

**TELFORD & WREKIN COUNCIL**

**PLANS BOARD**

**24<sup>th</sup> AUGUST 2011**

Schedule 1 - Planning applications for determination by Board

<b>TWC/2011/0002 Cartridge World &amp; Plumbing Centre, Alexandra Road, Wellington, Telford, Shropshire, TF1 1RS</b> Outline application for residential development to include access, layout and scale, following demolition of existing buildings.....	<b>2</b>
<b>TWC/2011/0470 44/46 High Street, Hadley, Telford, Shropshire, TF1 5NG</b> Change of use of 2no. shop units from retail (A1) to hot food takeaway use (A5) .....	<b>9</b>
<b>TWC/2011/0488 Phases 3 &amp; 4 Lawley Village, Lawley Drive, Lawley, Telford,</b> Reserved matters submission for phases 3 and 4 of the Ironstone Sustainable Urban Extension comprising 434 residential units, landscaping works to form part of Lawley Park and associated engineering works .....	<b>15</b>
<b>TWC/2011/0511 Traffic Roundabout at entrance to, Telford Forge Retail Park, Colliers Way, Telford, Shropshire, TF3 4PA</b> Display of 3no. non illuminated 1200mm x 500mm advertising boards .....	<b>24</b>
<b>TWC/2011/0534 13 Haybridge Avenue, Hadley, Telford, Shropshire, TF1 5JP</b> Erection of a garage.....	<b>26</b>
<b>TWC/2011/0546 57 Park Street, Madeley, Telford, Shropshire, TF7 5LD</b> Material minor amendment to W2009/0385 for Erection of 2no. two bed apartments, which includes repositioning of building, alterations to roof, windows and addition of hardstanding (Amended plans received).....	<b>29</b>
<b>TWC/2011/0594 Land off Beaconsfield, Brookside, Telford, Shropshire, TF3 1LW</b> Provision of a children's play area and goal end .....	<b>35</b>
<b>TWC/2011/0600 Playing Field - off Field View, Waters Upton, Shropshire, TF6 6NN</b> Provision of a children's equipped play area.....	<b>39</b>
<b>TWC/2011/0613 Playing Field - off Wrekin View, Wrockwardine Village, Shropshire, TF6 5DL</b> Provision of children's equipped play area .....	<b>42</b>
<b>W2004/0980 Land at, Lawley, Telford, Shropshire.</b> Residential development comprising 3300 dwellings, employment/mixed-use commercial/leisure development, erection of a primary school and community centre, infrastructure works and associated recreational space and landscaping .....	<b>44</b>

TWC/2011/0002 Cartridge World & Plumbing Centre, Alexandra Road, Wellington, Telford, Shropshire, TF1 1RS  
Outline application for residential development to include access, layout and scale, following demolition of existing buildings

**APPLICANT**

Furrows Limited,

**RECEIVED**

30/12/2010

**PARISH**

Wellington

**WARD**

Ercall, Haygate

OBJECTIONS RECEIVED: No

MAIN ISSUES: Principle of development, Character and appearance, Impact on adjoining residential amenity, Impact on protected trees, Highways issues

THE PROPOSAL: The application seeks outline planning permission for residential development to include access, layout and scale, following demolition of existing buildings. The other matters are reserved and shall be addressed in a future application.

The proposal would create 18 residential units on the site comprising a three-storey apartment block with 6 units and a combination of semi-detached and terraced houses. The apartment block would be on the general footprint of the existing building at 30 Alexandra Road on the corner with Haygate Road. There would be 4 pairs of semi-detached properties and a row of 4 terraced units on the area currently occupied by Gemini Games/Plumbing Centre building and parking area. Two pairs of semi-detached dwellings with parking and garaging would front the highway, with the remaining dwellings set back from the highway and following the building line of the adjacent Haygate Public House.

Two main accesses will be provided off Alexandra Road; one leading to communal parking adjacent to the apartments and one to a car parking area serving the majority of the dwellings. The layout indicates a minimum of one parking space per unit and a total of 6 visitor spaces. The semi-detached units would have 2 spaces each. Two of the semi-detached properties will have their own driveway access off Alexandra Road. The other two will be accessed off the new estate road to the houses.

An indicative plan of the streetscene has been submitted showing a three-storey apartment block and the relationship of the proposed two-storey dwellings to the existing properties. Materials, details and landscaping are also indicative.

Amendments have been made to the layout of the development to meet highways requirements, to provide sufficient manoeuvring space and to increase the width of the accesses as well as providing a service verge alongside the access road serving units 3 to 10. These amendments have not significantly altered the original layout of the site.

#### SITE AND SURROUNDINGS:

The application site comprises a relatively large 'L' shaped plot which is narrower to the south and extends back at the rear of the adjacent Haygate Public House. There are several large modern commercial buildings and adjacent areas of hardstanding/ car parking with three main vehicular access points off Alexandra Road. The smaller brick building to the south of the site has recently been granted planning permission for use as a Martial Arts Centre and a Boxing club. The larger brick building with corrugated steel roof is currently used as Gemini Games (fruit machines) and the Plumbing Centre. The buildings are set back from the highway and the site slopes down slightly from Haygate Road to the south. They are bounded by c.1 metre high metal railings along Alexandra Road and c.1.8m high palisade fencing and timber boarded fencing along the shared boundaries with The Haygate Public House. There are a number of established trees on the boundary of the site at the corner of Alexandra Road and Haygate Road.

Opposite and adjacent to the application site is an established residential development, with a variety of traditional and modern properties, comprising two-storey terraced, semi-detached properties and a corner development of apartments. Further residential development is located on Haygate Road.

The site is within the Secondary Zone in the Wrekin Local Plan and is located approximately 180 metres to the west of Wellington District Centre in a mixed residential and commercial area comprising various facilities: public house, social club, dry cleaners, hair salon, Telephone Exchange, carpet retailer and Tesco Express are located along Haygate Road towards the District Centre to the east. The application site is on the edge of the commercial area. Haygate Road is on a main bus route and the site is accessible by a variety of transport modes.

#### PLANNING HISTORY:

W2002/0567 Provision of 5 No. Car Parking Spaces (Amended Plans Received), Full granted

TWC/2010/0409 Change of use of retail shop (use class A1) to Martial Arts Centre (use class D2), Full granted

TWC/2010/0778 Change of use of retail unit (A1) to community boxing club (D2), Full granted

TWC/2011/0398 Variation of condition 3 of TWC/2010/0409 to allow additional leisure facilities including Aerobics, Pilates, Yoga, Personal Training, Massage and Healings, Full granted

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Highways

Saved Wrekin Local Plan Policies  
UD2 Design Criteria  
H6 Windfall Sites in Telford & Newport  
S11 Wellington Secondary Zone

LDF Core Strategy  
CS5 District and Local Centres  
CS15 Urban Design

CONSULTATION RESPONSES:  
Wellington Town Council: no objection

Highways; Following amendments to the layout, there are no objections subject to conditions B20 (Road design), C20 (Parking, loading, unloading and turning) and C21 (Visibility splays of 2.4m x 33m), and standard highways informative I11.

Drainage: Support subject to Condition B33 (Foul and surface water drainage) and runoff to be restricted to brownfield rates.

Contaminated Land: Support subject to Land contamination condition.

Arboricultural: No objection subject to conditions. The trees that surround the old Cartridge World building offer a high amenity value and potential screening from the development; therefore a Tree Preservation Order has been made. As it stands, currently there are 20 trees growing on site, 7 have been protected. The initial outline plans show 3 replacement trees, in total there is a loss of 10 trees within the site. Therefore a condition is required to plant more replacements trees for those that have been lost. All HERAS fencing must be erected before any demolition starts on site, to form a construction exclusion zone, as shown in plan 5 of the tree report. The demolition of the Cartridge World building should be of the 'Top down, pull back' methodology, to ensure that the roots of the protected trees T1, T2 and T3 are not damaged. After the demolition the HERAS fencing can be erected around T1, T2, T3, to form a complete barrier around the perimeter of the site. Further detail of the landscaping of the 'amenity area' to the rear of the proposed flats would also be required, soil alterations, how the existing tarmac is to be removed 'hand dig', and the back fill in this area.

Ecology: Support subject to Bats and Birds informative.

Sustainability: A statement is required in the design and access statement where the developer should look to explain how they believe they have developed a valid and sustainable design solution. One of the most effective ways of securing more sustainable developments, and reducing climate change emissions, is to design buildings to achieve Level 3 of the Code for Sustainable Homes, then be upgraded to Level 4 for any development that occurs after April 2013 to accord with national policies PPS1 and PPS9.

Parks & Open Spaces: No objection subject to a contribution of £600 per dwelling towards upgrading nearby recreation facilities and comply with planning policies.

Education: Given the number and type of dwellings, would request contribution of £44,278 (comprising £26,647 towards primary education and £17,631 towards secondary education) towards education provision in the vicinity of the development.

Strategic Housing: Has discussed an appropriate level of affordable housing with the Applicant, providing specialist provision for people with disabilities, to be agreed through S106. There will be 4 units consisting of:

- 2No. 2 bed houses – 1 social rent, 1 shared ownership
- 1No. 3 bed house – for social rent built to full wheelchair standard and adapted for disability needs – details to be confirmed
- 1No. 2 bed ground floor apartment – for social rent and built to full wheelchair standard

Shropshire Council: no comment

Shropshire Fire Authority: Informatives regarding Access, Water supplies and Sprinkler systems

One neighbour letter raising concern that this is the third recent application in this location (previous applications for change of use of building to martial arts and a boxing club). The address of the site is confusing and the site includes Gemini and Plumbing centre premises. Overall supportive of the proposal for housing in this predominantly residential area. Would hope the mature trees on site would be retained on the corner of Haygate and Alexandra Road.

#### PLANNING CONSIDERATIONS:

The application is for outline planning permission with some matters reserved. At this stage the access, scale and layout of the development are to be assessed.

There will be two main access points to the development, serving the apartments and dwellings separately. Four semi-detached properties will have their own driveways and garages, and would be located either side of the vehicular access, (which is of an adoptable standard in highways terms) which serves the remaining 8 units. The proposed parking provision of one space per apartment and terraced unit and 2 spaces per semi, along with visitor spaces is considered acceptable. Furthermore, the site in a highly accessible location within walking distance of the services and facilities in Wellington District Centre with bus routes located on Haygate Road. Accordingly the access and parking arrangements are considered appropriate and the development would comply with Policy H6 and PPG13.

The proposed development comprises a mix of housetypes. There would be a combination of apartments, terraced and semi-detached properties. The 6 apartments would all comprise 2 bedrooms. There would be 8 houses with 2

bedrooms and the remaining 4 units would be 3-bedroom houses. The application site is located in a mixed residential area comprising apartments, terraced and semi-detached houses, therefore the layout and scale of the new properties is considered acceptable.

The design and appearance of the development will be considered in any future reserved matters or full planning application; however the indicative sketch suggests the development can be designed to reflect the character and appearance of properties in the vicinity. Whilst the new properties will not match the adjacent properties exactly – the proposed apartment block is likely to be three-storey rather than the prevailing two-storey development – they are of a form which relates to the character and appearance of the area.

The apartment block will not be overly prominent in the streetscene as it will be set back from both Haygate Road and Alexandra Road and surrounded by established trees. Some of the trees are protected and in the tree survey it is intended to retain the majority of the trees at the south of the site which have considerable amenity value. Additional trees and landscaping can be conditioned and the details of landscaping will be provided at reserved matters stage.

With regards impact on amenity, the layout of the development and the position and orientation of the proposed dwellings and existing residential development will ensure that there will be no adverse impacts on residential amenity. The proposed rear garden areas are relatively small; however they are considered appropriate in the context of nearby modern development. There is sufficient communal amenity space for the proposed apartments. There is an acceptable distance of approx. 13 metres from the rear elevations of the adjoining properties 17 to 22 The Maltings to the proposed development; and No.1 The Maltings has a blank side gable elevation facing the application site. At reserved matters, the development can be designed to ensure there would be no significant overlooking. Furthermore, in replacing the commercial units in this predominantly residential area, the development would constitute an improvement to the existing potentially noisy activities (existing activities such as repairing fruit machines and vehicle movements associated with deliveries, staff and customers in the large parking and service area to the north of the site). Officers do have regard to the proximity of new residential development to The Haygate Public House to the south and west of the application site, and consider that there may be a need to incorporate measures to mitigate the potential impact of noise on the new properties; such as limiting windows on the side elevation of unit 10 and possible acoustic fencing to be included within the landscaping scheme.

The site is located within a highly sustainable location within Wellington District Centre. The application site is designated as part of the Wellington Secondary Zone. It is on the edge of this area and is in a mixed area, but the area is predominantly residential to the north, south and west of the site. Policy S11 of the Wrekin Local Plan refers to ground floor uses within the Centre and appropriate development. Whilst this does not specify dwelling houses (C3 of the Use Classes Order), this policy seeks to consolidate retail

within a defined core area. Given the site's location on the edge of the Secondary Zone and the prevailing residential character of the area, it is considered that the principle of residential development on this site and the loss of the units comprising commercial/leisure use is acceptable.

Given the scale of the development, financial contributions are required with regard to education and recreation, and a proportion of units should also be affordable. The Applicant has agreed to provide 4 affordable units to meet specialist requirements, following discussion with the Council's Housing Policy & Enabling Officer.

With regard to the consultation comments, it is considered that the protected trees on site will not be adversely affected by the development and that conditions can be imposed to prevent damage during the demolition and construction phases of development. The Sustainability comments are noted; however it is considered that these can be imposed as a condition.

In conclusion, the principle of residential development is considered acceptable in this sustainable location. The layout of the site and the scale of the 18 units with associated parking and amenity space is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining or proposed properties or to the protected trees on site. The proposed new accesses can be accommodated without detriment to highway safety. Contributions have been negotiated towards education and recreation, with provision of 4 affordable units of accommodation. Subsequently the proposal complies with both Local and National Planning Policy.

**RECOMMENDATION:** to GRANT PLANNING PERMISSION subject to the Applicant entering into a Section 106 Agreement to provide £44,278 towards education provision, £600 per dwelling towards recreation and provision of 4 affordable units of accommodation, and the following conditions:

1. A01 Time limit
2. B02 Standard outline some matters reserved
3. B03 General details required
4. B06 Samples of materials
5. B07 Sample panel
6. B11 Details of doors and windows
7. B14 Landscaping design
8. B20 Road design
9. B23 Onsite construction
10. B30 Land contamination
11. B33 Foul and surface water drainage
12. B41c Brownfield runoff rates
13. B73 Trees protective fencing during demolition and construction
14. B74 Trees services root protection
15. B75 Trees no dig method
16. C07 Trees – no burning

17. C08 Trees soil levels
18. C09 Trees material storage
19. C20 Parking, loading, unloading and turning
20. C21 Visibility splays of 2.4m x 33m
21. C38 Development in accordance with deposited plans
22. Ccustom Recommendations of Arboricultural Assessment to be followed
23. Ccustom Code for Sustainable Homes
24. D01 Removal of all permitted development rights
25. D03 Domestic garages: restriction on residential use

**REASON FOR APPROVAL:**

The principle of residential development is considered acceptable in this sustainable location. The layout of the site and the scale of the 18 units with associated parking and amenity space is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining or proposed properties or to the protected trees on site. The proposed new accesses can be accommodated without detriment to highway safety. Contributions have been negotiated towards education and recreation, with provision of 4 affordable units of accommodation.

TWC/2011/0470 44/46 High Street, Hadley, Telford, Shropshire, TF1 5NG  
Change of use of 2no. shop units from retail (A1) to hot food takeaway use  
(A5)

**APPLICANT**

, Mr Matlub Dadd

**RECEIVED**

08/06/2011

**PARISH**

Hadley and Leegomery

**WARD**

Hadley and Leegomery

HADLEY & LEEGOMERY PARISH COUNCIL HAVE OBJECTED TO THIS APPLICATION AND HAVE REQUESTED THAT IT IS DETERMINED BY MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Overall impact upon the environmental capacity of Hadley District Centre, amenity, highway safety.

**THE PROPOSAL:**

The proposal is for a change of use of no's 44 and 46 High Street Hadley from retail (class A1) to hot food takeaway use (class A5). The owner of the shop has a potential tenant who is interested in opening a hot food takeaway selling Portuguese food.

The proposed opening hours are 12:00 to 24:00 on Monday to Friday 12:00 to 01:00 on Saturday and 18:00 to 23:00 on Sunday and Bank Holidays.

**SITE AND SURROUNDINGS:**

The application site is located on the corner of High Street Hadley opposite Manse Road and Hadley Methodist Church and adjacent Hadley Centre. The site falls within the Hadley Secondary Zone and comprises two small retail units with a floor area of approximately 67sq.m. Both units are currently vacant; no.44 has previously been a photography studio and until recently no.46 was a barbers shop.

The C1950's buildings are finished in cream painted render and have slate gable roofs and various security grilles on the front elevations. The rear of the premises are unkempt and overgrown and bounded by 1.8m chain link fencing and includes two vehicular access points; one between no.44 and no.46 and one on the western boundary opposite Gladstone House. There is an established hedge along the western (left hand) boundary and trees to the rear. There is an area of tarmac between the application site and the block paved footway which contains a row of semi mature trees.

To the right (east) of the site is an imposing two storey detached property with a large area of hardstanding to the side and rear which is bounded by 2.0m palisade fencing. The premises was previously "Junction 6" van hire but permission has recently been granted on appeal for car sales.

#### PLANNING HISTORY:

There is no relevant planning history.

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 - Delivering Sustainable Development

PPS4 - Planning for Sustainable Growth

Saved Wrekin Local Plan Policies

S21 - Hadley Secondary Zone

UD2 - Design Criteria

LDF Core Strategy

CS5 – District and Local Centres

CS15 Urban Design

#### CONSULTATION RESPONSES:

Hadley & Leegomery Parish Council object to the application for the reasons listed below, and therefore unless it is intended to refuse permission under delegated powers, request that the application is determined by Plans Board.

- The proposed development will result in additional traffic congestion and parking of vehicles using the takeaway which will endanger other road users and pedestrians at a location opposite to a road junction. The Parish Council campaigned for many years to have double yellow line parking restrictions imposed on the road in front of and on the approaches to this site. There is already significant congestion in the High Street during the opening hours of two other hot food takeaway businesses.
- The proposed opening hours will impact adversely on the locality generally and nearby residential properties in particular. If consent is to be granted the Parish Council requests that the operating hours are reduced to a latest time of 11.00 pm on weekdays and Saturday and 10.00 p.m. on Sundays.
- The proposed use will create an excess of hot food takeaway businesses in the immediate area which already has three such businesses located in High Street and Gladstone House, Hadley, with another planned in Castle Street nearby.

The Council's Highways Engineer has no objections to the proposed change of use.

The Council's Contaminated land Officer has no comments to make.

27 direct neighbour letters have publicised the application.

2 letters of objection have been received; one from the nearby fish & chip shop and one from the owner of the neighbouring building no.42. The issues raised are summarised below:-

- There are a lot of hot food takeaways around the square,
- Another one is due to open on the perimeter road,
- Competition and takings are already low,
- Previously an illegal catering van took months to remove,
- hours of opening would effect sleep, also the noise and smells coming from such a business,
- Hadley centre and the High Street already has a number of takeaways; a Chinese, Pizza / Burger place, chip shop and a café,
- Litter would end up in the Council flower tubs in front of my house, or thrown over the fence,
- Where would the rubbish bins be as the footpath in front of 44/46 High Street is very narrow compared to the footpath outside front of 42 High Street,
- the drive way has joint access with no.42 which is not used very often as it is difficult to drive a vehicle in and out of there, but should not be blocked.
- one of the biggest problems is that people already park on the corner especially Wednesdays and Saturdays,
- even though there are yellow lines and car parks near by people still block that corner,
- there have been a number of near misses with cars parked there,
- such a business needs parking or parking that is safe to use.

#### PLANNING CONSIDERATIONS:

The proposal is for a change of use from an A1 (shop) use to an A5 (hot food take away) use with opening hours from 12:00 to 24:00 on Monday to Friday 12:00 to 01:00 on Saturday and 18:00 to 23:00 on Sunday and Bank Holidays.

The drawings also show the installation of new extraction flue and at this stage there is no application for signage.

Policy EC13.1 of PPS4 advises LPA's that when assessing planning applications affecting shops or services in local centres, they should

- take into account the importance of the shop, or service to the local community or the economic base of the area if the proposal would result in its loss or change of use
- refuse planning applications which fail to protect existing facilities which provide for people's day-to-day needs
- respond positively to planning applications for the conversion or extension of shops which are designed to improve their viability

Policy CS5 asserts that the mix of uses in Local Centres will be carefully managed.

Policy S1 identifies Hadley as a District Centre and as Level 2 in the hierarchy of service centres which is expected to cater for a more localised and limited shopping role. The site is located within the Hadley Secondary Retail Zone, where policy S21 permits a change of use from retail to certain non-retail uses subject to their size, design and overall impact on the environmental capacity of the centre and policy S21 advises that a flexible approach is required, aimed at securing the beneficial use of any vacant units which will improve the overall trading position and sustain greater future investment and retailer confidence.

The buildings occupy a fairly prominent corner plot and currently they are vacant and the untidy and overgrown nature of the rear of the site detracts from the character and appearance of the area. The buildings until recently have been occupied as a barber's/hairdressers and there are two other hairdressers in the Primary Retail Zone and thus the loss of the hairdressers will not adversely impact upon the service provision of services in Hadley District Centre. Clearly as a Class A1 use (which includes uses such as shops, retail warehouses, undertakers, sandwich bars, post offices, travel agencies, internet cafes), the LPA can not control what use falling with Class A1 occupies the units. Nonetheless, the issue in this instance is whether or not the loss of A1 retail units in this Secondary Retail Zone are harmful and what impact it will have upon the Hadley District Centre.

Hadley District Centre is due to be redeveloped next year with new housing and shops but currently contains twenty three Council owned units including thirteen Class A1 retail units comprising an off licence and convenience store, newsagents, 2 no. hairdressers, Halah butcher, Polish food store, greengrocer, supermarket, pharmacy, charity shop, a large vacant unit (formerly Meat Market), post office and a tropical food store.

In addition there are a variety of other uses in the centre and in the immediate vicinity and the Secondary Zone including a café (class A3), the King's Head PH (class A4), a fish & chip shop (class A5), WHT offices (class B1), a veterinary surgery, a dental surgery & a martial arts club (class D1), upper floor residential (class C3), and Sui Generis car sales. Further down the High Street are bookmakers (class A2), a furniture warehouse (class A1) and Chinese takeaway (class A5).

Given the above variety of uses and the ratio of the various use classes it is considered that the proposed change of use from class A1 to A5 in this Secondary Retail Zone will not adversely affect the vitality and viability of Hadley District centre, or the variety of services/provisions available to shoppers/visitors. Moreover, bringing the vacant units back into use is deemed an improvement to the area which will bring these tired looking buildings back into useful occupancy.

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. There will be no material change to the frontage and the drawings show a small extraction flue on the rear elevation facing towards the yard which will not be visible in

the public domain. No technical details in respect of the flue have been submitted. Therefore, an informative will advise that a separate application will be required for any signage and that extraction systems should be fit for purpose and capable of dealing with any cooking odours produced in the kitchen.

Amongst other issues policy UD2 also advises the Council to assess proposed development in relation to access and parking. The Council's Highway Engineer has no objections to the proposed use and there is adequate parking within the site for any employees and sufficient vehicular access for delivery vehicles, and ample car parking within a very short distance for customers. Comments made by the Parish Council and the owner of no.42 in respect of highway danger, congestion and unauthorised parking are noted, however, they do not justify the refusal of this application which could then be successfully substantiated at any subsequent appeal. There is no evidence that visitors to a hot food takeaway as opposed to a visitors to an A1 use, e.g. shop, Post Office, sandwich bar etc. (as listed previously in this report) would result in a more dangerous highway situation than customers of a hot food takeaway. Illegal parking on double yellow lines falls under the remit of the Police and not the LPA.

The ambient noise level in and around a District Centre is not generally as quiet as that experienced in a wholly residential area. Nevertheless, the nearest residential properties are sufficiently distant to ensure that residential amenity is not significantly harmed by disturbance by late night visitors to the premises. Furthermore, the proposed opening hours are comparable to the nearby fish & chip shop which currently trades up to 22:00 at night (although there are no hours condition which would prevent it from opening later), and the PH on the opposite side of the road which has an Alcohol Licence from 10:00 – 24:00 on Monday – Thursday and 10:00 – 02:00 on Friday – Sunday and Bank Holidays, but no planning restriction on opening hours. The proposed take away would therefore close before the PH.

Accordingly, the proposed development is considered acceptable as it will not adversely impact upon the vitality and viability of Hadley District Centre, there is will no detrimental affect on the service provision of the centre, or significant impact upon residential amenity or highway safety. Moreover, the occupation of these vacant, tired looking and overgrown premises is considered an improvement to the current situation which will result in an improvement to this prominent corner position and thus an enhancement to the area. Therefore, the proposed development is deemed compliant with both local and national guidance and policy and therefore recommended for approval with conditions.

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

1. A04 time.
2. C38 in accordance with approved plans.
3. D11 hours of use. And vacated by these times.
4. Informatives.

5. Icustom extraction unit fit for purpose.
6. I05 adverts require separate consent.
7. I40 conditions.
8. I41 reasons for approval.
9. RAcustom approval

**REASON FOR APPROVAL:**

The proposed development is considered acceptable as it will not adversely impact upon the vitality and viability of Hadley District Centre, there will be no detrimental effect on the service provision of the centre, or significant impact upon residential amenity or highway safety. Moreover, the occupation of these vacant, tired looking and overgrown premises is considered an improvement to the current situation which will result in an improvement to this prominent corner position and thus an enhancement to the area and health of Hadley District Centre as a whole.

TWC/2011/0488 Phases 3 & 4 Lawley Village, Lawley Drive, Lawley, Telford, Reserved matters submission for phases 3 and 4 of the Ironstone Sustainable Urban Extension comprising 434 residential units, landscaping works to form part of Lawley Park and associated engineering works

**APPLICANT**

Ironstone Developer Group,

**RECEIVED**

07/06/2011

**PARISH**

Lawley and Overdale

**WARD**

Lawley and Overdale

OBJECTIONS RECEIVED: None

**MAIN ISSUES:**

Compliance with outline approval and Design Codes, design, appearance and materials, parking, landscaping works, play provision and footpaths.

**PROPOSAL:**

This application is for the erection of 434 dwellings with associated roads, footpaths, landscaping works including allocation for a MUGA. This forms phases 3 & 4 of Lawley Sustainable Urban Extension. This is a major new housing area with a local centre that is currently in the course of construction.

**SITE AND SURROUNDINGS:**

The site is located within the Lawley on the western side of Telford. The site lies to the east of Lawley Drive and north of West Centre Way. It is located north of the proposed local centre that fronts West Centre Way. North of the site is a grassed plateau leading up to the Lawley Visitor Centre and Junction 6 of M54. On the eastern side is the Ketley Dingle with open space beyond and the housing and primary school at Newdale. Further south is the existing residential development around Gresham Drive and Churchward Drive. Between this development and the site lies an area of open space including a play area and Newdale Pool. The Ironbridge Way, an important strategic footpath, runs north to south through this open space.

Immediately to the west of the site is Lawley Drive, a primary route within Telford, which is partly set down in a cutting. Beyond this open space to the north and to the south, lies the newly constructed housing forming part of phase 1 of Lawley SUE.

South of the site is plateau area fronting West Centre Way that will shortly be developed as a local centre for Lawley and certain infrastructure works are now taking place on site in accordance with the recently approved scheme (TWC/2010/0627).

The Wrekin Way footpath, a second strategic footpath, crosses the site between phases 3 & 4. This is on a wooded embankment. Works are taking place to alter the levels between the two phases and to provide a linking road at the western end of this footpath within the site.

#### PLANNING HISTORY:

W2004/0981 – Outline planning permission to include access for Lawley Sustainable Urban Extension comprising 3,300 dwellings, employment, commercial and leisure facilities, a new school and associated recreational space and landscaping that was approved in October 2005 following extensive consultation. This permission set out a development framework and design codes to guide future development within Lawley.

W2006/1414 – Reserved Matters Approval approved in July 2007 for new highways infrastructure, earthworks, foul water attenuation and associated landscaping to create the development platform for the local centre and phase 3. These works including the re-alignment of West Centre Way and the formation of new junctions onto Lawley Drive to allow access to phases 3 & 4 have been completed.

TWC/2010/0627 – Reserved Matters Approval for the erection of the new Lawley local centre including a supermarket, shops, nursery, public house and 16 town houses and 11 duplex apartments and 12 one and two bedroom flats was granted in 1<sup>st</sup> March this year. Development of the local centre is due to commence later this year.

TWC/2010/ 0348 – Full permission for engineering works to re-profile the land to facilitate residential development between phases 3 &4 around Wrekin Way granted on 10 September 2010. These works will enable the two phases to be linked by 'Main Street' providing acceptable levels. These works are currently being carried out.

W2006/1005 and W2007/0948 – Reserved Matters Approval for the construction of phase 1A and Phase 1B of Lawley SUE. Phases 1A and 1B are being built out and are nearly completed.

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS 1 –Delivering Sustainable Development  
PPS 3- Housing  
PPS25 – Development and Flood Risk

#### Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria  
Policy OL3 - Green Network  
Policy OL4 – Development in the Green Network  
Policy OL12 – Open Land and Landscape Contributions from New Development  
Policy OL13 - Maintenance of Open Space  
Policy LR4 – Outdoor Recreational Open Space  
Policy LR6 - Developers Contributions to Outdoor Recreational Open Space within New residential Developments

LDF Core Strategy  
CS15 Urban Design

CS1 Homes  
CS9 Accessibility and Social Inclusion  
CS11 Open Space

Lawley Design Codes (approved as part of outline planning permission W2004/0980)

#### CONSULTATION RESPONSES:

Lawley Parish Council and Overdale Parish Council have no comments.

Shropshire Fire Service require access for emergency vehicles, water supplies for fire fighting including fire hydrants and suggests that sprinklers are provided within new dwellings to reduce potential fire deaths.

The Council's Drainage Section has requested a flood risk assessment to ensure that surface water run-off rates comply with the latest guidance in PPS25 Development and Flood Risk following the floods in 2007. Additional information has now been received and is being assessed. An update will be provided at Plans Board.

The Council's Geotechnical Services have assessed the ground conditions report which identifies depths of fill, open cast high walls and other topographical detail. In these circumstances a condition requiring a foundation schedule for each dwelling to identify the appropriate foundation choice prior to the commencement of development should be imposed.

Built Heritage and Conservation section has no comments.

Development Plans state that the site affects areas of Green Network identified in the Wrekin Local Plan but recognises that outline planning permission and the development framework for Lawley SUE has been approved. Large areas of the green network are being retained and improved with some additional green space adjacent to phase 4. New facilities including public art, interpretation boards, and improved footpaths are to be provided. They note a strong relationship and interaction between the built development and green space. Concern is expressed about the potential loss of the existing play area adjacent to Gresham Drive. If this issue can be resolved then the development will comply with the open space policies in Wrekin Local Plan and the Core Strategy.

The Council's ecological services have no comments.

Highways Engineers have agreed broad principles for the layout of the development and Main Street but there remain a substantial number of outstanding details that need to be resolved. These include, for instance, details of the feature squares and 'urban room' within the development, details of materials for road surfacing and tracking. The highway engineer is working with the applicants to resolve these issues. An update will be provided at Plans Board.

Urban Design Officer has also agreed the broad principles of the design but has also requested a substantial number of detailed changes to the house type designs, street scenes, materials, landscaping and other details. These are currently being addressed by the applicants. An update will be provided at Plans Board.

The Council's Strategic Housing Officer has agreed the number and mix of the affordable housing to be provided.

Council's Landscape Architect is generally supportive of the landscape proposals with a few minor changes. She would have liked to see some small green squares or belts within the housing layout itself.

#### Neighbour consultation responses

There have been no comments from local residents.

#### PLANNING CONSIDERATIONS:

This report needs to be read in conjunction with the report for the amendments to the S106 agreement for the outline planning permission W2004/0980 in relation to phases 3 & 4. That report seeks to revise affordable housing requirements and amend design codes etc.

Outline Planning Permission for Lawley SUE was granted in October 2005 for 3,300 houses, a new local centre, new school and leisure and recreational facilities.

As part of the outline planning proposals a Development Framework Plan and Design Codes were prepared and approved. Both the Development Framework and Design Codes was the subject of extensive public consultation prior to approval. They set down principles for the layout and design of Lawley SUE that have been adopted by the developers. The Development Framework sets out the areas for housing development, the local centre and open space and recreation areas. The site comprising Phases 3 & 4 was proposed as housing with some mixed use development along Main Street up to top of phase 3 and fronting part of Wrekin Way.

The Design Codes provide for five character areas within Lawley SUE. Phases 3 & 4 fall within the Newdale Valley character area which is envisaged as being highly urban, laid out on a primarily rectilinear grid to respond to the linear form of Ketley Dingle. The form of this area is more contemporary than the more traditional designs in the first to phases of Lawley SUE that are currently being built.

Ironstone Development Group (IDG) have now nearly completed the dwellings in phases 1A and 1B of Lawley SUE and are seeking permission for the next phases in order to continue the development in Lawley. They have looked at the developments being carried out on phase 1 and looked at

lessons learnt from these first phases including the feedback from a community questionnaire exercise and from customers.

IDG have also looked at the proposals for phases 3 & 4 in terms of viability taking into account the current economic climate before they were prepared to consider further house construction in Lawley. They have provided a viability appraisal for these phases. As explained in the report on section 106 amendments (W2004/0980) that will be considered at this meeting, IDG have looked at the requirements for affordable housing, the other sums due in the S106 agreement, the share of the infrastructure costs (including the re-aligned West Centre Way and improvements to Lawley Drive) and the need to comply with the Design Codes. The developers have demonstrated that phases 3 & 4 will be unviable if the original section 106 requirements is followed in its entirety. . They have therefore requested that the Council and HCA (as landowner) look at ways in which costs can be reduced in order to make continuing development in Lawley viable in the current economic climate. A number of matters have been considered and these include:

1. a reduction in the affordable housing from 25% to 15%
2. deferment of payments of some of the S106 contributions
3. Changes to the requirements of the Design Codes.
4. Changes to the materials proposed.

The issues relating to points 1 and 2 above and the variations proposed to the S106 agreement are considered in the separate report for W2004/0980. The principal matters relating to the section 106 agreement requirements that affect the consideration of this planning application is therefore the Design Codes and materials to be used in the development.

The Design Codes provide guidance for the development of Lawley SUE over the long period of its construction. It recognises the need to monitor and review the content to reflect changes in circumstances at the time of delivery.

By way of further background, in relation to the development of the first two phases, a number of particular design issues have been raised by local residents. Firstly, that there is insufficient parking spaces which has led to parking on the roads. In addition, many residents do not like and therefore do not use the parking court yards which has added to on road parking problems. Secondly, many of the gardens, particularly of the larger units are too small for the size of dwelling. In response to these concerns, the Developers have sought to increase the parking provision especially for larger dwellings, reduce the dependency on parking courtyards and increase the size of private gardens.

The Developers have considered the Development Framework and the requirements set out in the Design Codes and have looked at ways in which design aspects could be revised to reflect changing requirements and economic realities. The following sections describe the changes that are proposed together with the “devices” (in design terms) that are proposed to be incorporated into the development:

Open Spaces: They have retained the main areas of open space including the spaces around Ironbridge Way along the eastern edge of the development and Wrekin Way between phases 3 & 4. They have also provided a finger of open space north of phase 4. The bridleway and footpath routes are being retained and upgraded. The bridge across Lawley Drive is to be provided (but will be subject of separate application). In addition in order to meet current flood risk attenuation requirements additional ponds are proposed alongside the wooded areas adjacent to phase 4.

Main Street design: Main Street is being retained as the most important route though re-aligned to introduce traffic calming measures. It is no longer proposed to provide flexible mixed use buildings along Main Street as originally proposed and the developers are proposing housing only. In the current economic climate where there is reduced demand for commercial premises this is felt to be acceptable. Gresham Drive is also being retained and improved as a secondary access into phase 3.

Densities: The Developers have looked at the densities set out in the Design Codes which suggest high densities near the local centre to the south and medium densities further north. They propose to concentrate the higher densities along Main Street to provide a more urban feel along this important route. Lower densities are proposed adjacent to the open spaces. Overall the average densities set out in the Codes are being achieved.

Street Designs: The basic block form of development is being retained though the blocks have been sub-divided in some instances with the introduction of more Formal Streets. In addition a new form of street has been introduced. These are Mews Lane which are designed to reduce dependence on parking courtyards that are unpopular with local residents. These are designed to be more than just parking areas as they are overlooked by adjoining dwellings. This has been achieved in part by the introduction of a small number of Flats over garage blocks (FOGS) and partly by introduction of side windows on dwellings at the entrances to the Mews Lanes to increase passive surveillance. Feature Squares have been introduced to provide some additional landscaping and alternative parking solutions.

Dwellings off private drives have been introduced along the Park Edge on the eastern side of phase 3 and along the areas of open space and along Lawley Drive to provide a more informal frontage to the open areas and to help to reduce costs of construction.

Dwelling Types: The Design and Access Statement suggests that there should be distinct types of dwellings for each type and hierarchy of street type that should help to create individual characters (for Main Street, the Formal Lanes, the Formal Streets, the Park Frontage and Mews Lanes). At this stage, these distinct characters have not been fully achieved and the house designs and street scenes do not fully reflect the principles set out in the Design and Access Statement.

Main Street is to be the main focus for vehicular and pedestrian activity in Newdale and will become a bus route. It will retain a boulevard feel with the planting of trees along its length where possible having regard to the need to provide visibility splays. This will be the main area of continuous frontage as set out in the Design Codes. The dwelling houses have been reduced in height from a minimum of 3 stories to a mix of 2 to 3 storey dwellings. The developers claim that there is less demand for 3 storey dwellings in the current economic climate. By clever design, the introduction of gables and siting of some 3 storey dwellings on key corners a good sense of enclosure can still be achieved. Privacy strips have been increased to enable adequate space for utilities, provide functional front gardens and allow for porches and steps as required.

Car Parking: The Developers have sought an increase in parking ratios for the dwellings. The Design Codes required overall parking ratio of 1.5 per dwelling across Lawley SUE. This has proved unworkable particularly with the larger dwellings and has resulted in on-street parking sometimes in an inconsiderate manner. In addition purchasers and local residents have suggested that more parking is required. More on plot parking is also proposed (with a minimum of two spaces per dwelling) to further reduce the need for courtyard parking.

Landscaping/Play Areas: The landscape proposals for the eastern area of open space are based on the designs put forward for the Local Centre reflecting the mining and working of ironstone and iron in the area. They retain the primary areas of open space set out in the Development Framework. The proposals have been amended to retain the existing play area at Newdale and to provide space for a Multi use games area adjacent for which there is money in the S106 agreement. Subject to a few changes in layout and specification, the design and layout of the main areas of open space are acceptable. The proposals now meet the requirements of the saved open space policies in Wrekin Local Plan.

Materials: IDG requested that the Council consider alternative and more viable materials whilst maintaining a high quality of the development. One of the main changes being considered is the use of UPVC windows instead of wooden windows. Other materials being considered are changes in the type of roof tiles, use of UPVC guttering, simpler railings, changed doors and garage doors and the use of different bricks and render to reflect the more contemporary nature of this character area.

The layout and design, form and materials for the streets, and lanes are broadly acceptable in principle but there still remain details to be finalised. Final comments and recommendations for conditions from the Highways Officer area still awaited and these should be reported to Members at Plans Board.

Flood Risk/Drainage Arrangements: Whilst a flood risk assessment has been submitted with additional attenuation ponds proposed in the open areas

adjacent to phase 4 these details have yet to be assessed by the Council's drainage officers and final recommendations and conditions are still awaited.

## CONCLUSIONS

The layout and design of the development has evolved over a series of meetings. It has taken into account the lessons learnt from phases 1A & 1B, the need to provide a high quality development and yet remain viable to build. Whilst there have been a number of departures from the Development Framework and Design Codes these are felt to be acceptable in principle bearing in mind the need to maintain development in Lawley. There remain, however, a number of outstanding details that need to be resolved either by provision of the necessary drawings or subject to conditions. These include:

- Minor amendments to the layout to reduce parking across footpaths and reduce incidental areas of open space that serve little purpose and improve distances for bin collection.
- Finalised details of the roads including construction details, street furniture and materials
- Finalised house designs to fully reflect the principles and proposals put forward in the Design and Access Statement. These include some changes to house types such as the inclusion of gables along the 'park frontage' and a differentiation between the house types along different forms of streets and lanes.
- Minor changes to house types.
- Position of utilities and flue pipes etc
- Details of windows, doors and garage doors including surrounds
- Provision of gates along Main Street to improve the street scene.
- Finalised landscape and open space proposals to ensure the retention of the existing play area together with passive surveillance, and to provide other facilities such as a youth shelter, benches and litter bins.
- Confirmation that the drainage proposals and flood risk assessment meet current guidelines.
- Details of public art.
- Details of piers, walls, fences, gates and railings.
- Details of steps (where required).

The Developers are, however anxious that this application be considered by Plans Board as soon as possible in order that development can continue in Lawley as they are nearing the end of construction work in phase 1. It is considered that the broad principles of development have been agreed and are acceptable. It is envisaged that most outstanding issues can be resolved before Plans Board. Members are asked also to note that further conditions will inevitably be necessary following resolution of outstanding matters. On this basis, it is recommended that the Head of Housing and Planning be given delegated authority to supplement the following conditions with additional conditions that are deemed necessary to secure an acceptable form of development and to respond to consultee responses.

**RECOMMENDATION:** Subject to Members accepting the report to vary the S106 agreement for W2004/0980 and/or the applicants entering into a revised S106 agreement as necessary, the finalisation of details set out in the report, including the receipt of highway comments, drainage comments, the Head of Housing & Planning is authorised to revise planning conditions and to GRANT APPROVAL OF RESERVED MATTERS subject to the following conditions:

- |    |      |   |
|----|------|---|
| 1  | A03  | Time limit – Reserved matters   |
| 2  | B03a | General details for each block<br>Details of sheds and /or bin stores/cycle stores<br>Details of walls, fencing, railings<br>Public art |
| 3. | B04  | Appearance Details required   |
| 4. | B06  | Samples of materials  |
| 5  | B07  | Sample brick panel  |
| 6  | B13  | Details of enclosure including brick bonds, brick piers etc   |
| 7  | B31a | Retaining structures  |
| 8  | B80  | On-site construction  |
| 9  |      | Schedule of foundation design for each plot   |
| 10 | B52  | Details of heads and cills  |
| 11 | B73  | Protective fencing around trees   |
| 12 | C12  | Landscape implementation soft   |
| 13 | C13  | Landscape implementation hard   |
| 14 | C28  | Drainage prior to occupation  |
| 15 | C38  | Development in accordance with deposited plans<br>Highway conditions<br>Drainage conditions   |
|    | I06  | Section 106 agreement   |
|    | I34a | Outline conditions  |
|    | I40  | Conditions  |
|    | I43  | Grant of reserved matters   |

**REASON FOR APPROVAL:**

This proposal for 434 dwellings forms phase 3 & 4 of Lawley Sustainable Urban Extension as set out in the approved Development Framework and Design Codes. The design and layout of these two phases is broadly in accordance with the principles set out in the Development Framework and Design Codes. Where there are changes and modifications to take account of the current economic climate and the perceived needs of future occupiers these have been justified. The development should provide a high quality housing area with adjoining areas of open space and as such contribute to the development of Lawley as a strategic housing development to meet current housing needs.

TWC/2011/0511 Traffic Roundabout at entrance to, Telford Forge Retail Park, Colliers Way, Telford, Shropshire, TF3 4PA Display of 3no. non illuminated 1200mm x 500mm advertising boards

**APPLICANT**

Medialights Ltd, Mark Cadman

**RECEIVED**

16/06/2011

**PARISH**

Lawley and Overdale

**WARD**

Lawley and Overdale

OBJECTIONS RECEIVED: No.

**MAIN ISSUES:**

Visual intrusion and highway safety.

**THE PROPOSAL:**

This Council application is to display three advertisement boards advertising local businesses on the roundabout on Colliers Way, at the junction with the entrance to Telford Forge Retail Park.

**SITE AND SURROUNDINGS:**

The site on which the signs will be positioned is a roundabout just prior to the entrance into the Telford Forge Retail Park, which is on the outskirts of the Telford Town Centre. Telford Bridge Retail Park is just south of the site. The roundabout is laid with grass in the centre, edged with blocked paving. There are no art works or structures on the grassed area. Three sets of identical highway directional signs with lighting over are evenly sited on the edge of the grass, abutting the blocked paving.

The roundabout is on Colliers Way, used to approach both Retail Parks which is a busy route off Junction 5 of the M54.

The immediate surrounding area is predominantly commercial. A number of other roundabouts are located close to this site, displaying similar adverts to this proposal.

**PLANNING HISTORY:**

None

**PLANNING POLICY CONTEXT:**

Wrekin Local Plan:

S31 Shop Fronts, Advertisements and Hoardings

National planning guidance:

PPG19 Outdoor Advertisement Control

**CONSULTATION RESPONSES:**

Lawley & Overdale Parish Council has raised no objection

The Council's Highways Engineer has no objection

#### PLANNING CONSIDERATIONS:

The applicant seeks advertisement consent to display 3 advertisement boards measuring 1200mm x 550mm located at intervals around the perimeter of the roundabout, approximately 1.5m from the kerb. The signs are aluminium face on steel posts. Until sponsors are found, the signs will be read 'Promote your business here'.

The proposed signs are part of a sponsorship scheme by Telford & Wrekin which generates income for the council. The applicant has stated that since 2000 advertisement consent has been given on 32 different roundabouts around the district. This roundabout has never been sponsored and consent is being sought for three signs which are identical in size and style to those on the other sponsored roundabouts.

In 2007 advertisement consent was given on 2 roundabouts off Colliers Way, south/east of the application site.

There is no existing art work or structures on the roundabout, which is laid with grass. It is considered that the position and number of advertisement boards are designed so they do not dominate the street scene or lead to an unacceptable level of visual clutter, therefore complying with policy S31 Shop Fronts, Advertisements and Hoardings.

The immediate surrounding area is a retail park with existing signage on the highway adjacent to the roundabout. This existing signage is the dominate feature on entering the roundabout due to its size and height, therefore it is considered that the addition of the proposed signs will not impact further on the visual amenity of the immediate area. Accordingly it is considered that the proposal complies with national policy PPG19.

In conclusion the signage is considered acceptable in this position on the roundabout without having a detrimental impact on the visual amenity of the immediate neighbourhood. The numbers of signs will not dominate the street scene or result in visual clutter. Therefore the proposal meets with Planning Policy S31 of the Wrekin Local Plan and National Planning Policy PPG19

**RECOMMENDATION:** to GRANT ADVERTISEMENT CONSENT subject to the following conditions

1. C38 Devt in accordance with deposited plans
2. E01 Advertisement standard conditions

#### REASON FOR APPROVAL:

It is considered that the signage is acceptable in this position on the roundabout without having a detrimental impact on the visual amenity of the immediate neighbourhood. The signs will not dominate the street scene or result in visual clutter.

TWC/2011/0534 13 Haybridge Avenue, Hadley, Telford, Shropshire, TF1 5JP  
Erection of a garage

**APPLICANT**

, Mr Robert Nazar

**RECEIVED**

29/06/2011

**PARISH**

Hadley and Leegomery

**WARD**

Hadley and Leegomery

**THIS APPLICATION WAS DEFERRED AT PLANS BOARD ON 3<sup>rd</sup>  
AUGUST FOR A MEMBER SITE VISIT.**

**COUNCILLOR LEON MURRAY (HADLEY & LEEGOMERY WARD  
MEMBER) HAS REQUESTED THE APPLICATION BE DETERMINED BY  
PLANS BOARD.**

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Loss of parking space and setting the precedent for similar proposals.

**THE PROPOSAL:**

Erection of a detached single garage to be located to the rear of 13 Haybridge Avenue

**SITE AND SURROUNDINGS:**

The proposed garage is to be situated in the rear garden of No.13 Haybridge Avenue extending out into the communal parking area which sits behind terraced properties on Haybridge Avenue and Crescent Road.

Access to the car park is off Crescent Road. The site sits behind and serves properties No.1 – No.17 Haybridge Avenue and several properties on Crescent Road. In the communal car parking area there are no allocated parking spaces and residents therefore park wherever spaces are available.

A couple of garages have already been built; one appears to be quite old and the other was granted in 2002, this however is positioned towards the far end in the corner and is not therefore an obstruction.

No.13 Haybridge Avenue is the end of a terrace and therefore benefits from a generous side garden as well as garden space to the front and rear of the dwelling.

As with many of the other neighbouring properties, there is currently no on site parking available. Despite the off street parking space located behind the properties, Haybridge Avenue suffers from traffic build up as a result of many of the residents parking their vehicles along the highway.

**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 CS15 - Urban Design

**CONSULTATION RESPONSES:**  
Hadley & Leegomery Parish Council : No Objection

6 letters of OBJECTION were received from neighbours in Haybridge Avenue (No's 3, 5, 11, 15 and 17) and Crescent Rd (No.114), summarised below:

- Severe lack of parking for the neighbouring properties
- Site is narrow and when busy neighbours are concerned for safety of vehicles
- Sufficient space within the applicant's own boundary to accommodate the proposed garage
- Consider proposal will only exasperate existing problems

**PLANNING CONSIDERATIONS:**

The main issues relate to the likely detrimental impact on the existing limited parking provisions for the neighbouring properties and the setting of precedent for neighbouring properties to construct similar structures and affect on amenities of the area.

The proposed garage would measure 6.45m in length, 3.73m in width and 2.43m in height with a panelled up and over door. The front elevation would have a brick effect finish whilst the other elevations would have a pebble dash finish. One of the side elevations would have a door and window. The roof of the proposed structure would be a flat roof design and made up of grey corrugated fibre cement sheet roofing supported by steel trusses.

The applicant wishes to construct the proposed garage in the rear garden of the property, alongside the neighbouring boundary (with No.11 Haybridge Avenue) following the removal of the existing timber shed. The proposed location would result in approximately 2m of the proposed structure's length being erected outside of the applicant's rear boundary line, projecting into the communal parking area. The applicant doesn't want to disrupt their garden hence the chosen location.

The proposed garage is to be used for the parking of a vehicle. Access to the garage would be off Crescent Road and across the existing communal parking site at the rear of No.13. As land ownership is unknown the applicant has served an ownership 'Certificate D' and placed an advert in the local paper in April.

It is considered that whilst only a third of the structure will be built projecting out into the communal parking area, due to the existing lack of parking for local residents, any loss of space will be detrimental and cause further problems for the residents. This communal parking area is well used with many residents depending on this area to park their vehicles and the proposal will reduce the space available for general resident parking and manoeuvring and could lead to problems of obstruction and congestion. Haybridge Avenue already suffers from traffic build up due to residents parking vehicles on the highway; any further loss of parking, circulation and manoeuvring will become a problem.

In addition the proposal will set a precedent for other residents to erect similar structures, adding to the existing problems.

The Local Planning Authority has no objections to the erection of a garage within the boundary of the applicant's property as there is more than sufficient space to accommodate a garage.

In light of the above reasons it is considered that the proposal is unacceptable and would have a significant detrimental impact on existing parking provisions, which are already limited and hence would be detrimental to the amenities of the area.

**RECOMMENDATION: REFUSE PLANNING PERMISSION** for the following reason(s):

1. The Local Planning Authority considers the proposal would have a significant detrimental impact on the existing parking provisions for local residents and the general amenities of the area. It is highly likely the proposal would also set a precedent for similar structures which would lead to a lack of parking provisions and traffic congestion. Any further loss of parking, circulation and manoeuvring will also become a problem. Hence the proposal is contrary to Local plan policy UD2 and Core Strategy Policy CS15.

TWC/2011/0546 57 Park Street, Madeley, Telford, Shropshire, TF7 5LD  
Material minor amendment to W2009/0385 for Erection of 2no. two bed  
apartments, which includes repositioning of building, alterations to roof,  
windows and addition of hardstanding (Amended plans received

**APPLICANT**

G&S Developments Ltd,

**RECEIVED**

30/06/2011

**PARISH**

Madeley

**WARD**

Madeley

COUNCILLOR WATLING HAS REQUESTED THAT THIS APPLICATION IS  
CONSIDERED BY MEMBERS AT PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Development as built compared to  
W2009/0385 approved plans, Scale and design, Character and appearance,  
Parking provision, Impact on adjoining residential amenity

THE PROPOSAL: The application seeks a minor material amendment to  
W2009/0385 for the erection of 2no. two bed apartments. Planning  
permission was granted in 2009 and the apartments have been built.  
However the development has not been constructed in accordance with the  
approved plans. This application has been submitted to regularise the  
situation.

The main differences between the approved plans and the development as  
built are:

- the building has been repositioned by approx. 1m to the east
- the roof has been altered from a hipped design to two gables with a  
lower ridge height
- some of the windows have been repositioned and the door on the west  
elevation has been repositioned
- the window and door design has altered from a multipane art deco  
style to uniform modern casements with brick header and cill details
- the oriel window on east elevation and windows on north elevation  
have been omitted
- Canopy area has been reduced over door entrance on south elevation
- Internal layout has been altered
- Pedestrian access to side comprises steps, not a ramp

As the plans initially submitted with this application still did not fully match  
what had been constructed on site, officers requested amended plans to  
indicate the correct size of windows and door design, and to demonstrate the  
parking spaces are useable following the repositioning of the building.  
Following submission of these amendments, officers have re-consulted the  
statutory consultees and local residents.

SITE AND SURROUNDINGS:

The application site is a rectangular shaped plot. The site was formerly a vacant piece of land used as car parking. A two-storey building comprising 2 apartments has recently been constructed on site (subject of W2009/0385). The building is not built in accordance with the approved plans and comprises a number of differences, such as the building's position, the roof design, position and size of windows and doors.

The building is constructed in red brick with contrasting brick detail to windows and doors, with tiled gable roof. The windows and doors are white upvc. The windows are uniform size and are all two lights wide. There are no windows on the rear (north) elevation and one obscure glazed window on the west elevation. The majority of openings are on the front (south) elevation and on the east elevation facing the car parking spaces.

The building is bounded by dwarf walls and timber fencing, with ramp access to the ground floor apartment and shared pedestrian access to the first floor apartment and adjoining property, No.57A Park Street via steps and elevated footpath to side.

No.57 Park Street is a traditional gabled property, with vacant shop unit at ground floor. It is an end terraced property on the corner of Bridle Road. The existing property is located approx. 2 metres from the new development. No.56 Park Street is a traditional end-terraced property with dual aspect – principle windows front the highway and drive access to side, and hipped roof. It is at a slightly lower ground level to the application site and is located approx. 13.5 metres from the new development, with the car parking and driveway between. Buildings in the vicinity are a combination of brick and white/cream render two-storey properties. There are both traditional terraced and modern semi-detached properties. Opposite the application site is a car parking area and garaging to adjoining properties, with cricket ground beyond.

The site is located within an established predominantly residential area. There are also a number of shops and facilities on Park Street including Public House, convenience store, veterinary surgery, hair salon and cricket ground. Park Street is on the edge of Madeley District Centre.

#### PLANNING HISTORY:

W2005/0955 Erection of 2no. Residential Flats over Car Parking Area, Full refused

W2005/1420 Erection of 1no. Residential Flat over Car Parking Area, Full granted

W2009/0042 Erection of Building to Contain 2no. Two Bed Apartments, Full refused

W2009/0385 Erection of 2no. two bed apartments, Full granted

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development  
PPS3 Housing

Saved Wrekin Local Plan Policies  
UD2 Design Criteria  
H6 Windfall Sites in Telford and Newport

LDF Core Strategy  
CS1 Homes  
CS5 District and Local Centres  
CS15 Urban Design

#### CONSULTATION RESPONSES:

Madeley Parish Council: Objects to the application and makes the following comments:

- Questions validity of this application in particular the use of retrospective action based on alteration to roof design to legalise breaches of planning permission conditions relating to application W2009/0385
- The development has not been carried out in accordance with approved details to ensure that the external appearance of the building is satisfactory (condition 2)
- Confirmation is also required regarding condition 9 (details of foul and surface water drainage, and that any connection to a private system requires a copy of written confirmation from all existing users of the system) has been satisfied
- The statement that there is an “identical footprint, layout, windows & doors” is not correct based on the 2009 approved plans and the drawings submitted with this application
- There is significant change to the footprint of the building within the site which has an impact on access to the first floor apartment and a reduction in the amount of amenity space that allowed for off-road car parking; and a significant change to the appearance of the building because of alteration in style of windows and doors throughout
- Objections raised in relation to W2009/0385 on grounds that the layout and footprint of the building was too great for the site, unacceptable level of general and service amenity for occupants, detrimental impact on neighbouring amenity due to its proximity to boundaries and overlooking, and insufficient off-street parking space in an area known for traffic congestion. These objections are amplified by the scheme drawings accompanying the current application
- The change in roof plan is more acceptable within the street scene since there are nearby examples of cross hipped and gable roof lines
- The Local Planning Authority has approved, in principle, the construction of a building on this site. It is considered that application TWC/2011/0546 should be treated as an application for full planning permission based on new plans.

Highways: Supports the proposal

Geotechs: Support subject to Informatives I17 (Minerals area) and I20 (Contaminated land)

Shropshire Fire Service: no comment

2 neighbour letters have been received and their comments are summarised below:

- Roof is completely different design
- Building has been positioned closer to adjoining property
- The term minor material amendment is misleading
- So many differences between the approved scheme and the development on site, that it is unlikely permission would have been granted
- Principle windows of apartment are facing existing dwelling leading to overlooking
- Parking is an issue in Park Street. Are the 4 parking spaces usable?
- Conditions need to be discharged

Drainage comments are awaited and any further representations will be provided in an update to Members at Plans Board.

#### PLANNING CONSIDERATIONS:

The principle of the development to construct a two-storey building comprising 2no. 2 bedroom apartments in this location has already been agreed by W2009/0385. The 2009 application was considered acceptable as it was in a highly accessible location, the style and design was appropriate and similar to a previously approved scheme. Adequate private amenity space and off street parking was provided and the orientation of the building, separation distances and conditions ensured that there would be no adverse impact on residential amenity.

The development built on site is in a different position and design, although the size of the footprint of the building is as approved, and the layout of development is principally the same.

The roof has been altered significantly from a hipped design to two gables; however the height has been reduced from 8 metres (as previously approved) down to 7 metres, which in turn reduces the impact on the adjoining row of properties on the corner of Park Street and Bridle Road. Although the building is gabled to the highway with its gable roofs orientated differently to the prevailing streetscene, the introduction of a gable roof design is more characteristic and appropriate to the context of the area compared to the variety of hipped roof elements on the previously approved scheme.

The repositioning of the building on the site by approx 1m to the east has reduced the separation distance between the apartment block and No.56 Park Street to approx. 13.5 metres; however the distance between the apartments

and 57/ 57A Park Street has been increased by 1 metre, enabling improved pedestrian access arrangements. Whilst the separation distances are limited; the principle of the development has already been agreed in a similar position, and together with the revisions to the roof design helps to reduce the mass and impact on light and outlook. The number of windows on the east elevation has not increased, and previously approved windows on the north elevation have been omitted. Therefore the amended scheme will not lead to an increase in overlooking or loss of privacy due to the repositioning of the building on site.

Even with the repositioning of the building, the approved tandem parking arrangement of 4 spaces to the east of the site - 2 parking spaces per unit - has been maintained in the same position and the Applicant has demonstrated that despite the repositioning of the building, the parking spaces are still useable. The parking spaces and adjoining driveway at No.56 Park Street will maintain a sufficient distance between the properties, with existing and proposed boundary planting to help maintain privacy. There will be limited amenity space for the apartments; although this was deemed to be acceptable on the 2009 application. It is considered that the proposal accords with Policy H6.

The window and door design has been simplified from the original approval, with the omission of the oriel window on the east elevation and reduction in size of the canopy over the door on the north elevation. The windows are now uniform size and design. There is no definitive character of development in the area, although gable roofs are the predominant form. In terms of windows, the majority of properties have modern replacements – upvc casements. The oriel window on the approved plans is not a feature found on adjoining properties; therefore the simplified window design and use of upvc is acceptable and in keeping with the character and appearance of the adjoining properties. The building now has a more balanced appearance in the streetscene, with fewer competing roof elements.

In response to the Parish Council and neighbour objections, the application for a minor material amendment is an acceptable mechanism to consider the changes made to the development. If the amendments are considered acceptable, the original planning conditions will be imposed, with the main difference being the condition stating which plans the development shall be in accordance with. Whilst there are differences between the approved plans and the development actually built on site, the principle of development and the footprint are acceptable. The design and form have been simplified and in some cases reduced. Pre-commencement conditions have now been discharged; however confirmation is awaited from the Drainage Engineers that the revised scheme is acceptable. Officers agree with the Parish Council's assertion that the Applicant's statement is incorrect and that the building is not identical to the approved plans; however that is why this application has been submitted. The footprint of the building is unchanged; although its repositioning has led to a slight reduction in the amount of amenity space, but not parking provision. Officers considered the Parish

Council's objections to W2009/0385; however the development was considered acceptable and complied with planning policy.

In conclusion, the principle of the development is considered acceptable and has been agreed by the previous grant of planning permission in 2009. The size of the footprint of the development is unchanged and the amendments to the design of the building are acceptable and in keeping with the character and appearance of the streetscene and adjoining properties in the area. The development will not have a detrimental impact on adjoining residential amenities and will provide adequate parking provision and amenity space. Accordingly, the proposal accords with planning policy.

The material minor amendment to W2009/0385 is considered acceptable and the planning permission would be reissued with conditions. Some of the wording will be amended to reflect the changes to the development, for example, windows to be white upvc, obscure glazing to window on west elevation etc.

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

1. A04 Time limit
2. B06 Samples of materials
3. B07 Sample panel
4. B13 Details of enclosure
5. B14 Landscaping design
6. B33 Drainage details
7. C06 Windows white upvc
8. C19 Car parking
9. Ccustom Surfacing of access drive in bound material
10. D08 Obscure glazing of window on west elevation

**REASON FOR APPROVAL:**

The principle of the development is considered acceptable and has been agreed by previous planning permission in 2009. The size of the footprint of the development is unchanged and the amendments to the design of the building are acceptable and in keeping with the character and appearance of the streetscene and adjoining properties in the area. The development will not have a detrimental impact on adjoining residential amenities and will provide adequate parking provision and amenity space.

TWC/2011/0594 Land off Beaconsfield, Brookside, Telford, Shropshire, TF3 1LW

Provision of a children's play area and goal end

**APPLICANT**

Telford & Wrekin Council, Derek Owen

**RECEIVED**

15/07/2011

**PARISH**

Stirchley and Brookside

**WARD**

Brookside

OBJECTIONS RECEIVED: No

**MAIN ISSUES:**

Principle of development, impact on neighbouring properties, access, siting and design.

**THE PROPOSAL:**

This Council application relates to the provision of a children's play area and goal end and are intended to be used predominantly by local children and young people for play, football, basketball and socialising. It is considered that the proposed enhanced recreational venue could also provide opportunities for occasional small localised events to promote positive healthy activities.

The new, enhanced range of play area provision will incorporate a tower slide and carousel. The size of the proposed goal end is relatively small to cater for local users standing at 3.8m in height and will be surrounded by 3m high fencing.

**SITE AND SURROUNDINGS:**

The site lies within a larger area of open space owned by Telford & Wrekin Council and which includes a skate park (managed by the Parish Council), amenity grass, a ball court, a youth shelter, street lighting, children's play area, woodland, plantation and informal pathways. Both the site and the larger surrounding area are designated Green Network as shown on the Wrekin Local Plan Proposals map.

The site is bounded by the Windmill School on the western side; the skate park / youth shelter and ball court on the southern side and the children's play equipped play area and youth centre to the north. Residential properties surround the larger open space on North, East and South sides.

The site is predominantly screened from the adjacent residential properties and by trees. Immediately adjacent to the area proposed for the play area and goal end is a footpath leading to the Brookside Centre. South of the proposed site there is woodland plantation planting acting as a landscape buffer. The area is used by the general community for informal recreation and play purposes. Usage levels are unknown but are currently estimated to be relatively low.

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 –Delivering Sustainable Development

PPG17 – Planning for open space, sport and recreation

#### Saved Wrekin Local Plan Policies

UD2 – Urban Design

OL3 – Green Network

OL4 – Development in the green network

OL5 – Extensions and redevelopment in the Green Network

#### LDF Core Strategy

CS9 – Accessibility and Social Inclusion

CS11 – Open Space

#### CONSULTATION RESPONSES:

Drainage: Support subject to condition B35

Ecology: Add I22 – Protected species

Highways: No Objection

#### PLANNING CONSIDERATIONS:

##### a) Principle of development

The application site is designated as green network. In order to protect the green network the council may permit development within the green network where it contributes or is complimentary to the aims of the Green Network, as according to Policy OL4. Policy OL5 relates to extension of existing uses within the green network and sets out criteria for assessment including impact on the function, long term aims of the green network, and other environmental benefits.

The proposed development has been designed in accordance with the National design guidelines – Field In Trust (FIT) with regard to safety, maintenance and security. The proposal is an extension of the two separated junior and senior play and recreation areas to link them together.

The current use of the site is in accordance with the aims of the green network. The proposed development seeks to enhance this formal facility on site in accordance with the principles of the FIT and will contribute and compliment the function of the green network in this locality and is compatible with the long term recreational aims of the green network and is therefore considered to comply with Policies OL3, OL4 and OL5 of the Wrekin Local Plan and Policy CS11 of the Core Strategy.

##### b) Siting and Design

The design of the play area and goal end has been chosen in consultation with local children and young people, within a remit which ensures the safety, maintenance and security of the facility is in keeping with appropriate design guidance set by FIT.

Fencing will be 3m high on three sides to act as a ball stop and will be powder coated green with the exception of the goal areas which will be white. The green coloured fencing will therefore minimise the visual intrusion and respect the context of the site. The surface of the ball court will be tarmac.

The siting, in the middle of the site to be as far away from the properties to minimise nuisance but is centrally sited so as to be visible and monitored by residents.

It is considered therefore that the siting and design is acceptable and appropriate, the fencing is painted green to minimise the visual impact and respect the context of the site. The development has exploited the natural topography of the land and existing landscaping to screen the development from neighbouring residential properties and is in accordance with policy UD2 of the Wrekin Local Plan.

c) Access

Access to the site will be via the existing public right of way across the site which links Beaconsfield to the north to Bishoptdale to the south. This is an informal track style footway servicing 'Windmill Primary School' and the play area. The site is aimed at local residents who would likely walk or cycle to the facility and is appropriately located to serve existing and future dwellings, being in the middle of an established residential area. The development is considered to afford reasonable opportunity to access recreation facilities and is compliant with social inclusion policy CS9 of the Core Strategy.

d) Impact on amenity

The new recreational facilities are to be located towards the south of the site, east of the primary school, approximately of 10m from the nearest residential property off Burford. The area is already an established community open space/play area and the proposal does not introduce a brand new use to the area but enhance the existing play/community provision overall. It is considered that the separation distance along with the screening element of the site is sufficient to ensure that the proposal will not have an adverse impact on residential amenities in terms of noise and disturbance, in accordance with guidance in PPS1.

In conclusion, the proposal is an appropriate recreational facility within the green network and will complement and contribute to the wider aims of the green network, does not significantly affect the function of the Green Network. The siting and design of the play facilities is appropriate and in keeping with the context of the area, exploiting the existing topography and landscaping to create an appropriate buffer from the facility to the neighbouring properties to protect amenities of occupiers in terms of noise and disturbance. Access to the site will utilise existing public right of way linking several of the established residential estates.

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

1. A04 Time limit
2. C38 Development in accordance with deposited plans
3. B35 Soakaway test  
I40 Conditions  
I41 Reason for grant of permission  
I22 Protected species

**REASON FOR APPROVAL:**

The proposal is an appropriate recreational facility within the green network and will complement and contribute to the wider aims of the green network, does not significantly affect the function of the Green Network.

The siting and design of the play facilities is appropriate and in keeping with the context of the area, exploiting the existing topography and landscaping to create an appropriate buffer from the facility to the neighbouring properties to protect amenities of occupiers in terms of noise and disturbance. Access to the site will utilise existing public right of way linking several of the established residential estates.

TWC/2011/0600 Playing Field - off Field View, Waters Upton, Shropshire,  
TF6 6NN  
Provision of a children's equipped play area

**APPLICANT**

Telford & Wrekin Council, Clare Turner

**RECEIVED**

27/06/2011

**PARISH**

Waters Upton

**WARD**

Ercall Magna

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: The main issue is the impact of the proposal on the character and amenities of the surrounding area.

**THE PROPOSAL:**

This is a Council application to provide a children's equipped play area on a small area of open land situated off the main road through Waters Upton, adjacent to Field View and opposite Quarry View.

**SITE AND SURROUNDINGS:**

Waters Upton is a small settlement situated just to the east of the A442 in the rural area to the north of the built up area of Telford and Wellington. The village contains a mixture of dwellings in a low density pattern of development.

The proposal site is adjacent to the main road through the village. The proposed play area would be situated on an existing small area of open land which adjoins a car-parking area adjacent to Field View. The site is grassed, with no features other than a park bench. The adjoining formal car-parking area provides spaces for approximately ten cars, and is screened from the highway by a mature hedge. The site is enclosed, with a two metre timber fence on the boundary with the nearest adjoining property, 'Corvedale'; a mature hedge adjoining the field to the east, and a two metre high hedge on the boundary in front of the dwellings on Field View.

The essential character of the area adjoining the site is suburban with a mix of dwelling types; although mostly two-storey and brick-built. There are semi-detached dwellings to the west of the site on Quarry View and three larger detached houses to the north on Field View. A semi-detached house adjoins the south boundary of the site and an open field adjoins the east.

**PLANNING HISTORY:**

W98/0352 Erection of 3No. dwellings and alterations to existing vehicular access with provision of amenity space and parking (FG)

**RELEVANT PLANNING POLICY:**

LDF Core Strategy:

CS7 Rural Area

CS10 Community facilities

CS11 Open space  
CS15 Urban design

Wrekin Local Plan:  
UD2 Design Criteria

National planning guidance:  
PPS1 Delivering Sustainable Development

#### CONSULTATION RESPONSES:

Waters Upton Parish Council have made no objections to the proposal.

One local resident has written in concerned about highway safety issues, increase in traffic, potential litter and mess, and noise created by use of the area after dark.

Another letter from an adjacent property is also concerned about potential highway safety issues.

Highways have been consulted and no comments received

Ecology have requested informatives regarding protected and priority species, nesting birds and replacement planting.

#### PLANNING CONSIDERATIONS:

The main issues are the principle of the proposed play area on the site, its appearance and likely impact on surrounding residential amenity.

The proposed play area would be situated on an existing small area of open land which adjoins a car-parking area to the front of the three dwellings on Field View in the centre of the village. The existing car-parking would appear to serve the dwellings on Quarry View where there is no on-site parking and limited on-street parking in the lay-by opposite the site.

The site is surrounded by residential properties and as such can be considered to be in a good location with regard to accessibility and security. The play area is intended for use by local children in the village. A range of play equipment will be installed which has been chosen through a consultation exercise with local children and includes a climbing frame.

The existing hedgerows adjoining the site will be important in providing some screening and amenity for adjacent dwellings, however some element of overlooking and 'natural surveillance' of the play area by local residents is desirable and hence the proposal to reduce part of the hedge adjacent to the road with selective thinning is considered acceptable.

According to the supporting information the site has been agreed with the Parish Council and local residents have been consulted. While some concerns have been expressed in the comments received in response to the planning application consultation, these refer to highway safety and

management issues. The Parish Council will manage the site and it is hoped that local children and young people, as 'stakeholders', will see the facility as a positive contribution to their community and take pride in it.

Therefore it is considered that the proposed play area would be an acceptable facility on the site. This is a key rural settlement where the facility would provide social benefits to the community, users can walk to it, and it would not result in the loss of a significant area of open space. The proposal meets the requirements of the Council's Play Strategy and accords with the general design and amenity objectives of the relevant planning policies listed above.

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

1. A04 Time limit
2. C38 Development in accordance with plan Nos.
3. C10 Retention of existing hedgerows

**Informatives**

- I 22 Ecology informative
- I 40 Standard conditions informative
- I 41 Reasons for grant of planning permission
- RAcustom Reasons for approval

**REASONS FOR APPROVAL:**

The proposed children's play area would be a satisfactory addition on the site where it would provide a useful play facility for local children. The play area would be of a satisfactory appearance and would not detract from the character of the surrounding area.

TWC/2011/0613 Playing Field - off Wrekin View, Wrockwardine Village,  
Shropshire, TF6 5DL  
Provision of children's equipped play area

**APPLICANT**

Telford & Wrekin Council, Clare Turner

**RECEIVED**

22/07/2011

**PARISH**

Wrockwardine

**WARD**

Wrockwardine

OBJECTIONS RECEIVED: None

MAIN ISSUES: The main issues are the appearance of the proposed play area and the impact of the proposals on the amenities and character of the surrounding area.

**THE PROPOSAL:**

This is a Council application for the provision of a children's equipped play area on the existing recreation area off Wrekin View in Wrockwardine village.

**SITE AND SURROUNDINGS:**

The site for the proposal is a large, open recreation ground and playing field which is situated in a rural area on the edge of Wrockwardine village. The residential area of the village is to the north of the site. The recreation area is bordered by Drummery Lane to the east, and is otherwise surrounded by open agricultural land, with a good view of The Wrekin to the south. There is a football pitch on the existing play area, a cycle track and existing play equipment.

**PLANNING HISTORY:**

W2001/0292 Upgrade of existing play facilities to install a cycle/roller-skating track (FG)

**PLANNING POLICY CONTEXT:**

LDF Core Strategy:

CS7 Rural Area

CS10 Community Facilities

Wrekin Local Plan:

UD2 Design Criteria

National planning guidance:

PPS1 Delivering Sustainable Development

**CONSULTATION RESPONSES:**

Wrockwardine Parish Council enthusiastically support the proposal which will improve the play provision for young people in the parish.

The Council's Conservation Officer has no objections to the proposal.

No responses have been received from the neighbour consultations.

#### PLANNING CONSIDERATIONS:

The main issues are the impact of the proposals on the character of the surrounding area.

The proposed site would be at the southern end of the existing large formal play area and recreation ground. The new equipped play area would be within the existing tarmac cycling circuit on the site, and would provide equipment for a wider age group than the existing play equipment to the north which is for younger children. The proposed site for the new facility would appear to conflict with the existing football pitch, however, this pitch is informal and it is intended to remove the existing poor quality goal posts and replace them with smaller five-a-side posts and pitch to accommodate the new equipped play area. Equipment will be chosen in consultation with local children in order to maximise its usage and value to the local community.

Therefore it is considered that the proposed play area would be acceptable in the context of the existing recreation ground and play area. The proposal is in an accessible location and would provide social benefits to the community. The proposed site is within an existing established recreation area and the new facility would be to the south of the play area where it would be a sufficient distance away from the nearest housing such that it would not have an adverse impact on residential amenities in the locality.

The proposal would have little impact on the Wrockwardine Conservation Area due to its siting within the existing recreation area. The appearance of the equipment would be acceptable in the context of the site. There would be no change to the existing established hedgerows on the boundary around the site therefore the proposal would not have an adverse impact on the surrounding area. The proposal therefore accords with the general design and amenity objectives of the relevant planning policies above.

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

1. A04 Time limit
2. C38 Development in accordance with Drawing Nos.

#### Informatives

- |          |  |
|----------|--|
| I 40     | Standard conditions informative          |
| I 41     | Reasons for grant of planning permission |
| RAcustom | Reasons for approval                     |

#### REASONS FOR APPROVAL:

The proposed play area would be on an existing formal recreation area on the edge of the village where it would have little impact on the amenities of the adjacent residential area and would not adversely affect the character of the Wrockwardine Conservation Area or the surrounding rural area.

W2004/0980 Land at, Lawley, Telford, Shropshire.  
Residential development comprising 3300 dwellings, employment/mixed-use commercial/leisure development, erection of a primary school and community centre, infrastructure works and associated recreational space and landscaping

**APPLICANT**

, English Partnerships

**RECEIVED**

18/08/2004

**PARISH**

Lawley and Overdale

**WARD**

**PURPOSE OF REPORT**

The purpose of this report is to ask members to agree to a variation of the existing Section 106 agreement for Lawley Sustainable Urban Extension.

The proposal is for a reduction in the requirement for 25% affordable dwellings for phases 3 & 4 at Lawley to 15% comprising 10% shared ownership (or similar) and 5% social rented. In addition Ironstone Development Group (IDG) are also requesting the deferment of some of the originally agreed payments for the new school, bus subsidy, traffic management and sports pitches.

This report needs to be read in conjunction with the report for phases 3 & 4 of Lawley, planning application TWC/2011/0488.

**BACKGROUND AND PROPOSAL**

Outline Planning permission W2004/0981 was granted on 21<sup>st</sup> October 2005 for Lawley Sustainable Urban Extension comprising 3,300 dwellings, employment, commercial and leisure facilities, a new school and associated recreational space and landscaping. This permission is subject of a S106 agreement. The first phases for housing (approximately 400 dwellings) have now been nearly completed but not all as yet are occupied.

The S106 agreement for Lawley signed in 2005 requires, among other things, 25% affordable housing with 13% shared ownership and 12% social rented. In addition the S106 provided for the provision of a new school at Lawley, south of the proposed local centre, contributions to improved bus services, the provision of play facilities (LEAPs and NEAPs) and sport pitches and a sum for traffic management for the new junctions along Lawley Drive and West Centre Way.

The applicants are now looking bring forward phases 3 & 4 of the development, as defined in the approved phasing plan, to the north of the recently approved local centre where construction is due to commence this Autumn.

The applicants have looked at the proposals for phases 3 & 4 in terms of viability taking into account the current economic climate. They have provided

a viability appraisal for this phase. Taking into account the need for 25% affordable housing, the other sums due in the S106 agreement, the infrastructure costs and the need to comply with the Design Codes the developers have demonstrated that phases 3 & 4 are unviable. They are, therefore requesting that the affordable element be reduced to 15% and a review of the Design Codes particularly in respect of materials to reduce costs of the development.

#### THE SITE AND LOCATION

Lawley Sustainable Urban Extension lies to the west side of Teford at the end of West Centre Way and along Lawley Drive. At present phases 1A and 1B are nearing completion comprising 401 houses.

Phases 3 & 4 are located to the north of West Centre Way behind the site of the recently approved local centre and to the East of Lawley Drive.

#### PLANNING HISTORY:

W2004/0981 – Outline application to include access for Lawley Sustainable Urban Extension comprising 3,300 dwellings, employment, commercial and leisure facilities, a new school and associated recreational space and landscaping that was approved in October 2005.

W2006/1414 – Reserved Matters application approved July 2007 for new highways infrastructure, earthworks, foul water attenuation and associated landscaping.

TWC/2010/0627 – Reserved Matters application for the erection of the new Lawley local centre including a supermarket, shops, nursery, public house and 16 town houses and 11 duplex apartments and 12 one and two bedroom flats was granted in 1<sup>st</sup> March this year.

TWC/2010/ 0348 – Full permission for engineering works to re-profile the land to facilitate residential development between phases 3 &4 around Wrekin Way granted on 10 September 2010.

#### PLANNING POLICY CONTEXT:

Wrekin Local Plan (adopted February 2000):

H23 Affordable Housing

T22 Planning Obligations

LR6 Developers contributions to recreational open space within residential developments

LDF Core Strategy

CS1 Homes

CS11 Open Space

National Policy:

PPS1: Delivering Sustainable Development

PPS3: Housing

Lawley Design Codes approved as part of the outline planning permission W2004/0980.

#### PLANNING CONSIDERATIONS:

Members are aware of the current recession and difficulties facing a great number of residents, businesses and Local Authorities not only in the Borough but in the whole country, yet the Council must still try and deliver houses including affordable housing.

IDG are nearing completion of phases 1A and 1B of Lawley and are looking to continue building operations by developing phases 3 & 4 as shown on the approved phasing plan for Lawley to the north of the proposed local centre off West Centre Way. Under the current requirement in the S106 agreement they are required to deliver 25% affordable housing shared equally between shared ownership and social rented. The developers have submitted viability appraisals for the development of phases 3 & 4 based on 434 dwellings in these two phases. This appraisal demonstrates that if the developers' area required to provide 25% affordable housing, meet the requirements of the approved Design Codes, together with the share of the infrastructure costs and the other S106 sums due then phases 3 & 4 will be unviable. The viability appraisal submitted has been assessed within the Council and HCA and its conclusions are accepted.

Your officers have been working closely with HCA to see what can be done to improve viability of these two phases and ensure that housing development continues in Lawley. There are a number of approaches that have been considered and these are:

1. A reduction in affordable housing from 25% comprising 13% shared ownership and 12% social rented to 15% affordable housing comprising 10% shared ownership and 5% social rented. This can only be achieved with the help of a grant from HCA towards these two phases.
2. Deferment of the transfer of land and the payments for the school, bus subsidies, traffic management sum and sports pitches sum as set out in the attached table. These changes have been agreed by the relevant spending departments. There is to be no change to the provision of the play areas as set out in the S106 agreement and the Newdale NEAP will come forward as part of the phase 3 & phase 4 proposals.
3. A review of the Design Codes particularly in relation to the requirement for mixed uses along Main Street, changes to the materials (as this is a more contemporary character area within Lawley where more modern materials can be considered) and the reduction in height of the buildings, particularly along Main Street and Lawley Drive from a minimum of 3 storey to a mix of 2 and 3 storey dwellings.

It is considered that there is no potential to reduce the sums agreed in the S106 agreement without compromising the level and quality of services and amenities that will ultimately serve the residents of the Council's main growth point. The only way that the Council can help the developers in relation to these sums is to ensure that the sums are requested when the facilities/services are required depending on the rate of build out of houses in Lawley.

The later transfer of the school site and first payment has been agreed by Education colleagues as there is insufficient housing completed and occupied to warrant the provision of a school in accordance with the original timetable. A new school is normally commissioned at around occupation of between 400 and 500 dwellings. With the reduction in housing completions in Lawley from 200 per annum to a minimum of 75 dwellings per annum the school will not be required until around September 2014 or September 2015 depending on the build out rate.

Your Highways Officers have accepted the deferment of the bus subsidies until the occupation of 400 dwellings and the payment of the Traffic Management sum in four tranches as the junctions along West Centre Way and Lawley Drive are brought into use.

The deferment of the provision of the sports pitches has also been accepted by colleagues in Leisure Facilities and Services.

The Council's Strategic Housing Officer reluctantly accepts that the reduction in the amount of affordable housing is the main way that savings can be made to the phases 3 & 4 to ensure its viability and that development at Lawley does not become stalled.

Your officers consider that the continued development of Lawley , which is one of the Council's strategic housing sites is important both for Lawley SUE and the Borough as a whole. The continued development at Lawley needs to be supported. Regrettably if this means that the provision of the affordable housing is to be reduced from 25% to 15% then, whilst regrettable, this is considered to be acceptable in the current economic climate. The proposals to defer other S106 payments can also be supported.

**RECOMMENDATION:** To delegate to the Head of Housing and Planning authority to agree variations to the current S106 agreement as follows:

1. To defer payments in accordance with the table attached to the report or in accordance with any minor variations to the Table as agreed between Head of Housing and Planning and the Chair of Plans Board .
2. In relation to the affordable housing requirements for phases 3 & 4 only to permit a reduction from 25% affordable housing units to 15% affordable housing units comprising 10% shared ownership (or similar) units and 5 % social rented units.

Suggested amendments to schedule of payments of S106 Sums due by end of phases 3 and 4

Assumption that development starts Autumn 2011.

Item	Payment dates as set out in S106 agreement	Current position	Proposed Change	Amount deferred
Transfer of school site and facilities payment of £1mill 1 <sup>st</sup> instalment, £1mill 2 <sup>nd</sup> instalment, £1mill 3 <sup>rd</sup> instalment and £600,000 on completion of the school	Payments due to start 30 August 2009 with 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> and final instalments no later than at 12 monthly intervals respectively.	No payment to date (insufficient dwellings completed to warrant construction of the school.)	Defer 1 <sup>st</sup> payment to 31 <sup>st</sup> August 2012 and 2 <sup>nd</sup> payment not later than 31 <sup>st</sup> August 2013 and 3 <sup>rd</sup> payment not later than 31 <sup>st</sup> August 2014. etc	Start of payments deferred by 3 years.
Bus Subsidy	£285,000 due on occupation of 260 <sup>th</sup> dwelling. Further payments of £285,000 at 12 and 24 months and £25,000 at 36 months.	No payments to date (number of dwellings occupied not reached)	Defer 1 <sup>st</sup> payment to occupation of 400 <sup>th</sup> dwelling (i.e. completion and occupation of phases 1A & 1B)	Start of payments deferred from occupation of 260 <sup>th</sup> dwelling to occupation of 400 <sup>th</sup> dwelling.
Traffic Management Sum	£175,000 due on occupation of 260 <sup>th</sup> dwelling	No payment to date	Payments to be made as junctions come forward. £43,750 due on occupation of 260 <sup>th</sup> dwelling and a further £43,750 due during construction of phases 3 & 4	£87,500 deferred to future phases for the remaining junctions.

LEAPs & NEAPs	Commutated sums for Rock Road (£90,000) and Princes End (£85,000) NEAPs due on completion of the play areas. Other LEAPs and NEAPs to come forward with the housing phases.	Capital sums paid for Rock Road and Princes End. No payment of Commuted sums as yet.  Lawley Village LEAP capital payment due on transfer of land and works due to start on site in Autumn 2011 (hopefully).	No changes proposed. Commuted sums payable on completion of the play areas.  Note : Newdale Park NEAP to come forward as part of phases 3 & 4	None
Sports Pitches	£600,000 due within two years of commencement of development ie were due on 21 <sup>st</sup> December 2009	No payments to date	Defer until occupation of 800 <sup>th</sup> dwelling	Deferred to towards the end of the construction of phases 3 & 4.

Note – all sums are indexed linked from 21<sup>st</sup> October 2005.