park but she did not agree with this and requested that the Board impose a condition requiring cars to only park within the boundaries of the properties.

Mr. R. Jones also spoke against the application on the basis of loss of privacy and impairment of his enjoyment of the Grade II Listed Building. He asked if there was a requirement for land formerly comprising the garden of a Listed Building to be delisted before planning approval was granted. Although the earlier application had been granted planning permission on appeal, his objections remained the same and he considered that the current application should be treated as a new one and not just determined in line with the Planning Inspector's decision.

Steve Atkinson of Design Forum, spoke on behalf of the applicant. The previous application in 2007 had been agreed by the Planning Inspector and this application was a renewal of that proposal, which had established the principle of development on the site. He considered that the context of the development was acceptable, compliant with local planning policies, and would provide a sustainable development to enhance the area.

In response the Planning Officer reminded Members that the Planning Inspector's decision still stood. With regard to the comments on the presence of great crested

newts on the site, she said that the Ecological Officer had had no objections to the application but that the situation could be investigated.

The Head of Housing & Planning reminded Members of the previous approval and said that the Council could incur costs if they were minded to refuse the application. In response to the request for a condition to prevent vehicles from parking on the highway, he explained that this was not possible as the Local Planning Authority could only condition to prevent vehicles blocking the highway. However, given the concerns raised with regard to the great crested newts, and proposed development within the curtilage of a Listed Building, he advised the Board that a Site Visit would enable them to see the Planning Inspector's decision in context and, thus, make a secure and reasonable decision on the application.

RESOLVED – that determination of planning application TWC/2010/0715 be deferred to allow the Board Members to make a Site Visit.

(c) TWC/2011/0017 – Land at Prince Edward Crescent, Malinslee, Telford, Shropshire

The application sought full planning permission for the erection of 12no. 2-bedroom affordable bungalows with parking provision, private amenity space and landscaping on an area of public open space, together with the relocation of an improved local equipped area of play (LEAP) to the south of the site. The dwellings were specifically for people aged over 55 and the accommodation mix comprised 2 mobility bungalows with the remainder being socially rented properties and other affordable types. The majority of the tree belt along the north and east boundaries of the site would be retained with additional tree planting adjacent to the new LEAP. Both Councillor K.S. Sahota, the Ward Member, and Great Dawley Parish Council had requested that the application be considered by the Plans Board.

Great Dawley Parish Council had initially raised no objections but, following re-consultation, had done so the grounds that the application was contrary to the Central Telford Area Action Plan (CTAAP). The Council's Highways Engineer and the Parks and Open Spaces Officer had no objections subject to appropriate conditions and the Arboricultural Officer had withdrawn his initial objections subject to the conditions as set out in the report. 11 neighbour letters of objection and a petition containing 26 names had been received, as summarised in the report.

The principle of residential development on this site had previously been approved by the granting of outline approval for 13 dwellings, including access, by the Plans Board in 2009 (W2008/1324). The layout of the development on site had been slightly revised following discussions with the Local Planning Authority and the developers had submitted a full planning application rather than an application for reserved matters. Both the current application and W2008/1324 had been submitted in conjunction with the Malinslee Local Centre redevelopment (W2007/0359) in providing affordable housing associated with the residential element of the scheme. The site was in a highly accessible location within walking distance of both Malinslee Local Centre and Telford Town Centre. It was, therefore, considered that residential development of this scale and form and providing affordable housing complied with

policies CS3, CS9 and CS10 of the Core Strategy, H6 and H23 of the Wrekin Local Plan (WLP) and national guidance contained in PPS1 and PPS3.

The site did not constitute Green Network in the WLP but, when green spaces were evaluated for the CTAAP Action Plan, it was considered that this site should be included. At the time of that assessment, the application for outline planning permission (W2008/1324) was being considered for the site. Policy CT21 of the Core Strategy required the protection of all green spaces within the designation, however there was some flexibility built in to allow development where it was 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). 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 was retained with additional landscaping to screen the LEAP from adjoining residential properties. Thus, on balance, the loss of green space was considered acceptable in this instance.

Officers considered that the proposal would alter the character and appearance of the existing site but given the site's context in a predominantly residential area with larger areas of open space, adjacent play provision, the LEAP to the south, and the retention of trees to the north and east boundaries of the site, the proposal would not have a significant detrimental impact on the character and appearance of the area.

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

The vehicular access to the site between Nos.22 and 23 Prince Edward Crescent had been agreed at the outline planning stage. Whilst, it was acknowledged that Prince Edward Crescent was a narrow road, the assessment of the Highways Engineer was that the additional traffic associated with this development could be accommodated without detriment to highway safety. The site included a shared surface/traffic calming measures which would dictate lower speeds and ensure the safety of pedestrians, and children using the LEAP. Parking provision of 1 allocated space for each new dwelling and 9 visitor parking spaces was considered sufficient given the proximity to the Local Centre and Town Centre and public transport links.

The layout and orientation of the proposed 12 bungalows had been designed to ensure that the development did not have an adverse impact on existing and proposed residential amenities. As the buildings were single storey, there would be no problem of overlooking or loss of privacy or light to the existing properties whose gardens adjoined the site. However, the area would benefit from dual aspect properties, providing natural surveillance. The proposed gardens were relatively modest in size but were considered comparable with the surrounding area and, therefore, acceptable.

There would be a 20m. separation distance between the LEAP and the existing properties in Prince Edward Crescent and Prince Charles Crescent which was considered sufficient to ensure that it would not cause an unacceptable level of noise and disturbance to residents. Whilst it was not possible to ensure the behaviour all users of the LEAP, the proposed development would provide a level of natural surveillance which would help to reduce potential anti-social behaviour in the area. Provision for older children would be sited at Malinslee Local Centre and at Telford Town Park. As the development would provide housing for people over 55 years of age, it was considered appropriate to limit play provision design for the under 7s in line with the previous approval. Furthermore, additional planting was proposed between the existing properties and the LEAP to maintain residential amenity. It was suggested that appropriate conditions were imposed with regard to on-site construction and hours of construction work in order to protect residential amenity. The retention of the trees and additional landscaping would ensure that the impact on birds and wildlife was minimised.

With regard to other matters raised by local residents, whilst officers noted their concerns that the proposal would only benefit new residents and be to the detriment of existing residents, the proposal was being developed in conjunction with the Malinslee Redevelopment Scheme to provide affordable housing and upgraded play provision and would, therefore, benefit the wider community. Malinslee was relatively densely populated but the proposed scale of development was considered appropriate to the context of the area and would not lead to a complete loss of the existing open space.

The update report, as tabled at the meeting, informed the Board that, following discussions with the applicants' agents, it was proposed to omit one of the suggested condition, 'Dwellings to be built to Code 4 rating of the *Code for Sustainable Homes*,' and to include it as an informative on the Decision Notice. The applicants had stated that, while it was the intention for each dwelling to achieve this standard, they were concerned that, if this was not possible, the imposition of such a condition could affect the viability of the scheme. Accordingly, officers recommended that the Code be included as an informative to encourage such standards.

Councillor Nicola Holmes, Vice-Chairman of Great Dawley Parish Council, spoke against the application. She referred to Policy CT21 of the Core Strategy and said that she did not consider that exceptional circumstances applied in this instance or that the scheme was unavoidable as alternative sites had not been fully considered. In addition, she spoke of the problems construction traffic would cause to what was a narrow, single track cul-de-sac and the danger to children and residents and, in conclusion, said that approval of the application would be contrary to the Council's own planning policies and would result in the loss of an important local community amenity. Councillor K.S. Sahota, Ward Member, spoke against the application and reiterated the comments made by Councillor Holmes.

Mrs. S. Chowdhury and Ms. K. Worthing, local residents, spoke against the application. Mrs. Chowdhury said that the proposed layout of the bungalows would inhibit both her family and the residents of the bungalows. While the applicant had

stated that scheme would enhance safety in the area, she had not experienced any problems in the 32 years she had lived in her house, a period of time in which she had also seen 3 generations of children growing up using the green area. Ms Worthing also considered that the application would contravene CT21, result in a loss of green space, and lead to an increase in traffic which would endanger the safety of children.

Matthew Haynes, of the Council's Property & Design, spoke on behalf of the application, as the Council was the owner of the site with the developer being the Wrekin Housing Trust, and said that the application was little changed from that granted outlined planning permission in 2009. With regard to the concerns expressed regarding the narrowness of Prince Edward Crescent, he said that large refuse vehicles did not experience any such problems and no construction companies had expressed concerns at the access. The scheme was only likely to generate a minimal amount of additional traffic as the bungalows would be occupied by retired people and people aged over 55. There was a strong local need for 100% affordable bungalows for these groups and for disabled people and, therefore, the site could be seen as exceptional within the CTAAP. In conclusion, he said that the capital receipt from the sale of this site would be reinvested directly into the Malinslee Ward and refusal of the application would create a large funding gap for the Community Centre development.

The Planning Officer reminded the Board that the outline planning consent was still valid and one year was left in which the applicant could submit a Reserved Matters application. The application before the Board was for 12 bungalows but the applicant could still submit a reserved matters for 13 bungalows as per the outline consent. With regard to the concerns expressed by Mrs. Chowdhury, the Planning Officer said that it was considered that there was sufficient separation distance between her plot and the proposed units, in addition to which the units would be lower in height than the existing houses. While some trees would be lost as a result of the scheme, a large number would be retained. A LEAP for under 7s would be provided as that would reduce the need for older children to use it and, potentially, cause a nuisance to older residents. With regard to the loss of green space and policy CT21, the officer informed the Board that the application had been validated in February 2011 with CTAAP being approved in March 2011. Policies CT21 & 22 permitted some flexibility where development was unavoidable and it was considered that this site could be judged to be an exception as it already had outline consent.

The Chairman reminded the Board that the application could only be refused on the grounds of design, as the principle of development on the site had been accepted at the outline stage. However, Councillor H. Rhodes said that she could not support an application that was contrary to CTAAP. Councillors F.R. Picken and R.T. Kiernan supported the provision of housing for these specific groups.

The Head of Housing & Planning advised that this was an application for full planning permission and that, while CTAAP sought to protect green space, an appropriate development would not be inconsistent with that. Bungalows were sought after in the Borough but not frequently delivered and, therefore, Members needed to balance the loss of open space against the requirements of the elderly for

purpose built and affordable housing. The site was owned by the Council and its sale would enable a direct community benefit to be provided.

RESOLVED – that with respect to planning application TWC/2011/0017 planning permission be granted subject to the conditions as set out in the update report tabled at the meeting.

(d) TWC/2011/0140- Hartshill Park Tennis Courts, Oakengates, Telford, Shropshire

This application by Telford & Wrekin Council related to the erection of 6no. 8m high floodlights to illuminate the 2 existing tarmac surface tennis courts. The Council was building an indoor tennis centre at Oakengates Leisure Centre and, together with a professional tennis coaching team, First Point Tennis Coaching, would provide a community coaching and competition programme for all ages and abilities at a number of locations across the Borough, as fully supported by the Lawn Tennis Association and Tennis Shropshire. The proposed floodlights around the existing tennis courts were an essential part of this initiative as they would enable a year-round community tennis programme in an easily accessible community site.

Following publication of the application, no comments had been received from neighbours. Oakengates Town Council supported the application but had asked that any planning consent should ensure that the lights were adjusted to prevent them shining into adjacent houses.

The 6 floodlight columns would be located at the 4 corners of the tennis courts and at the mid point of the courts. They would provide a dark sky lighting scheme, which was designed to an IEE E1 standard deemed acceptable for such areas of leisure parks and prevented horizontal light spillage and contained vertical spillage to within 2m of the boundaries. The lights would be fitted with effective shields that would concentrate the light onto the playing surfaces at all times and would be conditioned accordingly.

The flood light operation would be by a token obtained by users on booking a court and a tennis programme would detail when the courts were available for public use and potential flood light use. Flood lights would not be used after 10.00 p.m. and only between 1st September to 30th April, although the Tennis Coaching Team would have the ability to override this if necessary if there were poor natural light conditions.

The application site was well serviced by public transport with frequent bus services operating from Oakengates Centre and the Railway Station was within walking distance.

The park was well used at present and, even if the courts were to be used most evenings of the week, it was considered that there would be no appreciable increase in the amount of noise and disturbance experienced by local residents as a result of installing the floodlights.

RESOLVED – that with respect to planning application TWC/2011/0140 planning permission be granted subject to the conditions as set out in the report.

(e) TWC/2011/0158 – Gower Street, St. George's, Telford, Shropshire

This was an application for a determination as to whether prior approval was required in relation to the siting and appearance of a new 15m. high slim line telecommunications monopole with 6 antennae, giving a total height of 15.5m, on an area of public open space opposite the former Youth Centre and in front of a row of semi-detached dwellings. The monopole would be coloured grey and the ground equipment cabinet at the base of the pole would be green.

The site was a shared facility for Vodaphone and O2 with 3 Vodaphone antennae within the monopole, between 12.2 and 13.5m. above ground level, and 3 O2 antennae, between 14.05 and 15.35m. above ground level all of which would be contained within a smooth circular sheath. The applicants had stated that the proposal was required in order to provide 3G coverage for this part of St Georges.

Councillor R. Overton, the Ward Councillor, had requested that the determination should be considered by the Plans Board. He had submitted objections to the proposal and 17 e-mails had been received objecting to the proposal, as summarised in the report.

The applicants had submitted additional information in support of their application. The Apple i-phone and the widespread use of 'dongles', which provided a mobile broadband service for laptops, meant that more 3G stations were required. In addition, people were increasingly using mobile operators to provide their only home phone line and broadband connection, which had increased the demand for base stations in residential areas. The 3G cells for 3G masts were approximately 1000m. across and additional masts would be required to cover adjoining areas. The proposed monopole would be taller than the existing street lighting columns in order for the pole to accommodate the required antennae, plus amplifiers, which enabled the installation to provide the required coverage to the target area. Without these the installation would not provide the required level of coverage, which 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 operated their networks in such a way that the radio frequency power outputs were kept to the lowest levels commensurate with effective service provision.

With regard to the choice of application site, the applicants had stated that there were no existing telecommunications operator sites in the area which were suitable for sharing, the majority of the search area for this cell was predominantly medium density residential development, and other sites had been investigated but dismissed for the reasons set out in the report. In conclusion, the applicants considered that the chosen location would have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area. The mast was a slimline monopole that had been utilised across the whole country and, while a replica telegraph pole could be used, it would have had to be taller than a monopole because the antennae were stacked within the body of the pole and thus

were slimmer but longer. Careful consideration had been given to finding a site that placed the facility as far as possible away from any housing.

This was a telecommunications determination application and Members were reminded that the decision whether to give or refuse prior approval had to be based on the siting and appearance of the installation.

Although the monopole would differ in appearance from the existing angled street lighting columns, it would, in effect, be an additional item of street furniture and, as such, would not be an alien feature to the street scene nor significantly visually intrusive. Its location within the grassed open space would not form an incongruous or unduly prominent feature on the skyline or on the street scene. There was no fenced compound proposed and it was 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 was considered to be acceptable.

There was much public concern concerning the possible adverse health impacts of telecommunication development. However Members were advised that consideration of this application should follow the advice given in PPG8, paragraph 98 *"..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 had been submitted with this application which confirmed 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 had established that when evidence was submitted to confirm that an installation fell within the ICNIRP guidelines, that a perception of fear or concerns about health issues did not provide justification for a Council to refuse an application.

Councillor R. Overton, Ward Member, spoke against the application and expressed the concerns of local residents that the proposed mast would be a visually intrusive structure in the heart of a residential area and would appear taller in its context due to the site being on a hill. The proposed mast would be sited on a highway verge on which children played and he made reference to the refusal of an application for a mast in Priorslee which would have been sited along a main road with an adjacent play area but no adjacent residential properties and asked the Board to take a consistent approach when determining this application.

Councillors H. Rhodes and M.J. Smith both were of the opinion that the proposed location of the mast would be too close to the houses, be intrusive and out of character in the street scene. The Planning Officer advised the Board that the Local Planning Authority could not dictate the location as it did not have the necessary technical knowledge. However, the Head of Housing & Planning said that Members

could decide not to give prior approval and advise the applicant to look for an alternative and more appropriate location.

There being no proposer that the application be given prior approval, it was proposed and seconded that prior approval not be given.

DETERMINATION:

The proposed 15 metre high slim line telecommunications monopole not be granted **prior approval.**

Reasons for Refusal.

- 1. The proposed mast will be visually intrusive in this residential area due to its height and siting;**

The applicant to be made aware that alternative sites be more fully explored.

- (f) TWC/2011/0160 – Hortonwood 30, Hortonwood, Telford, Shropshire

This was an application for a determination as to whether prior approval would be required in relation to the siting and appearance of a new 15m. high slim line telecommunications monopole with 6 antennae, with a new equipment cabinet at its base on a site within the highway verge on the northern side of Hortonwood 30. The monopole would be coloured grey and the equipment cabinet coloured green.

The site was a shared facility for Vodaphone and O2 with 3 Vodaphone antennae and 3 O2 antennae within the monopole, all to be contained within a smooth circular sheath. The applicants had stated that the proposal was required in order to provide 3G coverage for this part of Hortonwood.

The applicants had submitted additional information in support of their application. The Apple i-phone and the widespread use of 'dongles', which provided a mobile broadband service for laptops, meant that more 3G stations were required. In addition, people were increasingly using mobile operators to provide their only home phone line and broadband connection, which had increased the demand for base stations in residential areas. The 3G cells for 3G masts were approximately 1000m. across and additional masts would 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 enabled the installation to provide the required coverage to the target area. Without these amplifiers the installation would not provide the required level of coverage, which 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 operated their networks in such a way that the radio frequency power outputs were kept to the lowest levels commensurate with effective service provision. With regard to the choice of application site, the applicants had stated that there were no existing telecommunications operator sites in the area which were suitable for sharing, the majority of the search area for this cell was predominantly medium density residential development, and other sites had

been investigated but dismissed for the reasons set out in the report. In conclusion, the applicants considered that the chosen location would have less visual impact on the surrounding area than a similar structure in any other location within the required cell search area. The mast was a slimline monopole that had been utilised across the whole country and, while a replica telegraph pole could be used, it would have had to be taller than a monopole because the antennae were stacked within the body of the pole and thus were slimmer but longer.

This was a telecommunications determination application and Members were reminded that the decision whether to give or refuse prior approval had to be based on the siting and appearance of the installation.

Although the monopole would differ in appearance from the existing angled street lighting columns, it would, in effect, be an additional item of street furniture and, as such, would not be an alien feature to the street scene nor significantly visually intrusive. Its location within the grassed highway verge would not form an incongruous or unduly prominent feature on the skyline or on the street scene and the mast would be seen against the background of large industrial buildings. There was no fenced compound proposed and it was 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 was considered to be acceptable.

There was much public concern concerning the possible adverse health impacts of telecommunication development. However, Members were advised that consideration of this application should follow the advice given in PPG8, paragraph 98 *“..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 had been submitted with this application which confirmed 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 had established that when evidence was submitted to confirm that an installation fell within the ICNIRP guidelines, that a perception of fear or concerns about health issues did not provide justification for a Council to refuse an application.

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.

PB-112 URGENCY RESOLUTION – SECTION 100B(4), LOCAL GOVERNMENT ACT 1972

The Chairman of the meeting made the following statement:

“I am of the opinion that the following items of business should be dealt with as a matter of urgency at this meeting to avoid any unnecessary delay.”

PB-113 PLANNING APPLICATION TWC/2011/0144 – BOWRING PARK TENNIS COURTS, HAYGATE ROAD, WELLINGTON, TELFORD, SHROPSHIRE

This application by Telford & Wrekin Council related to the erection of 6no. 10m high floodlights to illuminate 4 existing tarmac surface tennis courts located in the middle of Bowring Park.

One letter of support had been received from a neighbouring property encouraging the extended use of the tennis courts beyond normal daylight hours and Wellington Town Council had no objections to the scheme. The Council’s Ecology Officer had stated that the measures to prevent horizontal and vertical spillage to within 2m. and the would not adversely affect any protected species.

The Council was building an indoor tennis centre at Oakengates Leisure Centre and, together with a professional tennis coaching team, First Point Tennis Coaching, would provide a community coaching and competition programme for all ages and abilities at a number of locations across the Borough, as fully supported by the Lawn Tennis Association and Tennis Shropshire. The proposed floodlights around the existing tennis courts were an essential part of the scheme as they would enable a year-round community tennis programme in an easily accessible community site.

The 6 floodlight columns would be located at the 4 corners of the tennis courts and at the mid point of the courts. They would provide a dark sky lighting scheme, which was designed to an IEE EI standard deemed acceptable for such areas as leisure parks and prevented horizontal light spillage and contained vertical spillage to within 2m of the boundaries. The lights would be fitted with effective shields that would concentrate the light onto the playing surfaces at all times and would be conditioned accordingly.

The flood light operation would be by a token obtained by users on booking a court and a tennis programme would show when the courts were available for public use and potential flood light use. Flood lights would not be used after 10.00 p.m. and only between 1st September to 30th April, although the Tennis Coaching Team would have the ability to override this if necessary when there were poor natural light conditions.

The application site was well serviced by public transport with frequent bus services operating from Wellington Centre and bus stops along Haygate Road within walking distance. There was a vehicular access off Haygate Road via a gated entrance giving access to parking for approximately 20 vehicles together with an existing

provision for cycles. Wellington railway station was within walking distance from the Park.

The park was well used at present and, even if the courts were to be used most evenings of the week, it was considered that there would be no appreciable increase in the amount of any noise and disturbance that was experienced by local residents as a result of installing the floodlights.

RESOLVED – that with respect to planning application TWC/2011/0144 planning permission be granted subject to the conditions as set out in the report.

PB-114 PLANNING APPLICATION – TWC/2011/0078 - UNIT B, STAFFORD PARK 2, STAFFORD PARK, TELFORD, SHROPSHIRE

This application was for the part demolition of an existing industrial building, the conversion of the remaining part of the building to a motor car dealership for the selling of new and used vehicles, servicing, valeting and MOT, together with associated external alterations. The floor area of the existing building was 3095 sq.m., which would be reduced to 1884 sq.m, with 567 sq.m. being created on the first floor. The ground floor the building would accommodate a workshop for 13 vehicles, a valeting bay for 4 vehicles, a showroom for 10 vehicles, sales desks, offices, reception, and parts store and the first floor would have additional offices, canteen, parts store, and storage. The existing property on the site was a steel portal frame building with brick/blockwork infilling and most of the walls would be re-clad with goosewing grey galvanised or smooth insulated cladding and the showroom element would be glazed. The existing access arrangements onto the site from Stafford Park 2 would remain unchanged and car parking provision would comprise 73 customer spaces, 58 used car spaces, and 114 spaces in the car compound.

Hollinswood & Randlay Parish Council had no objections to the application. The Council's Highways Engineer had no objections subject to a condition relating to the provision of car parking and the Council's Ecologist had no objections subject to a condition relating to bat and bird boxes, and to wildlife informatives. The Council's Arboricultural Officer had objected to the application by reason of there being no tree survey accompanying the application, and no mitigation planting to compensate for the loss of the trees that had been felled.

The building had been used for industrial/warehousing purposes in the past but had remained vacant since 2001 and, despite active marketing, the owner had not been able to secure its letting or sale for the currently approved planning uses. The current industrial market in Telford for properties of this age, size, and type was very difficult given the level of investment needed to bring the properties up to a decent standard which was reflected in the large number of industrial buildings over 10,000 sq feet which were currently vacant. The applicants had stated that they wished to expand their business but could not do so on their existing sites in Trench and Bridgnorth. They had undertaken a site search over a wide area and this site was the only suitable one otherwise they would have to take the investment out of

Telford. It was envisaged that 49 full-time and 3 part-time staff would be employed on the site.

In principle there was no objection to the site accommodating a car dealership as it would complement the existing car dealerships in this part of Stafford Park. It was also considered that the redevelopment proposals would visually update and modernise a bland and uninteresting building that looked somewhat dated in design and appearance. Although the existing building and the land at the eastern end of the site was shown on the Wrekin Local Plan as 'white land' on the Wrekin Local Plan, where new development was acceptable in principle, the western end of the site was designated as Green Network. This part of the site, which extended for approximately 50m. along the site frontage, and slightly more at the rear, was formerly an old pit mound and, until recently, had been covered in semi-mature trees. There was normally a presumption against any development within the Green Network unless there were exceptional circumstances or environmental or community benefits. However, in this particular case it was considered that the land barely fulfilled any of the original aims of the Green Network and, as all of the trees on the site had been felled, it was considered that the site contained no ecological, recreational, landscape, or aesthetic merit. Moreover, the applicants had agreed to provide environmental benefits by way of a comprehensive replacement landscaping scheme around the boundaries of the Green Network land.

As the application site boundaries had changed since the original submission of the application, a re-consultation exercise had been necessary, which expired on 27th April, 2011. As the site was in the Green Network approval would be a departure from policy and, therefore, the granting of delegated authority to the Head of Housing & Planning, subject to no new issues being raised, would allow that procedure to be followed.

RESOLVED – that with respect to planning application TWC/2011/0078 the Head of Housing & Planning be authorised to grant planning permission subject to no new issues being raised during the departure/re-consultation exercise.

The meeting ended at 7.50 p.m.

Chairman:

Date: