

TWC/2011/0108 3 Ladygrove, Dawley Bank, Telford, Shropshire, TF4 2LS
Enlargement of existing hardstanding to front of property and erection of associated retaining wall

APPLICANT
Options Group

RECEIVED
18/02/2011

PARISH
Lawley and Overdale

WARD
Horsehay and Lightmoor

THE WARD MEMBER COUNCILLOR CLIVE MOLLETT HAS REQUESTED THAT THIS APPLICATION SHOULD BE CONSIDERED BY THE COUNCIL'S PLANS BOARD.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Highways issues, impact on residential amenity.

THE PROPOSAL:

The application seeks to enlarge an existing hardstanding at the front of the property by removing soil and erecting a retaining wall. The enlarged hardstanding is sought for additional parking and a more satisfactory layout.

SITE AND SURROUNDINGS:

The property is a detached modern dwelling which is currently used as a care home; the property is situated approximately 2m above the ground level of hardstanding to the front of the property. A garage that was sited at the front has been removed, however the walls have been retained and white washed to create a parking area. A curved retaining brick wall leads from this area across the frontage which is an upward sloping grassed area abutting fencing. Several trees and some hedging are in line with the fencing providing privacy. Access is gained via steps adjacent to the parking area.

The application site is located off a narrow unadopted lane. The properties along Ladygrove are on one side of the lane which has high hedging bounding a field opposite known as 'Lawley Common'.

From the lane there is a limited view of the property as it is positioned towards the rear of the site which is bounded by trees; this is reflected on all properties which front this lane having 1.8m high close board fencing or hedging to the back of the lane, reducing the openness of this area.

To the north of the property the lane opens, providing an informal turning area, and an area of car parking for No. 2 & 3 Ladygrove.

PLANNING HISTORY:

W2002/1302 Excavation of existing bank to form car parking bay, erection of a 1.5m retaining wall and 1.5m high close boarded fence at front – granted 2nd January 2003.

PLANNING POLICY CONTEXT:
National Planning Guidance
PPS 1 –Delivering Sustainable Development
PPG 13 - Transport

Saved Wrekin Local Plan Policies
Policy UD2 – Design Criteria

LDF Core Strategy
Policy CS 15 – Urban Design

CONSULTATION RESPONSES:

Cllr Mollett objects on grounds of the existing nature of Ladygrove being an unmetalled bridleway, will be adversely impacted by further encouragement of vehicles, with associated noise and safety concerns for residents.

The Parish Council has no objections to the application.

Highways support the application.

Drainage have no objection to the application.

Geotechs: support subject to informatives.

Objections have been received from 4 neighbouring properties, which raise concern to the development on the grounds of:

- Narrow lane with difficulty in passing
- Contractors HGV's loaded with heavy materials will impact on lane
- Reckless driving by employees using lane and no regard to safety of others using bridle way.
- Garage demolished already to make extra parking spaces
- Removal of bank will effect drainage as septic tank situated in bank
- Danger and inconvenience of heavy construction vehicles
- Wish for the lane to remain protected as an unadopted dirt road with significant historical links to its industrial past
- Employees occasionally and satisfactorily use Old Office Road to park, requiring a walking distance of 20 metres.
- Extra parking provision not required as no increase in staff or young people
- Occasional annual/emergency meetings not legitimate argument for extra parking space
- Increase of traffic
- The Local Authority have no legal jurisdiction over the usage of Ladygrove
- Historic complaints registered with Higford Hall, Central Management for 3 Ladygrove regarding Employees for the Care Home

PLANNING CONSIDERATIONS:

The proposal is situated on a Lane which serves 5 properties. The property is not visible from the main highway 'Old Office Road'. The area has no designated land allocation in the Wrekin Local Plan and subsequently the general policies regarding design are appropriate.

The proposal does not constitute a major change to the existing frontage or layout but will provide a slightly larger parking area and improve upon the existing parking arrangements for staff and visitors. At present cars park informally within the site curtilage; the proposed layout will allow cars to park in a more formal layout. It does not increase the number of car parking spaces but should alleviate any problems with cars parked on the lane making passing difficult. It is not envisaged that there will be an increase in traffic as the applicant has confirmed there are no alterations to the number of staff.

Materials will be permeable tarmac for the hardstanding area and facing bricks for the retaining wall, taking account of the existing arrangement the design is considered appropriate for the property and it's surrounding.

Detailed construction drawings have been submitted and accepted by both Geotechs and the Structural Engineer. Drainage Engineers are also satisfied with the relationship of the septic tank and the proposal.

Although the comments from neighbours are noted, the use of the property as a Care Home has been established and is not a planning consideration for this application. However what is for consideration is the existing situation and how issues of parking and highway safety can be alleviated.

In response to neighbours concerns the agent has submitted the following:

- The applicant is not proposing to use the property in any other way than is existing; therefore there will be no increase in activity levels at the site.
- The physical work will not affect in any way the existing drainage arrangements or septic tank. Detailed construction drawings have been provided.
- Traffic and activity levels are essentially a function of the use of the property.
- The proposals are relatively minor in nature and will not provide for any significant additional car parking. It will provide a more satisfactory parking layout which will minimise the need for any parking to take place on the road.
- Construction related matters is not a planning consideration, however, the applicant acknowledges the concerns of neighbours and can provide a commitment to carry out the works in as considerate manner as is practical, whilst noting that some disruption is inevitable. It is

anticipated that the works will last for no more than two weeks and blocks, bricks and plants will be delivered by small vehicles.

Officers consider issues regarding construction can be managed through appropriate conditions ensuring the disruption and inconvenience caused to neighbours is kept to a minimum.

In conclusion it is considered that the scale, layout and design of the proposed development is acceptable and will not have an adverse impact on the visual amenities of the site or immediate surrounding area. The works will not result in an increase in activity levels, and subsequently will not adversely effect the residential amenities of adjacent neighbours, nor prejudice the safety of highway users. Furthermore the proposal will not effect the existing drainage arrangements of the septic tank. Accordingly the proposal complies with both national and local planning policies.

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

1. A04 Time limit
2. B06 Samples of materials
3. C38 Development in accordance with deposited plans
4. CCustom Stability Calculations
5. CCustom Construction Management Plan

REASON FOR APPROVAL:

The proposed development will improve upon the existing parking arrangements for staff and visitors by providing a slightly larger area for vehicles to park off the existing lane and reduce any problems which make passing difficult. The proposal will not have an adverse impact on residential amenity, nor prejudice the safety and free flow of highway users.

TELFORD AND
WREKIN COUNCIL
- 2 FEB 2011
RECEIVED



Promap

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TWC/2011/0170 The White Horse Inn, Heath Hill, Dawley, Telford, Shropshire, TF4 2JU

Application to replace an extant planning permission (W2008/0531) for the demolition of existing public house and erection of 14.no dwellings with associated access

APPLICANT

Mr Barry Shepston

RECEIVED

09/03/2011

PARISH

Great Dawley

WARD

Dawley Magna

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Extant outline planning permission, Loss of existing bowling green, Highways issues, Impact on the character of the area

THE PROPOSAL:

The application seeks planning permission to replace the extant outline planning permission (W2008/0531) for the demolition of the existing public house and erection of 14.no dwellings with associated access. All other matters were reserved.

SITE AND SURROUNDINGS:

The application site is located approximately 500 metres to the northwest of Dawley District Centre.comprises a 0.25ha area which is divided into two parts by Balls Hill. The northern part formerly comprised the White Horse Public House, a Local Interest Building with bowling green at the rear. The Public House has recently been demolished during the current planning process; however the building fronted Balls Hill and was visible from Heath Hill. It was a two storey brick property, rendered and painted white, with a tile roof. The rear of the building faced the bowling green. The southern part of the site comprises the existing car park for the public house.

The bowling green and associated facilities included floodlights, a shelter and outbuildings. There are trees along the rear boundary with Willetts Way which are protected by a Tree Preservation Order. The site is open since the demolition and removal of the Public House; however it was formerly enclosed by a mix of fences, buildings and walls.

A footpath leads along the southeastern edge of the bowling green linking Balls Hill through to a number of residential properties at Willetts Way. The area is predominantly residential, with a mix of housetypes. On the opposite side of Heath Hill is a combination of residential properties, industrial units and a bus depot.

PLANNING HISTORY:

W2005/0798 Residential Development for 14 Apartments, Outline refused

W2006/1243 Demolition of Existing Public House and Erection of 14no. Dwellings with Associated Access, Outline refused

W2007/1508 Demolition of existing public house and erection of 14.no dwellings with associated access, Outline refused

W2008/0531 Demolition of existing public house and erection of 14.no dwellings with associated access, Outline granted

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS5 Planning and Historic Environment

PPG17 Planning for Open Space, Sport And Recreation

Saved Wrekin Local Plan Policies

EH7 Contaminated land

UD2 Design Criteria

UD3 Urban Design Assessments

H6 Windfall Sites in Telford and Newport

H22 Community Facilities

LR4 Outdoor Recreational Open Space

LR6 Developers Contributions to Outdoor Recreational Open Space

OL11 Woodland and Trees

OL13 Maintenance of open space

HE25 Buildings of Local Interest

LDF Core Strategy

CS1 Homes

CS10 Community Facilities

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

CONSULTATION RESPONSES:

Great Dawley Parish Council has not objected to the proposal however they raise concerns about mineshaft and access on original application and that there should be no reduction in 106 funding.

Highways: no objection subject to conditions regarding visibility splays, access road width, provision of footways, road construction detail and layout; as well as an informative regarding the closure of the existing junction to vehicles.

Built Heritage Conservation: This is a Local Interest Building and therefore protected under Wrekin Local Plan Saved Policy HE25. In relation to the new submission for renewal, since it was previously approved, PPS5 has been published and this is now a consideration in the Planning process. Given that, it also goes against PPS5 guidance on non-designated heritage assets in that sufficient justification for the loss of the Heritage Asset including options appraisals for retention have not been submitted HE9.2. PPS5 also states that allowing a building to fall into disrepair is not a material consideration in determining an application (HE7.6). The Design and Access Statement also

fails to refer to the fact it is a Local Interest Building and therefore the applicants statement that the building has no architectural or historic merit is incorrect.

Geotechs: No objection subject to condition regarding contaminated land and informative re: Minerals area.

Drainage: No objection subject to condition regarding details of foul and surface water drainage and runoff rates.

Contaminated Land (Environmental Health): The proposed development is situated in a former mining area. As such, land contamination is a material planning consideration, and therefore a land contamination condition should be imposed.

Ecology: Following submission of a bat and bird survey, the survey found no evidence of bats or birds, and happy that the development will have no negative impacts on protected species. Condition bat and bird boxes erected on the new buildings on site; and informatives regarding Trenches and Enhancement planting.

Arboricultural: Objects to the proposal on the grounds of insufficient evidence to show material consideration has been given to the protected trees on site. The red edge of the area shown within the ecology report encompasses only the building, formally a public house. This site has protected trees bordering the north eastern boundary and as such all the usual conditions should be applied if this area is included within this application to develop. Comments have been previously made regarding this site and those conditions to any planning approval should still apply. There are no plans available with this consultation so further comment cannot be made.

Sustainability: One of the most effective ways of securing more sustainable developments, and reducing climate change emissions, is to design buildings to achieve Code for Sustainable Homes standard (CSH). It is recommended that the development is constructed to achieve Level 3 of the Code for Sustainable Homes, then be upgraded to Level 4 for any development that occurs after April 2013. These requirements are in accordance with Planning Policy Statement 1, Planning and Climate Change – Supplement to PPS1, Planning Policy Statement 9 (and Related 'A Guide to Good Practice') and Planning Policy Statement 22.

Education: No objection on the principle that the terms previously agreed in the section 106 agreement dated 14 February 2009 still apply.

Parks & Open Spaces: This is a longstanding application which has had significant input from Parks & Open Spaces and Sport England in relation to the loss of recreation provision (Bowling Green). Following extensive consultation and negotiation with developers and Sport England to reach an agreement, a S106 was conditioned to include the provision of a contribution towards the replacement of the facility elsewhere in the locality. This figure

was £50k (index linked). In order to facilitate this, Parks and Open Spaces did not request any further contributions for recreation/children's play. The S106 needs to be confirmed as still valid and in agreement with all parties (developer/Sport England and Parks) and if this is the case Parks & Open Spaces will have no objection.

Sport England: no formal comments; however have been in discussion with Parks & Open Spaces regarding the proposal and previous contributions.

Shropshire Fire Service: No objection subject to informatives regarding access, water supplies and sprinkler systems.

One neighbour letter has been received with the following comments:

- No objection to removal of Public House
- Location of dwellings and impact on own property
- Access
- Volume of traffic on Heath Hill
- Loss of open space in Dawley

PLANNING CONSIDERATIONS:

There is an extant planning consent on this site which has agreed the principle of residential development in this location. The previous application was considered acceptable by reason that subject to the provision of a contribution towards education and leisure use, the proposed development would provide residential accommodation in accordance with the policies within the adopted Local Plan and national planning guidance.

In line with PPG17 requirements, an assessment had been undertaken which clearly demonstrated the bowling green facilities to be surplus to requirements. In accordance with LR4, applications which would lead to the loss of open space should not be supported unless it is replaced in a suitable alternative location to an equal or improved specification. Thus, whilst the development would mean the loss of the Public House and bowling green in this location, the previous application was considered acceptable as the Applicant had resolved the contributions required to compensate the loss of the bowling green, with the previous S106 agreeing funding of £50,000 to be used at another bowling club in the area, (within Dawley Park following discussions with local Ward Members). The contribution was agreed by Parks & Open Spaces; a higher figure of £100,000 had been requested by Sport England. This current application is brought before Members as Dawley Park is no longer the intended location for the replacement facility and accordingly the wording in the legal agreement has been revised.

In addition to the contribution towards replacement bowling facility, Education requested a contribution of £1,400 for each two bedroom or larger dwelling, which has also been incorporated into the legal agreement. This remains unchanged.

Whilst there have been changes to planning policy in respect of the Historic Environment since the last permission with the publication of PPS5: Planning

and Historic Environment, the principle of demolishing the Local interest Building has already been deemed acceptable by the 2008 application, and the building has recently been demolished. Whilst this is regrettable, and a lack of information was submitted in respect of the heritage asset, officers consider the extant planning permission, albeit for outline consent, is a material consideration, and that enforcement action is not expedient.

It is considered that the site can be adequately accessed, drained and that the development will not adversely affect the local environment or adjacent uses, subject to appropriate conditions, and is therefore considered acceptable in principle and complies with policies CS1 in core strategy and H6 in Wrekin Local Plan.

There are no undue problems of land stability and land contamination therefore the proposal complies with local planning policies and the issues can be mitigated by conditions and informatives.

The site contains several trees along the rear boundary which are subject of a Tree Preservation Order and shall be retained and protected by conditions, as imposed on the previous outline permission.

No plans have been submitted for this application as it is a renewal; however indicative plans were submitted with the 2008 application. It was considered that the layout reflected the character of the area and the neighbouring properties by locating some of the buildings to the area on the footprint of the public house and bowling green and building a single block comprising of 6 dwellings to the area of land towards Heath Hill. This would help to screen the associated car parking and the properties would front the highway. Private gardens would be provided for the 8 houses at the rear and the existing link through to Willetts Road would be retained with a pavement alongside the access road to the parking area.

It is intended that the replacement bowling green would be retained within the vicinity of the White Horse; therefore it would be an acceptable alternative location to serve residents in the area.

In terms of impact on neighbouring properties, the dwellings can be designed and set out on site so as not to have a detrimental impact on privacy or amenity levels.

The consultation comments from Ecology can be addressed by condition and informatives. Sustainability and the Fire Service's comments shall be added as informatives.

The neighbour comments are noted and the issues regarding access and location of dwellings will be considered at the reserved matters stage. Whilst the proposal will constitute a loss of open space, specifically the bowling green, the principle of residential development has already been agreed by grant of previous outline planning permission subject to contributions towards suitable alternative provision.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the Applicant entering into a Section 106 Agreement to pay £50,000 towards replacement bowling facility within the vicinity of the development and £1,400 per dwelling towards education, and the following conditions:

1. A01 Time limit
2. A03 Submission of reserved matters
3. B01 Standard outline
4. B02 General details
5. B06 Samples of materials
6. B07 Sample panel
7. B13 Details of enclosure
8. B14 Landscaping design
9. B14a Tree survey
10. B18 Landscape maintenance
11. B23 Onsite construction
12. B30 Contaminated land
13. B33 Foul and surface water drainage
14. B73 Trees protective fencing
15. Bcustom Highways condition
16. Bcustom Runoff rates
17. C07 Trees – no burning
18. Ccustom Tree protection – services and earthworks
Ccustom Bat and bird boxes

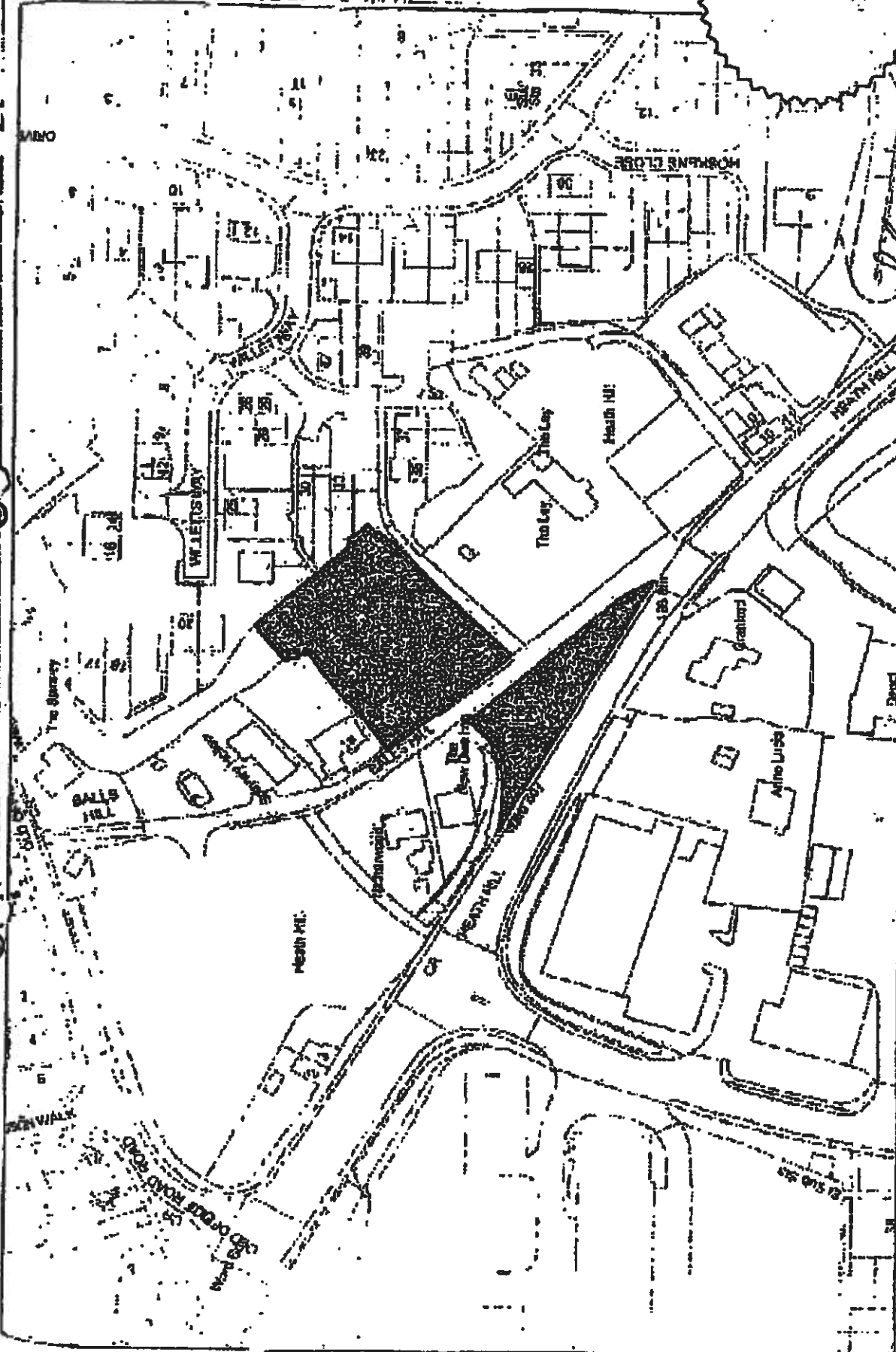
Informatives

- | | |
|-----|-----------------------------|
| I06 | S106 |
| I17 | Minerals Area |
| I22 | Protected species |
| I32 | Fire Authority |
| I40 | Conditions |
| I41 | Reasons for outline consent |

REASON FOR APPROVAL:

The principle of development has been agreed by the existing outline planning permission. It is considered to comply with Local Plan and Core strategy policies, in that the site can be adequately accessed and drained. The site is sustainably located with access to a range of facilities within Dawley District Centre. There will be no undue environmental impact of the development. Contributions have been negotiated towards replacement bowling green facility and education.

97/09
11(6)K



Scale: 1:1,250

W2008/0531

Address: The White Horse PH, Heath Hill, Dawley

Proposal: Dem. of PH and erection of 14 dwellings (outline)

GROUP SOUTHERN
Date: 17/12/08

Drawn By:

LEWIS & CLAPHAM
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

17.12.2008

B. Shepton

17/12/08

TWC/2011/0243 The Wellington Arms, 3 Whitchurch Road, Wellington, Telford, Shropshire, TF1 3AG

Erection of a low rise wall to front of premises to form an alfresco area to front, installation of a Jumberella with integrated lighting and heaters and erection of a 1.1m high post and chain link fence to side of property

APPLICANT
Punch Taverns

RECEIVED
05/04/2011

PARISH
Wellington

WARD
College

THIS APPLICATION WAS DEFERRED AT 1ST JUNE 2011 PLANS BOARD TO ENABLE MEMBERS TO UNDERTAKE A SITE VISIT

Since the preparation of the previous report to members, representations have been received from Councillor Ion and a local resident.

Councillor Ion objects on the following grounds;

- The effect on nearby residential properties, particularly for the residents of Eagle Court.
- Potential noise nuisance caused by customers using the 'Jumberella' late at night.
- Road safety issues that may ensue from an overspill of drinkers onto pavement and main road.
- The unsightly wall and chain link fence which will have a detrimental impact on the aesthetics of this locally listed building.

Councillor Ion has also commented that the applicant has stated that there is increased demand for outside dining – however no data has been offered in support of this assertion and a significant number of local residents in the past weeks have expressed their opposition to this application.

In response to the increased demand for outside dining, there is no data to support this statement. Punch Taverns have seen increased demands for eating outside therefore Public Houses are trying to facilitate this trend.

The local resident has commented that they would be pleased to see the premises occupied once more but without the addition at the front of the premises.

These issues have been addressed in the original report to plans board.

In addition the following consultation responses have been received:

West Mercia Constabulary: Support the application as from a constructional aspect there are no concerns. Policing the footfall for the night time economy will be monitored and issues that arise will be dealt with at the time.

Highways: Have no additional comments to make following further consultation.

Pollution Control: Have no record of any disorder at the front of the premises. In the past several complaints have been received in respect of loud music coming from the premises. An existing condition on the premises licence states that the beer garden will be closed at 22:00hrs. If that is also applied to the front they have no issue with having a seating area at the front. After 22:00hrs only the smoking area at the rear will be used.

Environmental Health will require a planning condition to ensure the area at the front will be closed at 22:00hrs and only the smoking area at the rear to be used after 22:00hrs. This is to minimise the risk of causing disturbance and nuisance from customers and if regulated entertainment is taking place to reduce the number of people opening and closing the door which allows leakage of noise as the pub is in a residential area.

Highways have no additional comments to make; therefore it is considered that there are no issues with highway safety. West Mercia Constabulary supports the application and will deal with any issues as they arise. In respect of concerns about noise levels and disturbance to nearby residential properties; these can be controlled through condition.

In conclusion it is considered that the proposal will not have a detrimental impact on residential amenity, nor will the proposal have an adverse impact on highway safety. Accordingly, there is no change to the recommendation to grant permission subject to conditions as set out in the original report below.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Visual impact, residential amenity, highway safety

PROPOSAL:

The application submitted by Punch Taverns seeks to erect a 900mm high rendered block wall to create an area to the front of the premises for outside dining and drinking. This area is to include a shelter comprising a black 3m x4m Jumbrella with integrated heaters. The removal of an existing low wall to the side of the

premises and the erection of a 1.1m chain link fence to provide access to the designated smoking area from the rear drinking area.

SITE AND SURROUNDINGS:

The application site is a vacant public house sited on the junction of Whitchurch Road and The Lawns. It is an early 19th Century detached building, that has a long frontage and tiled gable roof; the building is registered as a building of local interest. The front elevation is cream painted

brick and facing onto Whitchurch Road, a main thoroughfare of Wellington. A modest timber porch is located centrally on the front elevation, with ornate lion statues either side. The property has a number of architectural features including chimneys, open eaves details, sash windows, and large ground floor windows, with stone cills and brick headers.

There are currently 5no. parking spaces and bollards on the front, additional spaces are also located to the side and rear. In total the site has provision for 26 car parking spaces around the perimeter.

The north side has car parking spaces bounded by high fencing with residential flats (Eagle Court) beyond.

The rear (west) elevation is an irregular shape, bounded by fencing and brick walls with adjacent residential properties. It has a flat roof element and large chimney flue. The finish is a mixture of brick and cream painted brick and rendering. There is a sizeable amount of land to the rear with existing tarmac area. Unfortunately this land looks unkempt due to the premises being closed.

The south side abuts The Lawns which comprises of residential and warehousing/commercial properties. It is bounded by a high brick wall and fencing but parts of the wall and fencing are in a state of disrepair.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 Delivering Sustainable Development

PPS4 Planning for Sustainable Economic Growth

PPG13 Transport

Saved Wrekin Local Plan Policies

UD2 Design Criteria

HE25 Buildings of Local Interest

LDF Core Strategy

CS2 Jobs

CS 5 District and Local Centres in Telford

CS10 Community Facilities

CS15 Urban Design

CONSULTATION RESPONSES:

Wellington Town Council objects on the following grounds:

- proposed location too near to main road;
- potential nuisance to highway users;
- unsuitable location and health hazards for potential users.

Arboricultural: No objection as there are no trees within the red edge, there are trees in adjacent gardens but these are regularly maintained at a low height and will not factor unless the applicants are re-profiling and re-surfacing the car park.

Built Heritage Conservation: Confirm the premises are Locally Listed but outside the Wellington Conservation Area. In principle the proposal will not detrimentally affect the fabric or character of the Local Interest building although there is a need for an alternative to chain link fence.

Highways: have an issue with the number of parking spaces but feel it would be difficult to defend if an appeal was submitted for the following reasons:

- The site is in a sustainable location, close to Wellington town centre with car parks, train station and key bus routes. Customers could walk to the establishment as residential houses close by.
- PPG13 states that applicants are to determine their own parking requirements and that the Local Authority can only apply maximum rather than minimum parking standards when considering the provision made. A refusal on the grounds of parking shortfall can only really be made if a robust case is put forward by the Authority demonstrating particular road safety issues as a consequence. This would be difficult to prove.
- No recent evidence available to suggest an issue with the existing parking provision and therefore a potential one in the future.

It is therefore suggested that future parking to the rear is provided and existing car parking spaces redesigned.

6 letters of objection have been received from local residents. These raise concerns on the grounds of:

- Noise from musical evenings and use of amplifiers
- Effect on residential properties surrounding public house
- Broken glass being a danger to children and dogs
- Noise and nuisance caused by customers using Jumberella and overspilling of drinkers onto pavement and road, and from drinkers congregating outside particularly late at night and weekends.
- Loss of car parking
- Busy access road to The Maltings attempting to join Whitchurch Road along traffic from public house and local businesses is a potential traffic hazard
- Unsightly installation which will spoil the historic aesthetics of the existing building.
- Become a litter trap
- Al fresco misleading way of saying Smoking Shelter
- Non-smokers having to walk through a smoking area
- External doors propped open during summer months

3 Letters of support from 4 neighbouring properties have also been received from the local area welcoming the development and investments due to take place at the site.

PLANNING CONSIDERATIONS:

The application site includes alterations to a Locally Listed Building located to the far north of Wellington district centre. The proposal involves alterations to assist the business and encourage the reopening of the Public House. Policy

CS10 seeks to support existing facilities, and resist the closure of Community Facilities; the proposed alterations conform with this policy.

The proposed alterations involve the change of use of car parking to the front of the Pub to use as an alfresco dining area, in addition to a 0.9m high block wall and the installation of a black Jumberella. This area would fall in line with No 41 Whitchurch road, to the south of the development site, and the fence line of the adjacent building which fronts Crescent Road. Furthermore it should also be noted The Park Public House opposite the Wellington Arms, has a beer garden to the side of the building including a 1.2m high wall and hedge above, screening the beer garden from the street scene; this boundary treatment abuts the public footpath and is immediately opposite this development site. The principle of the low wall and use for alfresco design is considered acceptable, as it would not have an adverse impact the street scene, the building line, or the character of the area.

The proposed Jumberella whilst a permanent proposal, is a temporary in nature, in that it can be removed easily and is not attached to the fabric of the building; the item is set back from the highway and due to the location of adjacent buildings to the north and south of the site, would not be sited in a prominent location. With regard to the low wall Officers considered a 0.9m boundary treatment is acceptable, however the finished result should respect the front elevation of the public house. Subsequently it is considered further details regarding the materials and finish should be controlled through condition.

The proposed alterations to the side boundary will allow access to the smoking shelter, a canopy over the bay window on the side elevation. This is currently enclosed by a 1.1m high wall. The proposed chain link fence is out of character with the building of local interest, however the principle is considered acceptable, subsequently it is considered this can be amended through condition.

Although Highways have raised an issue with car parking spaces, the level of car parking remains unchanged, and spaces will remain at 26. The site is considered accessible as it abuts Whitchurch Road which is on a bus route and within walking distance of the Town Centre, and the residential community which surrounds it. Consideration is also made to this being external seating areas, and therefore use is naturally limited to fair weather, in addition to this being a public house where customers may not be driving to the facility. There is no change to the vehicle access to the site. As there is no change in internal accommodation, and the level of parking remains the same, it is considered the proposal will not have an adverse impact on highway safety.

The impact on the adjoining three storey high Eagle Court flats needs to be considered as it is sited approximately 20 metres from the development. It appears that the windows in Eagle Court that overlook the site are not main living room windows but kitchen and bathroom windows. There is close boarded fencing and brick pillars along this boundary to provide some privacy

at ground floor level. There are concerns from residents in respect of noise but also a letter of support from a resident stating that they have never experienced any problems with loud noise in the eight years that have resided there. A public house opposite the site has given support to the proposal. Other residential properties surrounding the site are not within a distance that would be considered a problem in terms of noise.

The applicant states that there is increased demand for outside dining. They have carefully designed the alfresco dining area to minimise noise break out and impact on amenity and no music will be played outside. This can be adequately controlled through condition; furthermore hours of use can be restricted.

With regard to other comments raised by objectors, customers will not have to walk through the smoking area, this is sectioned off at the side of the building. The use is already existing, and subsequently it is not considered the proposal will not increase anti social behaviour. With regard to doors being propped open during summer months, this is not a planning consideration, however these could be controlled through fire regulations.

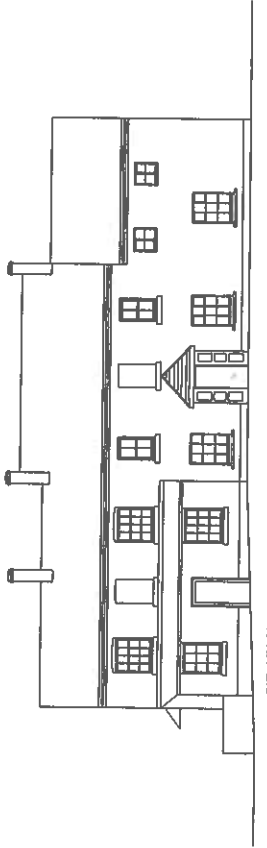
In conclusion the proposal will support the reopening of an existing public house. It will not adversely affect the character of the Locally Listed Building or the area. The proposal will not have a detrimental impact on residential amenity, nor will the proposal have an adverse impact on highway safety. Subsequently it is considered the proposal meets local and national planning policies.

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

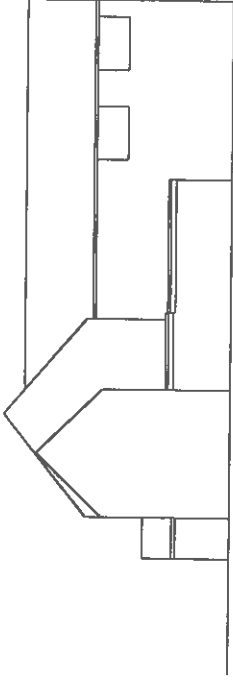
1. A4 Time limit full
2. B05 Notwithstanding details of materials
3. C38 Development in accordance with Plans
4. D14 No amplified noise
5. Non Hours of Use of front external area standard

REASON FOR APPROVAL:

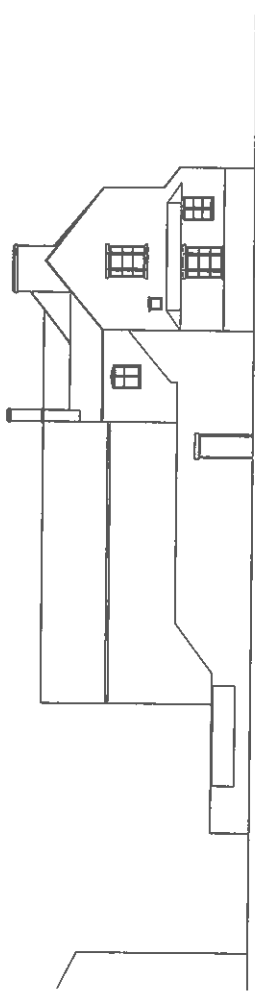
The proposed alterations will not adversely affect the character of the Locally Listed Building or the area. The proposal will not have a detrimental impact on residential amenity, nor will the proposal have an adverse impact on highway safety.



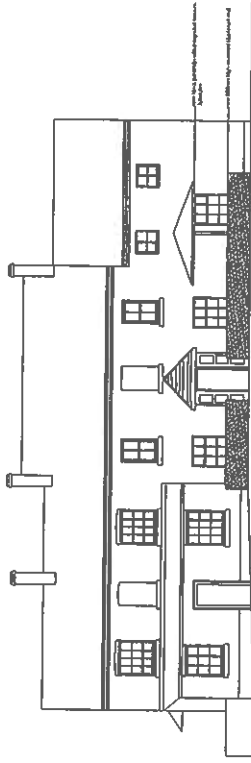
EXISTING FRONT ELEVATION



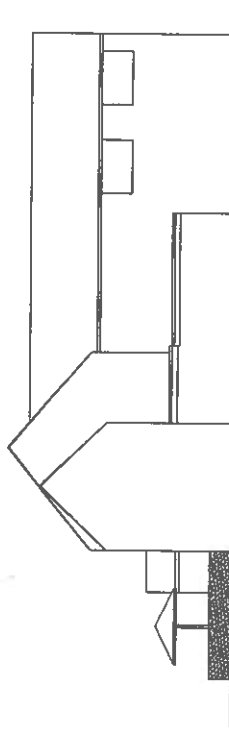
EXISTING SIDE ELEVATION



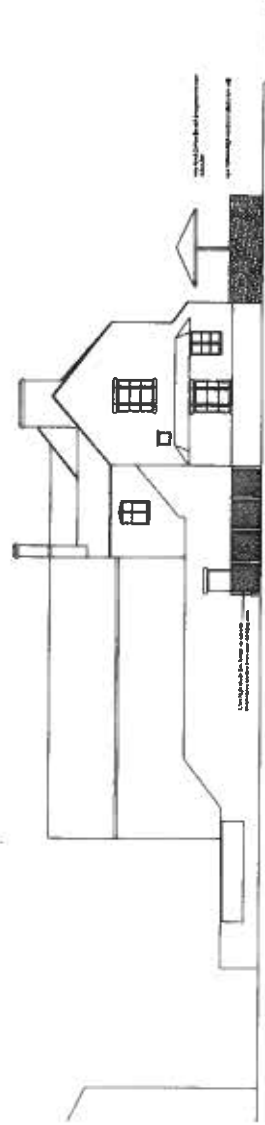
EXISTING REAR ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION

These drawings were prepared by the architect for the purpose of illustrating the proposed design and are not to be used for any other purpose without the written consent of the architect.

Approved: Final Construction Information Preliminary At Risk

Scale



TWC/2011/0333 27 Gilpin Road, Admaston, Telford, Shropshire, TF5 0BG
Installation of pitched roof to replace existing flat roof over garage and porch

APPLICANT

Mr Terry Kiernan

RECEIVED

19/04/2011

PARISH

Wrockwardine

WARD

Wrockwardine

COUNCILL TERRY KIERNAN IS THE APPLICANT THEREFORE THIS APPLICATION IS TO BE CONSIDERED BY MEMBERS OF THE PLANS BOARD

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Design and visual impact, and impact on neighbouring amenities.

THE PROPOSAL:

The application seeks to replace the existing flat roof over the garage and porch and replace with a pitched roof.

SITE AND SURROUNDINGS:

The property is a semi-detached gable house situated within an established residential area. External materials are concrete tiled roof, red facing bricks and both white timber and upvc doors and windows. A large bow window at ground floor level is a feature on the front elevation. The frontage is open plan, laid with gravel and a tarmac driveway leading to the attached flat roofed garage which itself is attached to the garage of the adjoining property.

The rear of the property has a patio area leading to a lawn, bounded by 2m high timber fencing to the sides. The rear is bounded by several mature trees and overlooks a railway line which abuts the southern boundary.

The majority of immediate neighbouring properties are of a similar design and appearance with bow windows and a flat roof element over the garages; however, there are several that have installed pitched roofs.

PLANNING HISTORY:

No relevant history

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria

LDF Core Strategy

Policy CS 15 – Urban Design

CONSULTATION RESPONSES:
Wrockwardine Parish: No objection

No comments received from neighbouring properties following consultation.

PLANNING CONSIDERATIONS:

The proposal is to replace the existing flat roof element above the bow window and garage with a pitched roof. This will help alleviate the current problems with rain water seeping into the property.

The new roof will run across the entire front of the property and garage. It will have a pitch of 19° with roof tiles to match existing. The roof line above the bow window will come forward slightly by 0.3m but no further forward than the garage building line. There are no issues in regards of levels with adjoining properties and the rear is not overlooked.

The development would alter the appearance of the property in the streetscene, however it does not constitute a major change to the existing frontage and will respect and reinforce the existing character of the dwelling. The proposal will have little if no impact on neighbouring properties.

In conclusion it is considered that the scale, layout and design of the proposed development are acceptable. The appearance of the property will be altered in the streetscene, however it would be satisfactory within this context. Accordingly the proposal complies with both national and local planning policies.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions

1. A04 Time limit
2. C01 Finishing material to match existing
3. C38 Development in accordance with deposited plans

Informatives

I40	Conditions
I41	Reasons for Grant of Permission

REASON FOR APPROVAL:

The proposed development is considered acceptable. There will not be a significant detrimental impact on neighbouring properties or the streetscene.