

TELFORD & WREKIN COUNCIL

PLANS BOARD

05/10/2011

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TWC/2011/0334 Former Newport Business Park, Audley Road, Newport, Shropshire, TF10 7DP
Erection of 61 houses and apartments with formation and alterations to vehicular accesses following demolition of existing structures

APPLICANT

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RECEIVED

19/04/2011

PARISH

Newport

WARD

Newport South, Newport West

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Suitability of the site for housing, design, highway and traffic issues.

THE PROPOSAL:

This is a full application for the erection of 61 residential units on the former Newport Business Park and Hanson's concrete mixing plant. The scheme is predominantly 2 storey save for 6 dwellings that are 2½ storeys with accommodation in the roof space. The scheme comprises 14no x 2 bed houses, 25no x 3 bed houses, 16no x 4 bed houses and 6no x 2 bed flats, resulting is a density of approx 40 dwellings per hectare. The scheme proposes 15% affordable housing which equates to 9 units.

The proposal shows two access points into the new development – one at the existing main business park site entrance on the bend of Audley Road and Audley Avenue together with a proposed revised junction layout and altered vehicle priority; and the other access off Avenue Road using the existing access to the cement works and Hesbrook's Haulage yard, between No19 Avenue Road and the site of the carpet shop opposite Newport Junior School.

The access off Avenue Road will lead to a cul du sac with 12 dwellings and 2 blocks of flats. The remainder of the estate is accessed off a revised junction layout at the corner of Audley Road and Audley Ave (by what is currently the main site access) to serve the remaining houses with two dwellings are accessed directly off Audley Road. All units have 2 or 3 car parking spaces (apart from one unit that has only 1 space) either with attached single garages, long driveways or dedicated spaces around small cu du sac heads.

Following various officer discussions with the developer, the scheme has been amended to deal with various highway and design issues (including overlooking, garden distances, and alterations to driveways/kerb alignment) and as a result the layout and parking and some of the house types have been altered.

BACKGROUND

Outline planning permission W2008/0626 for some 55 dwellings was resolved to be granted by Plans Board on 18th March 2009 subject to a S106

agreement for 25% affordable housing; £45,000 for a new off-site LEAP play area; £15,000 for improvements to the Shukers playing fields; £25,000 towards the Safe Routes to School and a primary school commuted sum if the surplus of places should fall below 5% at the time of making the first reserved matters application. The S106 agreement has not been signed and hence planning permission has not actually been granted.

This current application is not too dissimilar in general form to the previous outline application, but the main differences are i) the application site is now smaller as it now excludes the Hesbrook's Haulage Yard, ii) the internal horseshoe access road that linked the two access points is now 2 separate internal access roads but still using the two same access points off Avenue Road and Audley Avenue and with the Avenue Road access now being shared with Hesbrook's Haulage yard and iii) the number of proposed units has increased from 55 to 61.

THE SITE:

The 1.5ha (approx) site is the former Newport Business Park which had a number of vacant and discussed industrial buildings and Hanson's cement mixing works. Most of the buildings have now been demolished and the site cleared, apart from the cement works. Hesbrook's haulage yard remains and its access off Avenue Road will be maintained and shared with the proposed new cul-du sac off Avenue Road. The Co-Op and Waitrose supermarkets and their service yards are to the north and west of the site and the Co-Op car park lies adjacent to the western site boundary.

The site is located close to the centre of Newport, within the built up area of Newport and in a predominantly residential area, within easy walking distance of the Newport high street for shops and the bus station, and there are primary and secondary schools also within easy walking distance of the site. Whilst the site was last used as an industrial/business park and is an urban brownfield site it has no protected or proposed employment land use allocation in the Wrekin Local Plan or Core Strategy – it is "white" land. The site lies close to the Newport Conservation Area boundary that runs along the rear of properties on High Street, but is not adjacent or touching.

PLANNING HISTORY:

W2008/0626 – Outline for residential development to include access. Resolution to grant planning permission at Plans Board on 18.3.08 for 25% affordable housing; £45,000 for a new off-site LEAP play area; £15,000 for improvements to the Shukers playing fields; £25,000 towards the Safe Routes to School and a primary school commuted sum if the surplus of places should fall below 5% at the time of making the first reserved matters application. The S106 agreement has not been signed and hence planning permission has not actually been granted.

PLANNING POLICY CONTEXT:

Saved Wrekin Local Plan policies

H7 – Large scale regeneration exceptions in Telford & Newport

UD2 – Design Criteria

LR4 Outdoor recreational open space
LR6 Developers contributions to outdoor recreational open space provision within new residential developments

LDF Core Strategy
CS1 – Homes
CS6 – Newport
CS15 – Urban Design

National policy
PPS1: Sustainable development
PPS3: Housing
PPG13: Transport
PPG24: Planning and Noise
Draft National Planning Policy Framework (July 2011)

**CONSULTATION RESPONSES:
Council Highway Engineers**

Comments on scheme as originally submitted:

- The area around the main site access with the new junction to Audley Avenue will need to cater for pedestrian movements to/from the schools and the school buses. The concern that has been raised is that the buses leaving the school sometimes overhang the footway. It is for this reason that I am not prepared to give up the existing width to the development and why I wish to be certain that no vehicles will overhang the footway around the junction.
- The upshot of this is that the garages to Plots 1 and 2 will need to be set back about 1.5m to give the correct drive length. The drives to Plots 15 - 19 have been slightly shortened by the realignment and I would recommend the drives are extended by 0.5m.
- The alignment of the new road off Audley Ave is not correct.

Following the various amendments, the Highway officer is now satisfied and has no objection.

Drainage

Initial comments:

- not possible to fully review the proposals of the Flood Risk Assessment (FRA) without all Appendices being submitted, and even after the review of the full FRA, further information may be required.
- The design of the surface water system is currently set at 1 in 30 year with flooding within the site up to the 1 in 100 year event. This is not acceptable. Any system should be designed to deal with all flows up to and including the 1 in 100 (+30) year storm event with no flooding.

Following further discussion and submission of information from the developer, the Council's drainage engineer comments that:-

- the revised calculations are acceptable.

- a small volume of flooding is shown however this is only in the order of a couple of cubic metres and therefore this is acceptable.
- confirmation of the future owner of the attenuation features should be provided.

Geotechnical engineers – no comment

Arboricultural officer

- T1 (TPO'd Copper Beech) is the most important tree on the site. Therefore require that the Method Statement, page 2 (the last page of the report) is adhered to with a condition;
- The excavation within the Root Protection Area (RPA) of the Beech **must** only remove the top bitumen surface leaving the previous porous foundation below. After the soil has been laid and either seeded or turfed, the RPA should then be fenced off at the given distance within the tree report to become a construction exclusion zone.
- Machinery and other heavy plant should be restricted to the all ready existing hard surfaces.
- Post holes for the new fence adjacent to T1 and S1 should be hand dug to avoid any lateral roots greater than 25mm in diameter.
- As the applicants only intend to leave 1 tree and 1 hedge on site greater detail is needed with regard to the mitigation planting intended for the site.
- Recommend tree protection conditions B14 (Landscaping Design), B17 (Landscape Management Plan), B18 (Landscape Maintenance), B73 (Tree Protection, after the top surface has been removed and the soil has been laid), C12 (Landscape implementation hard and soft).
- Finally, The Copper Beech T1, is shown as being within the boundary of No.42 (Berwick) if the tree is to be included within the plot it should therefore become the property of the owners once they have moved in.

Environmental Health (Noise)

- The report has not included noise monitoring during the weekend for effect of noise from the late night economy i.e. Friday and Saturday nights.
- The Co-Op car park bordering the site is also used until the early hours during weekends and is a significant noise source and has not been considered.
- The report details that location E1 (located between the two supermarkets) falls in category NEC Category C for night time noise, you may wish to consider this in terms of the application.
- The inclusion of a 2.4m fence bordering the supermarkets is not considered sufficient due to the height difference between the site and noise sources (particularly the 1.5m difference of the Co-Op site) and the nature of the noise from unloading/loading activities.
- Would advise including a condition for a formal noise mitigation scheme to be submitted and agreed by TWC including information of type of acoustic barrier to be installed as above.

Environmental health officers and the developers are still discussing noise data and acoustic measures – members will be updated at Plans Board.

Environmental Health (Contaminated Land)

- Have been in discussions with the applicant's consultant regarding this site, have reviewed the existing site investigation data, and proposals for further investigation and in agreement with these proposals.
- Also understand that there is a dialogue between the applicant and the Hydro geologists at the Environment Agency.
- Consequently, now satisfied that the proposals are appropriate and recommend the ground investigation condition.

Environment Agency - No objection but request conditions to subject to conditions to deal with contamination and pollution prevention. With regards drainage and flood risk, they refer to EA standing advice and advice from Council drainage engineers.

Sport and Recreation

- The proposed development will reach the trigger level that would require on-site play provision. However, the land requirement for on-site provision and its buffer requirements may then take the numbers of dwellings below this trigger level.
- The council's approved play strategy identifies this area as lacking in play provision and requires a major upgrade of a nearby play area from a current Local Area of Play (LAP) to a Neighbourhood Equipped Area of Play (NEAP).
- Therefore request £45,000 towards the costs to provide a Local Equipped Area for Play (LEAP) in line with the council's play strategy.
- The development would also generate the need for sports and recreation and this could be provided by providing a contribution towards the upgrading (sports pitch drainage) of the nearest community use sports pitches (Shukers Playing Field) with sports pitch drainage or an upgrade to the existing sports pavilion at a cost of £30,000.

Note: On the previous application, as part of the negotiations, the £30,000 for the Shuker's Field upgrade was reduced to £15,000. The Recreation officer has now agreed that this reduced sum can still apply to this new application.

Education

- There has been pre-application discussion between the developer and the Council's education officers.
- At the present time there is no requirement for education contributions.
- However, the next update on future pupil numbers would be March 2012 and would not seek a contribution unless projected surplus places fall below the 5% threshold.
- Therefore suggest that if the planning application were to lapse after 3 years and renewal was sought, the education contribution calculation

would need to be re-visited to see if local circumstances had changed – a S106 can be appropriately worded to include this caveat.

Ecology

- A common pipistrelle bat was recorded foraging on site and in the buildings in 2007, but there was no new evidence of bat usage in 2010 and there were 2 species of high conservation concern (RSPB Red List) present on the site (starling and house sparrow), and 3 species of medium conservation concern (RSPB Amber List) (house martin, grey wagtail and dunnock).
- Therefore recommend conditions for provision of bad, bird and invertebrate boxes, and Informatives about Japanese knotweed, nesting birds, vegetation removal and consideration of green roofs.
- With regards the Little Owls, the bat/bird box condition can be amended to include boxes for the Little Owls.

Sustainability

- One of the most effective ways of securing more sustainable developments, and reducing climate change emissions, is to design buildings to achieve Code for Sustainable Homes standard (CSH).
- It is recommended that the development be constructed to achieve Level 3 of the Code for Sustainable Homes, then be upgraded to Level 4 for any development that occurs after April 2013.

Strategic Housing

- The policy requirement for affordable housing is 35% which would equate to 21 units on this site, however the financial viability appraisal submitted by the developer demonstrates that providing this amount of affordable housing would make the scheme unviable.
- The viability appraisal has been endorsed by the Council's Development Delivery officer, therefore the proposal for 9 affordable units, representing 15%, is acceptable.
- The types of proposed affordable units are acceptable, as there is an identified need for houses and a small number of apartments. It is recommended that one of the social rented apartments is a ground floor apartment as this will enable an applicant with a need for level access accommodation to be appropriately housed.
- Whilst there is a need for 4 bedroom social rented properties, on a small scheme like this and given the position with the economic viability, the proposed 2 and 3 bedroom units are acceptable and will meet identified needs for small families and single people or couples.
- The tenure split of 45% social rented and 55% shared ownership is acceptable given the economic viability of the scheme - the viability appraisal, endorsed by the Development Delivery Officer, shows that this level of shared ownership is required for the scheme to be economically viable.
- In the light of issues with accessing shared ownership experienced by some applicants in the current market due to high deposits required, it is suggested that the option to provide other intermediate tenures such

as Rent to Homebuy is available to the Registered Provider, provided that this is economically viable.

- Overall, given the position with the economic viability of the scheme, the proposed affordable housing mix is acceptable in terms of type, size and tenure and will meet some of the identified housing needs in the area.

Shropshire Council (Historic Environment)

- The proposed development site lies partly within the medieval and post medieval historic core of Newport where archaeological remains may be impacted on.
- In view of the above and in accordance with PPS5, recommend that an archaeological evaluation of the application site be undertaken prior to the planning application being determined, to assess the extent, survival and significance of any archaeological remains and enable an informed planning decision to be made regarding the archaeological implications of the proposed development and any appropriate archaeological action or mitigation.
- However, following the developer's submission of a desk top archaeological report, Shropshire Council now confirm that, given the generally negative conclusions of this study, it provides adequate archaeological evaluation for the proposed development, and concur with the recommendation in para 9 of the report that no further archaeological mitigation is necessary for this development.

Newport Town Council – support

- support this application as development on a Brownfield site.
- but concern about the access of school buses along Audley Road, in accommodating the 'sweep' on the junction of Audley Road/Audley Avenue, this subject had been addressed in the previous application (W2008/0626) and due consideration needs to be expressed.
- disappointed with the 15% affordable housing and would prefer to see more as the original did have 25%.

Newport & District Civic Society

- Broadly welcome developments which seek to utilise previously developed land within the confines of the town and in close proximity to the High Street.
- Welcome developments that seek to maximise green spaces but although the applicant claims that about 50% of the development will be provide green/garden spaces it is difficult to verify this from the details on the website.
- What do T&W propose as regards replacement of this land which was previously occupied by businesses and provided employment opportunities in Newport?
- Object to the proposed 15% affordable homes provision as this does not reflect the current financial position regarding housing development and hence the development should be refused unless significant increase in the affordable element is agreed.

- Aware of developer argument about viability but ask that following be taken into account:-
- i) Core Strategy policy CS6 - states that '*...new housing development will be expected to deliver affordable homes to the level of 35% of all such developments.*'.
- ii) previous application W2008/0626 made by St Modwen offered 25% affordable housing when the banking/credit/business/construction forecasts were extremely pessimistic,
- iii) recent application TWC/2011/0179 for 30 dwellings at Broomfield Road, Newport includes a 50% affordable element,
- iv) the 2010-2013 Local Investment Plan between T&W and the Homes and Communities Agency recognises that as the construction of new dwellings fell back significantly during the period of the banking/credit crisis that the need for affordable homes in Newport had become 'critical' by the time of the Investment Plan.
- v) house builders over the past 12 months or so are reporting that the worst of the market conditions are behind them and that while the immediate future will be challenging they are seeing and expecting to maintain margin growth.

Additional comments submitted:

- application no. TWC/2011/0179 for dwellings at Broomfield Place offers 50% affordable element and reinforces our thoughts that T&W should encourage house builders/developers who specialise in developing smaller sites containing significant affordable elements to bring forward proposals as opposed to those who merely seek to provide a 'token affordable element'.
- The critical need for affordable homes in Newport is well documented by T&W.
- Understand that St. Modwen, the owner of the site, initially approached T&W Planning Dept. with a request as to whether a food retail unit (potentially a discount food retailer) could be considered for part of the site, but that this was rejected by T&W as the site was not part of the Newport primary shopping area and that this would be considered as in competition with the primary shopping area i.e. basically Newport High Street – but in Bridgnorth approval was recently given for a discount food store to be built on part of a site with the balance of the site to be used by Persimmon to build houses.
- St. Modwen and Persimmon recently entered into a joint-venture agreement to develop sites across England and Wales with both a retail and/or commercial element PLUS housing - we would therefore urge that further consideration should be given to the site in Newport particularly when considered against the recent application to build a food store at the A41 end of Audley Avenue and the recent consultation regarding the proposed superstore at the A41 end of Station Road/Wellington both of which will threaten the viability of the High Street.
- We urge the Plans Board to not approve the application but to ask T&W Planning Dept. to prepare an overview of the various proposals relating to developments in and around Newport in order to develop a

master plan for Newport that accords with the Core Strategy and the stated Government aims of 'protecting the High Street areas' left in England and for which the Mary Portas review is due to report on in September 2011.

Fire Service – advice on fire prevention measures

Neighbour consultations:

5 letters of objection received summarised below:-

- Whilst welcome the change in the site use from industrial to residential , traffic flow is a problem .
- Concerned about the number of proposed houses and flats and their related parking provision as parking is already limited on Avenue Road.
- Avenue Road has become a rat run since the 20mph restriction was imposed on the high street (which I thought was a good move) I just can not imagine what it will be like if another 100+ cars are coming down the road to get to the site - a child will be hit by a vehicle
- The site of the access on Avenue Road will increase the flow of traffic around three schools.
- The parking problems due to the parents parking near school has not been addressed by T&W council and this development will add to that problem.
- The new residents in the development will need adequate parking (2 parking places per dwelling) to prevent increased parking on Avenue Road .
- Parking for residents of Avenue Road is already difficult due to school parking and shopping parking.
- Access to the industrial yard may be problematic if the new cul-de-sac is narrow and used as school parking. This would lead to more congestion in Avenue Road. At present the yard does not cause any problems.
- Property (17 Ave Rd) borders the proposed development of an apartment block. The plans suggest that my brick wall is to be replaced by a wooden fence, but had no correspondence from the developer about this and will not agree to the replacement of my brick wall.
- Concerned about loss of privacy from block that faces property (17 Ave Rd).
- Concerned about loss of light to the side windows of property (4 Underhill Close).
- Hope the willow tree by Underhill Close can be removed as it's a nuisance, with debris to the car park and onto cars. I
- Newport is becoming unbearable due to traffic - have just set up a new business to employ people from Newport but am considering taking my business out of the town and relocating - the main car park any time of the day is full and people are parking out side my house now to walk into town.

1 letter of objection received from Hesbrook Haulage yard concerned about the following:-

- Have traded from the site since 1974 without problem, but foresee major problems arising with development so close to the property.
- Restricted access to haulage yard and repair garage, which has articulated vehicles and other HGV's and cars using the access,
- There may be a noise problem with housing being so close to the haulage yard
- New junction opposite Newport Junior School together with increase parking problem on Ave Road at school times increases risk of accidents,
- The will be restricted light to the building
- Damage to the road so close to building from construction work, run off and drainage
- Seen Little owls using the cement tower

PLANNING CONSIDERATIONS:

Principle of development

With regards the suitability of site for housing, a material consideration is the Plans Board resolution to grant outline planning permission on 18th March 2008. The site is a "windfall" brownfield unallocated site last used for employment as the former Newport Business Park. Located in the centre of Newport close to shops, facilities and services, the site is in a sustainable location for residential which the government would encourage for development. Whilst part of the site lies adjacent to retail supermarkets on the edge of Newport town centre, it also lies within a predominantly residential area with a junior school opposite and Burton Borough secondary school approx 0.5kms away and where new residential development would not be an unsuitable use.

Wrekin Local Plan policy H7 allows housing redevelopment of unallocated employment sites in Telford & Newport if this would be the most appropriate reuse, where contamination can be adequately mitigated against, and the site can be adequately accessed and drained, and affordable housing is provided. Most of the employment/industrial buildings and structures on the site have already been demolished. The proposal will see the closure and demolition of the cement mixing works, but the Hesbrook Haulage yard remains as this no longer forms part of the application site, unlike in the previous outline application. Reuse of this unallocated business park and its transformation into residential, in what is a predominantly residential area on the edge of the main retail area of Newport, would serve to enhance the character and appearance of the area and remove some of the conflict of uses. Therefore officers consider that on balance the loss of the employment site to residential would generally accord with the requirements of Policy H7.

Whilst its redevelopment for housing results in the loss of industrial land close to the centre of Newport, the site owner has chosen to demolish the industrial buildings that were on the site and the site does not benefit from any designation or protection for employment in either the Local Plan or Core Strategy. Core Strategy policy CS6 mentions that "*the amount of available*

employment land within the town will be increased, in order to provide new local employment opportunities". Whilst there is no quantum identified in policy CS6, further employment guidance and policies for Newport are likely to come forward as part of the review of the Core Strategy, which has already commenced.

There are other business and industrial parks within the urban area of Newport, such as along Audley Avenue, where planning permission was granted in 2008 for new business units on the Parkland House/car auction site to provide a total of 3,344sqm gross of employment floorspace. In addition, there is some 3.5 hectares of employment land south of Audley Avenue that is allocated for employment development in the Wrekin Local Plan, although there has been no take up of land here to date. Officers therefore consider on balance that the redevelopment of the site for residential would not significantly affect the employment provision in Newport.

The site can be adequately drained and ground contamination/remediation can be addressed.

The recent Draft National Planning Policy Framework puts the presumption in favour of sustainable development at the heart of the planning system and the proposal generally accords with the thrust of advice.

Highways

With regards highways issues the principle of redeveloping this former industrial site for housing has already been agreed and accepted with the resolution to grant the previous residential outline application W2008/0626. The likely traffic generation and suitability of the existing road junctions has been assessed, and the Council's highway engineers do not object to a residential development of this size on this site. In assessing the impact of the proposed residential development one has to consider the existing industrial/business use of the site and the volume of traffic as well as the types of vehicles such as lorries and other plant that could come in and out of the site from the existing access points if the business park use was to have continued. A Traffic Impact Assessment has been submitted with the application. In light of this the traffic likely to be generated by 61 dwellings officers consider the proposed traffic from the residential development could be potentially less than the existing/previous industrial use and therefore there is not a reason for refusal comparing this proposal to the outline scheme that was resolved to be granted.

Both the previous and current schemes include using the existing access to the cement works off Avenue Road. In this current scheme this will continue to be shared with the Hesbrook haulage site and there is no highway objection to this arrangement. Similarly both schemes include alterations to the road junction layout at the corner of Audley Avenue and Audley Road in order to make turning easier for school buses and access to the site. This has changed the priority and effectively created a "Give Way" T-junction where Audley Road meets Audley Avenue.

Following several revisions to the site layout that included making driveways longer to stop cars over hanging the highway and some re-alignments of the road construction, the highway officer is now satisfied with the detailed layout.

As the site is in close proximity to junior and secondary schools, Highways are also requesting £27,000 contribution towards Safe Routes to Schools for the provision of signage, white lining and other physical improvements, which would be secured through a S106 agreement.

Design

The layout of the site is broadly similar to the previous outline scheme in that there's a main estate road with cul du sacs off and a mix of detached and semi-detached properties each with driveway parking. The proposal effectively creates two small estates – one accessed off Avenue Road to serve some 16 dwellings, the other off Audley Ave/Audley Road. The layout has broadly been accepted by the resolution to grant the previous outline application as an illustrative layout was submitted in line with a Design & Access Statement.

Following officer concerns about some of the proposed dwellings overlooking existing properties and overlooking issues between some of the back-to-back two and half storey properties, some house types have been substituted and some house types have had doors and windows swapped/added/removed. The existing properties most affected are those along Avenue Road that back onto the site. However, the scheme has been designed to place new dwellings at right angles to the rear boundaries to avoid overlooking. Most of the other new dwellings either face towards each other within the site or are along the commercial boundaries with the supermarkets.

The site itself has limited roadside frontage as the site is predominantly located to the rear of houses that front Avenue Road, and hence is more akin to back land development. Therefore there is no particular design format to match in a built up frontage. The house types are fairly traditional brick and pitched roof houses, with some detailing features such as bay windows, window heads and sills. The houses are predominantly detached or semi detached, with a several short terraces, with driveway parking along side most plots. Most properties are two storeys (with a few 2 and half storeys at the rear of the site overlooking Waitrose).

PPS3 advocates the efficient use of land and whilst there are no longer preferred densities, layout and design affect design. The proposal for 61 units equates to a density of about 40 dwellings to the hectare, and this is considerate appropriate for the site in this urban location. Officers also consider the house designs, layout and density of the scheme shares characteristics with the housing in the immediate residential area around the site and as such accords with design guidance in PPS1 and development plan policies UD2 and CS15.

Affordable Housing

Core Strategy Policy CS6 requires new development in Newport to provide 35% affordable housing.

The previous outline residential application was subject to 25% affordable housing. This reduction was allowed following a viability appraisal being carried out and the downturn in the economy and the housing market at the time. The economy and housing markets have still not fully recovered and the current developers have submitted a viability assessment to support their provision of 15% affordable housing. The Council's Development Delivery officer has assessed their viability submission and deems it reasonable that in light of the economy, land values, housing market and the costs required to decontaminate the site properly, that 15% affordable is acceptable in this instance.

To reflect the current downturn in the economy, officers consider it appropriate to introduce a clause in the S106 agreement that would require a review of the affordable housing provision, should the development have not been commenced within 3 years or should the application be renewed, that would allow the affordable provision to be re-evaluated. Therefore

Noise

Due to the site's location in the centre of Newport and immediately adjacent to Hesbrook's Haulage Yard, the Co-op car park and the rear service areas of both the Co-op and Waitrose supermarkets, a noise survey has been undertaken. This has indicated the need for a 2.4m high acoustic fence along the site boundary with these areas. Additional details of fence location and its construction can be conditioned. Whilst residential development on this site has a resolution for permission, environmental health officers and the developers are still discussing details and data to further improve the acoustic situation and members will be updated.

CONCLUSION

The principle of residential development with less than 35% affordable housing has already been agreed by the resolution to grant outline planning permission in March 2008 for W2008/0626. Officers consider that the site is suitably and sustainably located for residential development in relation to its proximity to Newport town centre and its location amidst existing residential development and close to both junior and secondary schools.

The proposal will not significantly adversely affect the amenities of existing residential properties in the area and in particular those that adjoin the site along Avenue Road and Underdale Close. The position and design of dwellings and the overall estate layout is considered appropriate for this partial back land site. The traffic that is likely to be generated from the proposal can be accommodated by the existing road network and the improvements to be made to the junction of Audley Avenue/Audley Road are acceptable. Conditions can be imposed to address the ecology, drainage, ground contamination, noise, detailed design, landscaping, tree protection measures et al.

Planning legislation requires development to be in accordance with the Development Plan. The provision of 15% affordable housing is contrary to Core Strategy policy CS6 which requires 35%. The economy is still in a downturn and the developer's financial viability appraisal of the scheme indicates that further reduction in affordable housing provision is financially necessary and officers have accepted the justification as valid. Therefore whilst the proposal does not fully accord with the affordable housing provision in Core Strategy policy CS6 there are material benefits to developing this sustainably located brownfield site for residential use in this instance that serve to justify the development, notwithstanding some policy conflict.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to a S106 agreement for 15% affordable housing, £45,000 for new off-site LEAP, £15,000 for improvements to Shukers playing fields, £27,000 towards physical works for Safe Routes to School and a clause that if after 3 years the development has not been commenced or a renewal has not been made that the Education contribution is revisited, and subject to the following conditions:

A04	Time limit
B06	Samples of materials
B11	Door & window details
B13	Details of enclosures
B14	Landscaping scheme to include replacement trees
B17	Landscape management plan
B18	Landscape maintenance
B19	Highway new access
B20	Road design
Bcustom	Visibility splays
B23	On site construction parking
B24	No mud on road
B50	Surface water & foul drainage details
B30	Land contamination and remediation
B73	Trees protective fencing & root protection
	Details of root excavation
B75	Trees no dig method
Bcustom	Submit details of acoustic fence
C38	Accordance with plans
Ccustom	Layout parking/driveways
Ccustom	Follow method statement for protecting copper beech tree
Ccustom	No infiltration of surface water drainage into ground water
Dcustom	Carry of recommendations in FRA
Dcustom	No conversion of garages into residential accommodation
Dcustom	No piling of foundations
Informatives	Bat/bird/invertebrate boxes
	Japanese knotweed
	Fire Service advice

REASON FOR APPROVAL:

The principle of residential development on this site has already been accepted in by the resolution to grant outline planning permission W2008/0626, subject to a S106 agreement, back in March 2008. The site is an unallocated brownfield windfall site within the built up area of Newport and located within a predominantly residential area, in a sustainable location close to the Newport town centre and its service and facilities. The proposal will not significantly adversely affect the amenities of existing residential properties. The position and design of dwellings and the overall estate layout is considered appropriate for this partial back land site and will not be detrimental to the street scene. The traffic that is likely to be generated from the proposal can be accommodated by the existing road network and the improvements to be made to the junction of Audley Avenue/Audley Road are acceptable.

Planning legislation requires development to be in accordance with the Development Plan. The provision of 15% affordable housing is contrary to Core Strategy policy CS6 which requires 35%. The economy is still in a downturn and the developer's financial viability appraisal of the scheme indicates that further reduction in affordable housing provision is financially necessary and officers have accepted the justification as valid. Therefore whilst the proposal does not fully accord with the affordable housing provision in Core Strategy policy CS6 there are material benefits to developing this sustainably located brownfield site for residential use in this instance that serve to justify the development, notwithstanding some policy conflict. .

TWC/2011/0376 Granville Lodge, Church Street, St Georges, Telford, Shropshire, TF2 9LX
Conversion of existing Coach House into 1no. dwelling ***** Amended plans received*****

APPLICANT

Heather Nicholls

RECEIVED

15/08/2011

PARISH

St. Georges and Priorslee

WARD

Priorslee

THIS APPLICATION WAS DEFERRED AT PLANS BAORD ON 14th SEPTEMBER 2011 FOR A MEMBER SITE VISIT.

CLLR IAN FLETCHER HAS REQUESTED THAT THE APPLICATION IS DETERMINED BY THE MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of residential development, residential amenity, impact upon the character and appearance of the area, highway safety and parking and the TPO'd Beech tree on site.

THE PROPOSAL:

This application seeks planning permission for the conversion of the existing Coach House into 1no. dwelling. The application has been amended to include a parking space for the converted unit and the provision of 9 parking spaces for the existing flats in Granville Lodge and bin storage.

SITE AND SURROUNDINGS:

The application site comprises an existing single storey brick outbuilding, attached to Granville Cottage and abutting the footpath on Church Street. The outbuilding was originally larger but the western part was demolished and Granville Cottage built. The blank north elevation of the building fronts the street and all the openings are on the south elevation facing into the site. The outbuilding has three garage-type entrances, with blue painted wooden doors, and comprises dark red bricks with dentil eaves detailing and a slate gable roof with a relatively large chimney and louvered ventilation stack. A row of 5 modern flat-roofed garages are located at the south of the application site, with a gravelled drive and parking area between, with vehicular access to east of outbuilding from Church Street. The application site is associated with adjacent Granville Lodge, which is a substantial three-storey building that has been sub-divided into 12 flats. Granville Lodge has lost the majority of its grounds to housing development in the C20th. The garages and gravelled area provides parking to the tenants of Granville Lodge.

The application site is located in a predominantly residential area, with traditional properties on Church Street, and modern housing on adjoining Park Close and Lodge Road. A modern social club building is located opposite the

application site, with church, public house and sports facilities on Church Street.

PLANNING HISTORY:

W2010/0089 Tree works to 2no. trees – Approved.

W2009/0055 Demolition of outbuildings and erection of a two storey building containing 2no. apartments – Withdrawn

A pre-application enquiry was submitted in 2007, regarding the possibility of demolishing existing garage buildings and creating residential development, (house or flats), with parking for adjacent tenants. The Local Planning Authority advised the applicant that the scale of development was too great, and that there were a number of constraints, namely protected trees and character of the area. Furthermore, flats were not deemed to be acceptable, as there would be insufficient space for parking and garden area, as well as providing parking for existing residents of Granville Lodge. However, a new dwelling close to the road with garden to the rear would be more appropriate, or the conversion of the outbuilding adjacent to the highway to a small residential unit.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 –Delivering Sustainable Development

PPS 3 – Housing

PPS5 – Planning for the Historic Environment

PPG 9 – Biodiversity and Geological Conservation

PPG13 - Transport

Core Strategy DPD

CS1 Homes

CS5 District and Local Centres in Telford

CS9 Accessibility and Social Inclusion

CS12 Natural Environment

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

Wrekin Local Plan 1995 – 2006 (saved policies)

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

OL11 Woodlands and Trees

CONSULTATION RESPONSES:

The St Georges & Priorslee Parish supports the proposal.

The Council's Highway Engineer supports the proposal subject to conditions.

The Council's Drainage Engineer has no objections.

The Council's Environmental Engineer has no adverse comments to make.

The Council's Arborist has no objection subject to conditions.

The Council's Ecologist has no objection and suggests informatives in respect of bats and birds, enhancement planting and the erection of bat, bird and invertebrate boxes.

The Fire Authority asserts that it will be necessary to provide adequate access for emergency fire vehicles at the development, and that there should be access for a pumping appliance to within 45 metres of all points within the dwelling. This issue will be dealt with at the Building Regulations stage of the development.

Neighbour consultation responses

A site notice and 19 direct neighbour letters have advertised the application;

1 letter of objection has been received from the occupiers of the adjoining property, Granville Cottage. The issues raised are:

- Party wall and potential damage or destruction of their property,
- Church Street is a well populated area with mostly period properties. A number of these are already used as rented accommodation which could have an impact on potential sales of private housing.
- There is no shortage of housing in the immediate area and with a large development ongoing nearby the already excessive volume of traffic could be increased significantly,
- Many homes along here due to their age do not have driveways and so many vehicles have to be parked on the Highway, including Granville Cottage, although the vehicle is housed in a garage situated in Lodge Road when not in use.
- Granville Lodge is situated very close to the local church and also the sports and social club, which is used for many sporting events, social events, and clubs etc, weddings or funerals many people have to park vehicles in Church Street, Park Close and Lodge Road.
- Although there are 2 large car parks they do not always provide sufficient car parking if there is more than one event occurring at any time.
- Hazardous for emergency vehicle.
- Granville Lodge does not provide sufficient parking for current residents or make allowance for future demand, future car owners or associated visitors.
- Limited space to allow manoeuvring of vehicles, and this would be reduced if conversion was to take place.
- The Coach House is currently divided into 3 garages which were until recently used by residents of the Lodge to house their vehicles, until the owner requested that they vacate them, obviously due to her intentions and probably to argue that they were not in use.

- Park Close residents express the same concerns that reduced car parking at Granville Lodge would mean more vehicles being parked at the top of Park Close reducing visibility.
- There are a lot of elderly and also young people that regularly walk along Church Street to access local shops, churches and schools on a daily basis.
- Church Street is also used by a number of light and heavy goods vehicles servicing local businesses, and coaches transporting cricket teams.
- Effects on the natural environment, the trees within the grounds of Granville Lodge carry preservation orders.
- Groundworks to provide the building with essential drainage, water, electricity and possibly gas could cause serious damage to the roots and significantly to the trees themselves.
- Granville Lodge has very little natural light and could this possibly result in future planning permission being sought to alter the appearance of the north elevation.
- Though slightly decayed through age, the buildings that have stood for many years without interference.
- When Granville Cottage was purchased it was detailed as a link detached obviously because of the party wall with the Coach House. If the planning goes through making it a residence this will have an obvious effect on the value of Granville Cottage, resulting in a financial loss if sold.
- It seems unfair that the feelings of people actually living in the area should be put aside for financial gain.

A petition organized by the adjoining neighbour (Granville Cottage) containing 23 signatures has been received the issues raised are:

- The proposed development will spoil the look and feel of the area.
- The proposed development will block out light.
- The proposed development will cause loss of privacy.
- The proposed development will cause car parking issues and congestion.
- The proposed development will increase noise levels.
- The person requesting permission will not live in the property.
- It is for financial gain to the detriment to local residents.
- Advice will be sought of MP.
- General maintenance of Granville Lodge could be improved before new developments are considered.
- Loss of garages.
- The building has been left to go to rack and ruin on purpose.
- Tree roots will be affected by water pipes and electric.
- Not in-keeping with the surrounding area, will spoil the building.
- Existing 'goings on' in Granville Lodge and some Police activity in the early hours.
- The landlord does not always vet potential tenants.
- The area has an open and rural feel to add a modern building will spoil it.

- Noise and destruction from construction traffic.
- Previous applications for the building have been turned down.

A second petition containing 18 signatures of family and friends living in St Georges and Oakengates supporting the adjacent neighbour's opposition to the proposed development has also been received.

Following the receipt of amended drawings in respect of the parking arrangements a second round of consultation was carried out.

One letter of objection to the amended scheme has been received from the owners of the adjoining dwelling. The issues raised are:

- Concerns about parking have been ignored.
- The bins have been moved to a parking space.
- What guarantees are there that future residents will only have one vehicle.
- Residents of Granville Lodge already park on the highway.
- Loss of 3 garages.
- Parking problems.
- Impact on tree roots.
- Advice will be sought from a solicitor.
- Have the right to remain link detached snatched away for financial gain.

Photographs of on-street parking in the locality have also been submitted.

PLANNING CONSIDERATIONS:

The Design & Access statement advises that the proposed development;

- Will retain and preserve the character of the coach house.
- Provide a viable re-use of a historic building.
- Supply much need housing.
- Enhance the visual quality of the coach house.

The site is in the built up area of Telford in a highly accessible location within walking distance of a bus stop and amenities and therefore the principle of additional residential development in this area is acceptable and compliant with local adopted policies H6, CS1, CS5 and CS9 and national guidance contained within PPS1 and PPS3.

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess a proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment.

In addition, national guidance contained in PPS1, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.

There are no habitable room windows in the gable wall of the adjoining property (Granville Lodge) and therefore there will be no loss of privacy or over-looking. There are no major building works to the external structure of the building and thus there will be no adverse effect upon daylight or sunlight. Issues in respect of sound/noise transfer fall under the remit of Part E of the Building Regulations 2000 (as amended) which require new attached dwellings to achieve a reasonable resistance to sound from adjoining buildings. Moreover, it would be a store and cupboard closest to the adjoining property rather than a habitable room. Accordingly, there will be no significant adverse impact upon the residential amenity of the adjoining dwelling.

There is no meaningful amount of private amenity space provided for the unit, however this is a similar situation to numerous modest one bedroomed units and flats, and future occupants will be aware of the limited facilities. Nevertheless, there is a recreation ground on the opposite side of Church Road and Granville Country Park a little further away, and the amenity and living standards provided by the conversion are acceptable.

Issues in respect of property value or the link-detached nature of the coach house and Granville Cottage are not material planning considerations which could result in the refusal of this application which could then be successfully substantiated at any subsequent appeal. Furthermore, it should be noted that the western half of the coach house was originally demolished to make way for Granville Lodge.

The proposed conversion will bring an attractive albeit tired looking historic building back in to useful occupation and thus will have a positive impact upon the character and appearance of the coach house and the locality. The imposition of a condition will ensure that the doors and windows are acceptable and sympathetic to the building. A formal bin storage area for the existing and proposed units is proposed with soft landscaping to provide screening, which is an improvement to the existing situation. Furthermore, it should be noted that planning permission is not actually required to store the bins anywhere on the site or within the grounds of Granville Lodge. Therefore, the proposal accords with policies UD2, CS14, CS15 and national guidance contained within PPS1 and PPS15.

The existing parking provision could be considered slightly inadequate for the number of units in Granville Lodge and no planning history is available explaining the rationale for the original conversion to 12 units. Nevertheless, the building would probably benefit from an established use as 12 units with 8 parking spaces. The layout and parking arrangements for this application have been amended and now include 9 on site parking spaces. The make up of this being 5 existing garages, 3 new spaces in front of the converted unit (to replace those garages being lost) and 1 new space to the side of this unit. This has now resulted in a net gain of 1 space on the site over what was

provided previously. One new space is considered sufficient for the parking needs of the converted one bedroomed unit.

For this new layout to be workable requires the existing garages to be used rather than vehicles just parking in front of them. If parking in front of them was to continue it would render the 3 new spaces to the rear unusable due to manoeuvrability issues. It is not possible to impose conditions which insist that the existing residents of Granville Lodge park in the garages rather than on the hardstanding area as this would be difficult to enforce, and therefore it will be necessary to rely on the tenants to police the arrangement themselves. The possibility of converting the garages into carports has been discussed with the agent, which would make the garages more attractive for use. The agent supports this suggestion, however has advised that 2 of the tenants need to have a fully locked garage because of expensive tools and equipment stored within the work vehicles they park in the garage. Information has been received advising that these are the only vehicles belonging to these particular tenants and therefore it is considered that the conversion of just the 3 garages to car ports as acceptable.

Representations in respect of parking and highway dangers made by neighbours and residents in the area are noted and this solution is not perfect but consideration must be given to how a Planning Inspector would look at the proposals come a likely appeal following any refusal. The Inspector would make an assessment based on facts and therefore the actual availability of parking within the site. It would be difficult to prove that the garages/car ports would not be used for parking, and that the addition of one new residential unit with an allocated parking space would result in a significant detrimental impact upon this matter. Therefore, on balance the proposal is supported by the Council's Highway Engineer and is deemed compliant with policies UD2 and CS15, PPS1 and PPG13.

There is a large TPO'd Beech tree that is growing adjacent to the main entrance to the site, and depending on the size of the vehicles that will be on site to convert the Coach House may require some form of ground protection such as Eve trak or Ground Guard which will protect the roots, as mature Beech trees do not respond well to ground compaction. Furthermore, the erection of protective fencing positioned to protect the stem of the beech and at the edge of the grass verge adjacent to the Horse Chestnut is also deemed necessary during the building works to ensure that this impressive tree which contributes significantly to the visual amenity of the locality is not adversely affected by the proposed development.

Currently there is an electricity cable running from the Lodge to the Coach House, and further detail is required as to the proposed utilities that will run from and to the Coach House e.g. electricity, gas and foul water as digging will be required and the applicant will need to demonstrate how they intend to mitigate this whilst protecting the roots of the adjacent TPO'd tree. Therefore, it is considered necessary to impose conditions in this respect to ensure the future of the tree in accordance with policies OL11, CS12 and guidance contained within PPG9.

Accordingly, the Local Planning Authority considers that the proposed conversion of the coach house to a single residential unit with one dedicated parking space is acceptable in principle as it is located in a highly accessible sustainable location. There will be no significant detrimental effect upon the residential amenity of the adjoining property, and the conversion will provide adequate living conditions for any future occupiers of the coach house. The proposed development is sympathetic and will result in a positive impact upon the character and appearance of the building and the locality. Parking provision is acceptable and will not have a detrimental impact upon parking, highway safety or congestion and parking and the future health of the TPO'd Beech tree on site will be further protected during the building works. Accordingly, the development is considered compliant with policies UD2, H6 and OL11 of the Wrekin Local Plan, policies CS1, CS5, CS9, CS12, CS14 and CS15 of the Core Strategy and national guidance contained within PPS1, PPS 3, PPS5, PPG 9 and PPG13.

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

1. A04 Time limit.
2. B06 Samples of materials.
3. B11 Details of doors and windows.
4. B73 Trees protective fencing and matting.
5. B74 Trees services root protection.
6. C09 Trees materials storage.
7. C14 Landscape implementation soft.
8. C19 Car parking and carports
9. C38 Development in accordance with approved plans.
10. D01 Removal of PD.
11. I23a Bat, bird and invertebrate boxes.
12. I25g Enhancement planting.
13. I25k Bats & birds.
14. I30 Party Wall Act.
15. I32 Fire Authority.
16. I33 Removal of PD.
17. I40 Conditions.
18. I41 Reasons for grant.
20. Racustom Reasons for approval.

REASON FOR APPROVAL:

The proposed conversion of the coach house to a single residential unit with one parking space is acceptable in principle as it is located in a highly accessible sustainable location. There will be no significant detrimental effect upon the residential amenity of the adjoining property, and the conversion will provide adequate living conditions for any future occupiers of the coach house. The proposed development is sympathetic and will result in a positive impact upon the character and appearance of the building and the locality. Parking provision is acceptable and will not have a notable detrimental impact upon parking, highway safety or congestion and parking and the future health of the TPO'd Beech tree on site will be further protected during the building works.

TWC/2011/0572 4 Chetwynd End, Newport, Shropshire, TF10 7JE
Erection of ground floor rear extension, and a pitched roof gable (Full planning)

APPLICANT

Miss Sarah Moreton

RECEIVED

05/07/2011

PARISH

Newport

WARD

Newport North

CLLRS SCAMMELL AND MEREDITH HAVE REQUESTED THAT PLANS
BAORD DETERMINE THIS APPLICATION.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: The Inspector's decision in respect of the previous refusal on the site, the effect on character and appearance of the listed building and Newport Conservation Area and residential amenity.

PROPOSAL:

Erection of a single storey rear extension. This proposal is a revised scheme following a previous refusal and appeal and seeks to overcome the Inspector's concerns in order to produce an acceptable form of development. The Inspector did not object to the proposed development per se but to some of the design and detailing. Amended plans have subsequently been received which show that the proposed extension is detached from the neighbour's wall.

A Listed Building consent application (TWC/2011/0573) has also been submitted for the erection of a single storey rear extension and alterations to include an attic conversion.

Separate planning (TWC/2011/0616) and listed building (TWC/2011/0616) applications for a free-standing structure (summer house) in the rear garden of Tudor Rose Cottage have also been submitted and these will be presented to Plans Board in due course.

SITE AND SURROUNDINGS:

Tudor Rose Cottage is a Grade II Listed Building and is the end property in a row of six dwellings. The property is located within Newport Conservation Area.

The application site comprises a late C19 two storey house incorporating part of a C17 timber framed structure. The property fronts on to Chetwynd End and the front elevation has two Bay windows either side of a plain central doorway all under a tiled pentice (a sloping roof projecting from the front wall, to provide shelter to the door) and two modern casements windows above.

The southern gable has an exposed timber frame with C19 barge boards finished with a spike finial and a steeply pitched tiled roof. The rear elevation is facing brick on the ground floor with exposed timber framing on the first

floor some of which is possibly sham (fake). There is a previous single storey flat roofed kitchen extension off the rear elevation.

The rear garden is bounded by 2.0m or so walling to the south and is adjacent the car park belonging to a small housing association development. The common boundary between the application site and the adjoining property comprises the rear wall of the kitchen and outbuilding belonging to the neighbouring dwelling (no.6 The Honey House) is approximately 3.5 m in height adjacent the proposed development reducing to 2m or so then changing to timber panel fencing .

PLANNING HISTORY:

Previously Members refused planning permission for a rear extension, loft conversion and a retrospective application for a garden room contrary to officer recommendation (TWC/2010/0046) and the listed building consent application (TWC/2010/0047) was subsequently refused under delegated powers. The Planning Inspector upheld the LPA's decision and dismissed the subsequent appeals.

This application is similar to a previous approval W2005/1172 for a loft conversion and pitched roof to the existing single storey kitchen extension with the addition of a WC on the ground floor.

A planning application (TWC/2011/0616) and listed building consent (TWC/2011/0615) in respect of the a detached timber garden room in the rear garden will be presented to Plans Board once a more suitable site has been considered.

A previously constructed WC has been demolished prior to prosecution as it did not benefit from listed building consent or Building Regulation approval.

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS 1 Delivering Sustainable Development
PPG15 Planning and the Historic Built Environment.

Saved Wrekin Local Plan Policies
UD2 Design Criteria
HE3 New Development in Conservation Areas
HE16 Alterations and Additions to Listed Buildings

LDF Core Strategy
CS14 Cultural, Historic and Built Environment.
CS15 Urban Design

CONSULTATION RESPONSES:

Newport Town Council has advised that its Members have noted this application was been Green Carded by Cllrs Meredith & Scammell who will endorse the previous findings of the Planning Inspectorate.

Conservation Officer considers that this application has specifically addressed the concerns of the Planning Inspector and is therefore happy to support the proposal subject to conditions in respect of materials and details of the doors and windows.

The Ecologist has suggested a bat and bird informative given the age of the building.

A Site Notice and 10 direct neighbour letters have publicised the application.

One letter of objection has been received from the nearest neighbour (The Honey House) objecting to the proposal and raises on going neighbour dispute issues. The matters raised are:

- The neighbour is highly surprised that she needs to be writing a letter due to the Inspector's previous decision.
- Why is latest application using the name Moreton-Caller rather than Ms Sarah Moreton.
- The adverse affect the ground works etc will have on her old property.
- Previous sand blasting of her wall without permission.
- A Previous unauthorised extension which required demolition.
- On-going damp problems.
- The shed is still in-situ.
- The difference in ground level between the 2 properties will make the noise level worse due to the loft conversion and therefore due attention should be paid to the noise insulation.
- Submitted plans may well meet approval, however Telford & Wrekin Council should give due consideration to the effect that the proposal would have on her property.
- As a local ratepayer the Council must have a moral obligation to enable her to maintain and protect the integrity of her home. All of these objectives would be impossible with the plans as proposed.
- The build could take place with a 1m space between the 2 properties allowing access.
- The possible devaluation of The Honey House if access space is not available for maintenance.
- No further objections if a working space and the sound proofing insulation are addressed.

In response to the comments made by the neighbour it should be noted that many of them are not material planning considerations or relevant to this application. Nevertheless, Members are advised that:

- There is no regulation which prohibits the applicant from submitting this application, and the LPA is obliged to notify neighbours.
- Whether or not the applicant chooses to use her maiden or married name is not relevant as she is the same person.
- The extension would be constructed on a raft foundation which would minimise the amount of excavation required and ensure the stability of the neighbouring property.

- Historic sand blasting and on-going neighbour disputes are not relevant and the works did not require planning permission.
- The previous unauthorised WC which did not benefit from Building Regulation approval or Listed Building Consent was removed last year.
- As a result of the on-going damp issues the case officer has previously attempted to sort out the damp issues, by involving the Council's Environmental Health Officer (Private Sector Housing), the officer has been in discussions with the agent, the neighbour and the neighbour's surveyor. Although the damp problem is not material in respect of determining the application, this seemed to be the most sensible course of action because, if approved and then built the on-going damp problems would be encapsulated within the new build without giving to opportunity to resolve the problem if the neighbours were not prepared to discuss the matter. Officers concluded that there appeared to be a number of factors contributing to the damp problems being experienced by both properties.
- A planning application and listed building consent have been submitted for the shed however, amended drawings are awaited when a more appropriate location for the shed has been considered. Therefore, it is not expedient to take enforcement action as valid applications have been submitted to the LPA.
- Planning permission is not required for the attic conversion (only LBC is required). Nonetheless, issues in respect of sound/noise transfer fall under the remit of Part E of the Building Regulations 2000 (as amended) which require new attached dwellings to achieve a reasonable resistance to sound from adjoining buildings.
- Consideration is always given to residential amenity on all planning applications but not listed building consent applications. The LPA can only consider applications under the relevant planning and listed building legislation and not any moral obligations. Case Law advises that the LPA are not liable to neighbouring landowners in negligence for granting planning permission for development adversely affecting their interests. The case law is further reinforced by the ruling of the House of Lords where it held that the Local Authority were not liable in negligence in carrying out their statutory functions.
- There is no minimum distance which should be left between boundaries and extensions under planning law. Extensions adjacent neighbouring property falls under the remit of The Party Wall etc. Act 1996. An adjoining owner (the neighbour) can not stop someone from exercising the rights given to them by the Act, but may be able to influence how and as what times the work is done. The adjoining owners' rights are:
 - To appoint a surveyor to resolve any dispute,
 - Require reasonably necessary measures to be taken to protect their property from foreseeable damage,
 - Not to suffer any unnecessary inconvenience,
 - Be compensated for any loss or damage caused by relevant works,

- Ask for security of expenses before any significant work is started so as to guard against the risk of being left with difficulties if works are stopped at an inconvenient stage. The Party Wall etc. Act 1996 is the responsibility of the developer or applicant and the neighbour. The LPA or the Council can not intervene.
- Possible devaluation of property is not a material planning consideration.

PLANNING CONSIDERATIONS:

The proposal comprises:

- conversion of the attic into a bedroom with an en suite bathroom,
- the insertion of four conservation roof lights,
- inserting a new staircase from the first floor to the attic,
- blocking up the landing window on the first floor,
- inserting a new window in the study,
- repositioning the door into the sitting room,
- constructing a single storey rear toilet extension,
- replacing the existing flat roof with a pair of gables.

Of the above list, planning permission is only required for the single storey rear toilet extension, and the replacement of the existing flat roof with a pair of gables. The other elements are permitted development and only require Listed Building Consent.

The appeal Inspector did not object to the principle of the attic conversion and the erection of the rear extension and the addition of a gable roof to the existing flat roofed extension. The planning Inspector opined that;

“With regard to the rear extension, when looking from either the public domain to the side or from the (Appellant’s) garden, what is proposed would be a subservient element on the property that would not challenge its original character. Consequently, it would not appear discordant and indeed it would be a visual improvement when compared to what is now present. Although the eaves on the north side would be lower, giving the gable a slightly unbalanced appearance, the impact of this would not be great enough to render the proposal unacceptable. The roof would conceal some of the rear timber frame but sufficient could still be seen to ensure the integrity of the building remained apparent.”

However, the Inspector considered that the proposed glazed panels at the very apex of the gable wall would constitute a modern discordant feature which would detract from the simple integrity of the important gable. As a result he considered this feature would harm the listed building and also have a detrimental affect on the conservation area due to its prominence.

With this in mind this revised application (and listed building application TWC/2011/0573) have been submitted to remove the glazed panels from the proposal.

In addition the Inspector also dismissed the appeal due to the close proximity of the standard modern designed detached garden room to the rear of the dwelling and the adverse impact on the setting of the listed building and the impact upon the character and appearance of the Newport Conservation Area – this is subject to separate planning and listed building applications that are to be determined in due course.

Nationally, PPS5 gives Government advice on the protection of historic buildings and conservation areas. Policy HE7.5 states that local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.

Additionally, PPS1 outlines that design must be appropriate in its context and should improve the character and quality of an area, and that if a development fails to achieve this, it should not be accepted.

Guidance contained in the Core Strategy policy CS14 advises that *inter alia*, the LPA should protect and enhance the historic environment, cultural and built heritage, and CS15 states that development should positively influence the appearance of the local environment.

Policy HE3 requires new development to be of the highest standards of design that will preserve or enhance the character or appearance of the area.

Policy HE16 states that alterations and extensions to listed buildings will only be permitted when amongst other issues; the essential form and character of the building are maintained and the historic interest of the building and its setting are not adversely affected, its architectural features are retained.

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively their context. The Council will assess it in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access and spatial quality.

The existing flat roof extension, with Upvc windows detracts from the character and appearance of the listed building, and although an earlier consent allowed a pitched roof over part of the existing rear extension this revised design, which removes the flat roof altogether is considered to be more appropriate and is an improvement to the existing situation and the previous approval. Of the proposed extension the Inspector commented “Indeed it would be a visual improvement when compared to what is now present”. Thus this revised application to remove the glazed panels, which the Inspector did not approve of, will no longer harm the listed building or the character and appearance of the conservation area.

Comments raised by the neighbour are answered above in respect of access to her wall for maintenance. There is no minimum separation distance required for matters of access in this situation. It is not a material planning consideration in determining this application and is covered under separate legislation (Access to Neighbouring Land Act 1992). Furthermore, the Inspector commented that:

“the need to allow access to the wall of Honey Cottage from the Appellant’s land is not a ground to dismiss either appeal”.

With regard to the damp issues the Inspector stated:

“There was much in the submissions (in the appeal), about the effect of the rear extension on problems of damp experienced at Honey Cottage, the adjoining unlisted house to the north. In particular I note that the neighbour’s surveyor considered the proposal would effectively draw up water between the properties and limit the means by which it could be treated. Ultimately, the courts are arbiters of what constitutes a material consideration. However, to my mind the evidence concerning the effect of the extension on dampness is not conclusive and the weight I can attach to it is not sufficient to justify refusing the proposal.”

The proposal to construct a single storey rear extension will necessitate;

- the removal of the gully running against the wall,
- the repositioning of the existing soil and vent pipe,
- the reconfiguration of the rainwater disposal.

Therefore, approving this application will result in the existing drainage arrangements being looked at and improved. If the application is refused then there would be no incentive for the applicant to consider the drainage and no jurisdiction under planning to insist that the drainage issues are addressed. The on-going damp issues are not material planning issues.

The proposed development complies with the Council’s 45 degree code in respect of residential amenity, sufficient private amenity space is retained and parking is unaffected.

In conclusion, the elements which the Inspector deemed inappropriate have been removed from this proposal and it is considered that the siting, scale and design of the revised extension is therefore now acceptable with matching materials and replacement timber windows, and as such the proposed development is an improvement to the existing situation. It will result in an enhancement to the Listed Building and a positive impact upon the character and appearance of the Conservation Area. There will be no loss of residential amenity to the adjoining neighbour; however, as a consequence the on-going damp issues will be addressed. Off street parking is unaffected and adequate private amenity space is retained.

Accordingly, the proposal is considered compliant with policies CS14 and CS15 of the Local Development Framework Core Strategy, ‘saved’ Policies

UD2, HE3 and HE16 of the Wrekin Local Plan 1995 – 2006 and national guidance contained in PPS1 and PPS5, and therefore recommended for approval with conditions.

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

1. A06 time limit.
2. B05 details of materials (incl rainwater goods)
3. B06 samples of materials.
4. B07 sample brick panel
5. B11 details of doors and windows 1:10.
6. C38 In accordance with approved plans.
7. C41 metal rainwater goods.
8. I23 bats.
9. I30 Party Wall Act.
10. I40 conditions.
11. I41 Reasons for grant.

REASON FOR APPROVAL:

The proposed development has been specifically amended to overcome the Inspector's previous concerns. The siting, scale and design of the extension is acceptable with matching materials and replacement timber windows, and as such the proposed development is an improvement to the existing situation. It will result in an enhancement to the Listed Building and a positive impact on the character and appearance of the Conservation Area. There will be no loss of residential amenity to the adjoining neighbour; however, as a consequence the on-going damp issues will be addressed. Off street parking is unaffected and adequate private amenity space is retained.

TWC/2011/0573 4 Chetwynd End, Newport, Shropshire, TF10 7JE
Erection of ground floor extension, a pitched roof gable, internal alterations and conversion of the attic (Listed building)

APPLICANT

Miss Sarah Moreton

RECEIVED

05/07/2011

PARISH

Newport

WARD

Newport North

CLLRS SCAMMELL AND MEREDITH HAVE REQUESTED THAT PLANS BOARD DETERMINE THIS APPLICATION.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: The Inspector's decision in respect of the previous refusal on the site, the effect on character and appearance of the listed building and its setting.

PROPOSAL:

Erection of ground floor extension, a pitched roof gable, internal alterations and conversion of the attic. Amended plans have been received which show that the proposed extension is detached from the neighbour's wall. This proposal is a revised scheme following a previous refusal and appeal.

This revised application seeks to overcome the Inspector's concerns to produce an acceptable form of development. The Inspector did not object to the proposed development per se but to the design and detailing.

A full planning application (TWC/2011/0572) has also been submitted for the erection of the single storey rear extension. The internal alterations and attic conversion do not require planning permission as they are permitted development (PD).

A separate planning application (TWC/2011/0616) and listed building application (TWC/2011/0615) in respect of the a detached timber garden room in the rear garden have been submitted and will be presented to Plans Board in due course once a more suitable site has been considered.

SITE AND SURROUNDINGS:

Tudor Rose Cottage is a Grade II Listed Building and is the end property in a row of six dwellings. The property is located within Newport Conservation Area.

The application site comprises a late C19 two storey house incorporating part of a C17 timber framed structure. The property fronts on to Chetwynd End and the front elevation has two Bay windows either side of a plain central doorway all under a tiled pentice (a sloping roof projecting from the front wall, to provide shelter to the door) and two modern casements windows above.

The southern gable has an exposed timber frame with C19 barge boards finished with a spike finial and a steeply pitched tiled roof. The rear elevation is facing brick on the ground floor with exposed timber framing on the first floor some of which is possibly sham (fake). There is a previous single storey flat roofed kitchen extension off the rear elevation.

The rear garden is bounded by 2.0m or so walling to the south and is adjacent the car park belonging to a small housing association development. The common boundary between the application site and the adjoining property comprises the rear wall of the kitchen and outbuilding belonging to the neighbouring dwelling (no.6 The Honey House) and is approximately 3.5 m in height adjacent the proposed development reducing to 2m or so then changing to timber panel fencing .

PLANNING HISTORY:

Previously Members refused planning permission (TWC/2010/0046) for a rear extension, loft conversion and a retrospective application for a garden room contrary to officer recommendation, and listed building consent was subsequently refused under delegated powers (TWC/2010/0047). The Planning Inspector upheld the LPA's decision and dismissed the subsequent appeals.

This application is similar to a previous approval W2005/1172 for a loft conversion and pitched roof to the existing single storey kitchen extension with the addition of a WC on the ground floor.

A previously constructed WC has been demolished prior to prosecution as it did not benefit from listed building consent or Building Regulation approval.

PLANNING POLICY CONTEXT:

National Planning Guidance
PPG15 Planning and the Historic Built Environment.

Saved Wrekin Local Plan Policies
HE16 Alterations and Additions to Listed Buildings

LDF Core Strategy
CS14 Cultural, Historic and Built Environment.

CONSULTATION RESPONSES:

Newport Town Council has advised that its Member have noted this application was been Green Carded by Cllrs Meredith & Scammell who will endorse the previous findings of the Planning Inspectorate.

Conservation Officer considers that this application has specifically addressed the concerns of the Planning Inspector and is therefore happy to support the proposal subject to conditions in respect of materials and details of the doors and windows.

A Site Notice and 10 direct neighbour letters have publicised the application. No objections in respect of design and adverse impact upon the LB have been received

PLANNING CONSIDERATIONS:

The proposal comprises:

- conversion of the attic into a bedroom with an en suite bathroom
- the insertion of four conservation roof lights
- inserting a new staircase from the first floor to the attic
- blocking the landing window on the first floor
- inserting a new window in the study
- repositioning the door into the sitting room
- constructing a single storey rear toilet extension
- replacing the existing flat roof with a pair of gables

The Inspector did not object to the principle of the attic conversion and the erection of the rear extension and the addition of a gable roof to the existing flat roofed extension. The planning Inspector opined that;

“With regard to the rear extension, when looking from either the public domain to the side or from the (Appellant’s) garden, what is proposed would be a subservient element on the property that would not challenge its original character. Consequently, it would not appear discordant and indeed it would be a visual improvement when compared to what is now present. Although the eaves on the north side would be lower, giving the gable a slightly unbalanced appearance, the impact of this would not be great enough to render the proposal unacceptable. The roof would conceal some of the rear timber frame but sufficient could still be seen to ensure the integrity of the building remained apparent.”

However, the Inspector considered that the proposed glazed panels at the very apex of the gable wall would constitute a modern discordant feature which would detract from the simple integrity of the important gable. As a result he considered this feature would harm the listed building and also have a detrimental affect on the conservation area due to its prominence.

With this in mind this revised listed building application (and associated planning application TWC/2011/0572) have been submitted and show that the glazed panels have been removed from the proposal.

The Inspector also dismissed the previous appeals due to the close proximity of the standard modern designed garden room to the rear of the dwelling and the adverse impact on the setting of the listed building and the impact upon the character and appearance of the Newport Conservation Area – this is subject to separate planning and listed building applications that are to be determined in due course.

Nationally, PPS5 gives Government advice on the protection of historic buildings and conservation areas. Policy HE7.5 states that Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.

Guidance contained in the Core Strategy policy CS14 advises that *inter alia*, the LPA should protect and enhance the built heritage.

Policy HE16 states that alterations and extensions to listed buildings will only be permitted when amongst other issues; the essential form and character of the building are maintained and the historic interest of the building and its setting are not adversely affected, and its architectural features are retained.

The existing flat roof extension, with Upvc windows detracts from the character and appearance of the listed building, and although an earlier consent allowed a pitched roof over part of the existing rear extension this revised design, which removes the flat roof altogether is considered to be more appropriate and is an improvement to the existing situation and the previous approval. Indeed the planning Inspector opined that "Indeed it would be a visual improvement when compared to what is now present". Thus this revised application to remove the glazed panels, which the Inspector did not approve of, will result in a positive impact upon the character or appearance of the listed building.

Turning to the other elements of the proposals, the Inspector opined that "the various internal works would not cause harm to the historic fabric layout of the property and the roof lights would be suitably discreet. Furthermore, the siting and scale of the new study window and the infilling of the modern landing window would relate satisfactorily to the timber frame on the back elevation."

The proposal has been amended in line with the planning Inspector's comments and therefore, it is considered that the siting, scale and design of the extension and internal alterations are now acceptable and maintain essential form, character, and historic interest of the listed building and would not adversely affect its setting.

Accordingly, the proposal is considered compliant with policies CS14 of the Local Development Framework Core Strategy, 'saved' Policy HE16 of the Wrekin Local Plan 1995 – 2006 and national guidance contained in PPS5, and therefore recommended for approval with conditions.

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

2. A05 time limit.
3. B06 samples of materials.
4. B09 details of materials (incl rainwater goods)
4. B10 sample brick panel
5. B12 details of doors and windows 1:10.

6. B57 Details of roof lights LBC
7. B59 render repairs LBC (if required)
8. C38 In accordance with approved plans.
9. C41 metal rainwater goods.
10. I40 conditions.
11. I42 Reasons for grant.

REASON FOR APPROVAL:

The siting, scale and design of the extension and internal alterations are acceptable and maintain essential form, character, and historic interest of the listed building and would not adversely affect its setting.

TWC/2011/0574 189 & 191 Trench Road, Trench, Telford, Shropshire, TF2 7DU
Erection of a two storey rear extension

APPLICANT
Mr Robert Hill

RECEIVED
13/07/2011

PARISH
Wrockwardine Wood and Trench

WARD
Wrockwardine Wood and Trench

THIS APPLICATION WAS DEFERRED AT PLANS BOARD ON 14th
SEPTEMBER 2011 FOR A SITE VISIT.

WROCKWARDINE WOOD & TRENCH PARISH COUNCIL
HAD INITIALLY REQUESTED THAT THIS APPLICATION BE DETERMINED
BY PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Impact on existing residential amenities of neighbouring
properties and design.

THE PROPOSAL:
Erection of a two storey rear extension (retrospective)

This application has been submitted as a result of the two storey extension
not being built in accordance to the plans submitted with the previously
approved application ref TWC/2010/0103 having been made 900mm longer.

The original application granted a two storey rear extension projecting 3.5m
out from the rear of the property and 1.6m away from the neighbouring
boundary with No.193. However a two storey extension measuring 4.4m long
has been erected on site and therefore this application is to consider the
further 900mm projection of extension together with several minor alterations
such as the installation of French doors to replace a window, and the resizing
of some of the windows in the rear elevation.

SITE AND SURROUNDINGS:

Nos. 189 & 191 Trench Road are a pair of traditional semi-detached villas
both with a two storey rear 'outrigger' type extension. The dwellings are
situated fronting Trench Road in a built up area surrounded by predominantly
residential development, with some retail. Nos.189/191 have, in common with
the adjoining dwellings, relatively long rear gardens which back onto a local
recreation ground/amenity area. At the rear of these properties the gardens
have been developed with various sheds, garages and other domestic
structures. The lane to the side of No.189 is for the use of both dwellings, and
provides access to a detached rear garage.

PLANNING HISTORY:

TWC/2010/0103 - Erection of a 2 storey rear extension to both properties.
Full Granted

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:
Wrockwardine Wood & Trench Parish Council: Object:

- Extension doubles the size of the property
- Extension overshadows the neighbours' property
- Extension is overbearing

Highways: No Objection

Ecology: Support subject to conditions: Bats & Birds (I25k)

A site notice and 9 direct neighbour letters have publicised this application.

2 Letters of Objection received from No.193 and 'Anfra', Trench Road, Trench, summarised below:

- a) The extension has not been built in accordance to plans submitted in the previously approved application – ref TWC/2010/0103
- b) Loss of privacy to private amenity space
- c) The extension is South facing – loss of sunlight
- d) Overbearing impact – extension is approximately 2m away
- e) Concerned for mature trees along the boundary and the potential damage caused to roots
- f) Devaluation of property – document received from 'HouseSurveyors.com' stating property devalued by £20,000

PLANNING CONSIDERATIONS:

This application has been submitted as a result of the two storey extension not being built in accordance to the plans submitted with the previously approved application ref TWC/2010/0103 having been made 900mm longer. There doesn't seem to be any technical reason to explain why the extension has been built bigger than what was shown on approved plans.

The original application granted a two storey rear extension projecting 3.5m out from the rear of the property and 1.6m away from the neighbouring boundary with No.193. However a two storey extension measuring 4.4m long has been erected on site and therefore this application is to consider the further 900mm projection of extension together with several minor alterations such as the installation of French doors to replace a window, and the resizing of some of the windows in the rear elevation.

The extension is to provide a study room for each property at ground floor level and another bedroom for each property at first floor level. The extension has been built with matching materials, however the windows are yet to be installed and internal works yet to start.

The issues relating to this application include the impact on the neighbouring properties, No.193 and 'Anfra' and whether the extension is overbearing.

Planning permission has already been granted for a sizeable 2 storey rear extension and work has commenced. The main issue is to consider and compare the changes between the original approved scheme and the scheme now under construction.

It is considered that the changes to the granted extension will not have a significantly detrimental further impact on these neighbouring properties. The extension extends a further 900mm, the pitch of the side gable facing No.193 has been reduced which helps lessen any overbearing effect and a larger window has been installed to the side elevation at ground floor measuring 0.85m x 1.7m instead of 1.2m x 1m. Whilst the extension is relatively large, it is considered the further 900mm does not warrant a refusal as there will be no increased overlooking, the extension has not come closer to the boundary and therefore there is no increased overbearing effect and whilst it does project further to the rear, it is considered that any increased loss of light will not be significant.

The rear elevation also differs to what has been built. The sizes of the windows have altered and are now shallower and French doors are proposed to replace the approved ground floor window. The property enjoys a large rear garden which extends some 25m and it is considered that these changes will not have any implications to neighbouring properties or any impact on the existing street scene.

This property is already one of generous size with the approved extension and therefore in its context, the increase of 900mm will not significantly impact on the character of the existing building or of the area and will not be detrimental to neighbouring properties in terms of loss of privacy, loss of light or significant overbearing impact.

Overall it is considered that the proposed amended scheme is acceptable. The further 900mm extension is not overly disproportionate in relation to the existing building. The design and appearance of the extension relates positively to its context in terms of scale, mass, form, proportions, details and materials.

The extended development will not adversely affect the character and appearance of the existing property or the surrounding area. The development would not have a significant detrimental impact on the residential amenities presently enjoyed by the occupants of existing and adjoining development by virtue of any undue overlooking, loss of light or any overbearing effect

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

1. C01 Finishing materials to match
 2. C38 Development in accordance with deposited plans
 3. B11 Details of windows and doors
 4. D08 Obscure glazed windows – first floor bathrooms
 5. D09 No further windows
- I40 Conditions
I41 Reasons for Grant of Permission

REASON FOR APPROVAL:

It is considered that the proposed development is acceptable. The further 900mm extension is not overly disproportionate in relation to the existing building. The design and appearance of the extension relates positively to its context in terms of scale, mass, form, proportions, details and materials.

The extended development will not adversely affect the character and appearance of the existing property or the surrounding area. The development would not have a significant detrimental impact on the residential amenities presently enjoyed by the occupants of existing and adjoining development by virtue of any undue overlooking, loss of light or any overbearing effect

TWC/2011/0667 Wellington Health Centre, Chapel Lane, Wellington, Telford, TF1 1PZ

Change of use of medical centre (D1 use class) to mixed use of medical centre and retail pharmacy (D1 and A1 use classes)

APPLICANT

,

RECEIVED

12/08/2011

PARISH

Wellington

WARD

College

COUNCILLOR SLOAN AND WELLINGTON TOWN COUNCIL HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED AT PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Community benefits, Impact on existing Pharmacies in Wellington, Scale of development, Character and appearance

THE PROPOSAL:

The application seeks planning permission for the change of use of the existing Wellington Medical Practice (D1 use class) to mixed use of medical centre and retail pharmacy (D1 and A1 use classes).

The pharmacy would be located within the existing medical practice and accessed via the main entrance lobby.

SITE AND SURROUNDINGS:

The application site comprises Wellington Medical Practice, a part three-storey modern dark brown brick building located on a sloping site. The area of the building that is subject of the application is the southwest corner of the upper ground floor which currently comprises consulting rooms. The building has windows on the southern elevation facing on to bin storage and substantial concrete boundary wall beyond. The storage area is secured by a metal gate.

A public footpath and steps lead up Chapel Lane to High Street to the south. An existing retail unit, Lloyds Pharmacy, is located on the opposite side of the footpath, directly adjacent to the Wellington Medical Centre.

The application site is close to an established residential area and is located on the western edge of the Wellington Secondary Zone, close to the bus station and adjacent to a large public car parking area to the front of the site. The surrounding area comprises a mix of residential, commercial retail and community use.

PLANNING HISTORY:

W92/0780 Extensions with Internal Layout Revisions, New Public Entrance and Elevational Revisions, Full granted

W97/0449 Proposed First Floor Extension for Administrative Area, Full granted

W2009/0722 Erection of a First Floor Extension over the Existing Upper Ground Floor Element of the Building, Full granted

W2009/1036 Erection of a First Floor Extension over the Existing Upper Floor Element of the Building (Phase 2 of 2), Full granted

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS4 Planning for Sustainable Economic Growth

Saved Wrekin Local Plan Policies

UD2 Design Criteria

S11 Wellington Secondary Zone

LDF Core Strategy

CS5 District and Local Centres in Telford

CS10 Community Facilities

CS15 Urban Design

CONSULTATION RESPONSES:

Wellington Town Council objects to the proposal on the following grounds:

- Proposal will adversely affect three existing pharmacies in the town, especially adjacent Lloyds Pharmacy.
- No additional benefits to the community, which will adversely affect commercial sustainability in Wellington
- Loss of consulting rooms to the detriment of the patients who are registered at the practice
- Proposed opening hours are unnecessarily long and cannot be policed adequately at night
- No safe access/egress to the proposed pharmacy during all the hours proposed for its opening
- Proposal will adversely affect employment in Wellington

Highways: no objection

Shropshire Council: no comment

Further information has been submitted in response to the Town Council's comments. This has been forwarded to Wellington Town Council and Councillor Sloan, and if any further comments are received, these will be provided in an update to Members.

PLANNING CONSIDERATIONS:

The application comprises the change of use of the existing medical centre (Use class D1) to mixed use D1 and A1 to incorporate a retail pharmacy which would be open for 103 hours a week. The pharmacy would be located within the existing medical practice, thus not requiring extension or significant alteration to the building, apart from changes to the internal layout. The pharmacy would be accessed via the main entrance lobby to the medical centre. The proposed floor area of the pharmacy would be approx. 82sqm would constitute 5% of the floor area of the whole medical centre. Therefore it would be relatively small in the context of the site.

As the building is an existing medical centre and the pharmacy would constitute a complimentary use, it is considered that the addition of the retail pharmacy is a suitable facility in this location. This would create a 'one stop shop' for patients with an integrated service and greater links between the GP and Pharmacist to deliver high quality services to the public in terms of healthcare and well-being. It is considered that the creation of an improved community facility within Wellington District Centre, in a highly accessible location to the local community and adjacent to public transport and parking facilities, accords with planning policy CS10 of the Core Strategy. The retail pharmacy would create new jobs in Wellington, thus benefiting the local community and economy. The application form states that there would be 5 full-time employees and 1 part-time member of staff employed at the pharmacy, and in additional information, reference is made to further opportunities, with recruitment of an apprentice.

The proposed hours of opening of the pharmacy are Monday to Thursday 0800 to 2330, Friday and Saturday 0800 to 2300 and Sunday 0900 to 2000; compared with the medical centre's opening hours which are Monday, Thursday and Friday 0830 to 1800, Tuesday and Wednesday 0830 to 2030 and closed at weekends. The proposed hours of opening of the pharmacy are longer than the existing medical centre's opening hours and significantly longer than other pharmacies which close at 1830. This is intended to offer greater customer choice and provide members of the public with professional advice, health services and medicines beyond the existing hours of opening - in the evenings and at weekends, along with public holidays. The supporting information also states a further benefit to patients is that the pharmacists speak several languages which will aid communication and understanding of the patients' needs. It is intended to provide a full delivery service of medicines to the public which would be more extensive than the existing service by the adjacent pharmacy. Therefore, whilst the hours are longer than the existing medical centre and retail pharmacy, it is considered that the evening and weekend opening will be beneficial to the local community.

It is noted that there are existing pharmacies in Wellington, including one directly adjacent to the medical centre; however the supporting information states that based on the number of prescriptions per pharmacy, there is sufficient business to sustain the existing and proposed pharmacies. The supporting information outlines that the proposed pharmacy would allocate the majority of the shop floor to the dispensary; whereas the adjacent

pharmacy has greater floor area for a wider variety of retail products. Thus it is considered that the additional pharmacy could provide a complimentary business and more choice to the area. Officers do not consider that commercial competition is a ground for refusal.

The proposed change of use does not include any external alterations to the building and therefore will not change the character and appearance of the building and area, thus the proposal accords with national and local planning policies in regard to design issues. The design of the internal layout would address security and fire safety issues, and the Applicant proposes CCTV and a panic button with a direct link to the local Police station should any security risk occur. The proposal will not constitute a loss of facilities within the medical centre as the existing consulting rooms in this area will be replaced by new consulting rooms within other parts of the building. It will utilise the existing level access in to the medical centre. The proposal will not have a detrimental impact on the amenity of adjoining properties on High Street in terms of noise and nuisance, as the nearest residential properties are located approx. 20 metres to the south of the site.

In conclusion, the concerns raised by the Ward Councillor and Wellington Town Council are noted. However it is considered that the proposed change of use to include a retail pharmacy within the existing medical centre is a complimentary combination which is acceptable and will benefit the local community. The proposed hours of opening are considered appropriate and the proposal will enable greater patient choice, without adversely affecting existing facilities at the medical centre or the existing pharmacies within Wellington District Centre. The proposal accords with the relevant national and local planning policies.

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

1. A04 Time limit
2. C38 Development in accordance with plans
3. D11 Pharmacy hours of opening

REASON FOR APPROVAL:

The proposal to change the use of the existing medical centre to mixed use for medical centre and retail pharmacy is considered acceptable. The proposed pharmacy will provide greater patient choice without adversely affecting existing facilities at the medical centre or the existing pharmacies within Wellington District Centre. The development will not alter the external appearance of the building.

TWC/2011/0734 Vacant Site (formerly Shropshire Lad Pub), Brunel Road,
Malinslee, Telford, Shropshire, TF3 2HZ

Provision of a replacement neighbourhood equipped area for play

APPLICANT

Mr Derek Owen

RECEIVED

26/08/2011

PARISH

Great Dawley

WARD

Malinslee

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Green Network, visual amenity, provision of community facilities.

THE PROPOSAL:

This is a Council application which seeks planning consent for the creation of a neighbourhood equipped area of play (NEAP)

The application forms part of a wider master plan for the redevelopment of the local centre which was approved in June 2007. The masterplan included the erection of a new doctor's surgery, a child development centre, 4 retail units, residential development and a local equipped plan area following the demolition of the existing shops, community centre, surgery and public house.

SITE AND SURROUNDINGS:

The application site is predominately an area of hardstanding where the Shropshire Lad Public House and associated parking was previously located. The site has been cleared, and temporary fencing erected around the perimeter of the site. The site is predominantly level, although the ground to the east of the site rises at the boundary edge by approximately 1.5-2m. A few trees and small areas of landscaping are located on the perimeter of the development site.

The newly constructed Primary Care Trust building abuts the western boundary of the site, sited on higher ground to the proposal. This is a modern two storey flat roof building, with buff brick ground floor and a first floor which is set back and rendered cream. Further west of the site, the redeveloped Langley and St Leonards School, now Old Park School and Childrens Centre is located. This is a modern two storey and single storey flat roof building.

Brunel Road is situated to the north east of the site; this acts as a link road through Malinslee, separating this area of community facilities with the wider residential estate.

The site is well served by existing public transport links with a bus stop located on Brunel Road and is also within walking distance of Telford town centre.

PLANNING HISTORY:

W2007/0359: Demolition of existing shops, community centre, surgery and public house, and the erection of a new doctors surgery, child development centre, 4no retail units, residential development and a local equipped area of play. Outline granted June 2007.

Adjacent site:

W2007/0316: Erection of a New School with associated car parks, playing fields and playgrounds and alterations to existing vehicular accesses. Full Granted May 2007.

W2008/0742: Erection of a Primary Care Trust Property. Full Granted August 2008.

TWC/2011/0201 Erection of 2 retail units and a hot foot takeaway with associated parking; approved May 2011.

PLANNING POLICY CONTEXT:

Saved Wrekin Local Plan Policies

UD2 Design Criteria

H22 Community Facilities

OL3 Green Network

OL4 Development in the Green Network

OL11 Woodland and Trees

LR1 Provision of Community Facilities

LDF Core Strategy

CS8 Regeneration

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS11 Open Space

CS15 Urban Design

National Planning Guidance

PPS1 Delivering Sustainable Development

CONSULTATION RESPONSES:

Great Dawley Parish Council have raised no objection to the development.

Comments from Environmental Engineers and Ecology are awaited and shall be reported in any update to plans board.

To date no neighbour representations have been received.

PLANNING CONSIDERATIONS:

The majority of the development site is designated as Green Network with in the Wrekin Local Plan; however the footprint of the demolished public house has no land allocation. Green Network designation protects land from development unless there are exceptional circumstances, it contributes to the aims of the green network, or there are environmental or social benefits. In this case the proposal will provide community facilities and subsequently complies with this policy.

The indicative masterplan for the site indicated the northern section of the site to provide a Multi Use Games Area, a relocated Doctors Surgery and a Child Development Centre; a link road to the new primary school running roughly east to west separating this area with the remainder of the development. 4 new retail units were positioned within the centre of the site approximately where the Doctors Surgery is currently located, and surrounded by residential to the west and south of the site. Since then the applicants have engaged with stakeholders and the master plan evolved with the additional requirements and environmental constraints. This includes the approved and completed development for the school footprint moving eastward due to ground levels, and the Primary Care Trust (PCT) expanding its footprint. The size and orientation of leisure facilities were rejected as they did not meet ROSPA guidelines; the Doctors desire to increase the size of facility, and road front position; and the provision of suitable highways access, and adequate parking. The PCT, the school, access road and parking for these facilities have now been approved and completed; furthermore a mini roundabout has been installed at the access from Brunel Road.

The land was previously used as a sports area associated with the former public house, which was decommissioned some years ago upon the closure of the public house. A children's equipped play area was previously located some 100m from the site, however this was removed to facilitate the new school; subsequently there is a need for a replacement facility.

The proposed play area will provide facilities for children between the ages of 3 -16, access improvements are also proposed to enable the facilities to be easily used by the surrounding community. It is acknowledged that the proposal falls less than the required 30m buffer from residential properties, however the proposal replaces a facility in this vicinity and no alternative areas are available which would meet this need; furthermore the outline master plan considered this are acceptable for play facilities.

The proposed layout and design has been designed with local children, taking account of their suggestions. The proposed layout and design is considered acceptable, in addition to the details submitted for fencing and signage. Two options are proposed, altering one piece of equipment and the details of annotation on the ground; either are considered acceptable.

A footpath from the access road to the play area running south to north abuts the front elevation of the retail units; further footpath links are included to the northeast and northwest of the site providing access to Brunel Road and the residential area to the North West respectively.

In conclusion it is considered that the proposed play area will assist the role of the local centre. The proposed location, scale and design is considered acceptable, and will not have an adverse impact on the amenities of adjacent uses. Consequently it is considered the proposal complies with both local and national planning policies.

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

1. A04 Time limit
2. C Materials as submitted
3. C38 Development in accordance with plans

REASON FOR APPROVAL:

The principle of redevelopment on this site has previously been established, and some elements of development have commenced. The proposed location, scale and design are considered acceptable and will not have an adverse impact on the amenities of adjacent users.

W2008/0934 Land adjacent to, A41, Newport, Shropshire.
Construction of a Continuing Care Retirement Community with associated works comprising of 209 residential units, community/administrative building, medical facilities, recreational and social facilities, roads and sewers (amended plans received)

APPLICANT

Trustees of the Juhre Settlement

RECEIVED

15/06/2011

PARISH

Newport

WARD

Newport South

MAIN ISSUES:

- National and Local Policy with regard to provision of accommodation for elderly people who are in need of care.
- Assessment of need for such accommodation in Newport.
- Planning Policies relating to provision and location of housing in relation to the development boundary for Newport.
- Use Classes Order as it relates to the proposed development.
- Provision of Affordable Housing.
- Affect on amenity of neighbouring properties.
- Design and function of the development.
- Social and economic effects.

PROPOSED DEVELOPMENT:

The application seeks full planning permission for the construction of a 'Continuing Care Retirement Community' (CCRC). The application comprises detailed plans for,

- i) 209 Residential units, which will be specifically designed to cater for people in need of care and to the code for "sustainable houses/fit for life" standards, and which will comprise:
 1. 12 No. 3 bed houses, some with private gardens. Put houses last? To provide choice
 2. 8 No. 2 bed houses, some with private gardens,
 3. 68 No. 3 and 2 bed bungalows, most of which will have private gardens or patios, all will enjoy communal gardens.
 4. 90 No. 2 bed apartments with communal gardens,
 5. 15 No. 1 bed apartments with communal gardens,
 6. 16 assisted living units (flats with optional extra communal facilities, 1 and 2 bed units),
- ii) Community Centre that will provide medical, kitchen and laundry services, together with social and recreational facilities that will be available to the wider community on a membership basis,
- iii) On-site outdoor recreational facilities and landscaped gardens, and
- iv) Access and Car Parking areas.

The concept of the Care Community is that it should provide accommodation to persons who are in need of care by reason of old age but who, in many

cases, are still capable of leading active lives in the general community. At least one member of each household (which in many cases will be single person households) will have to be at least 65 years of age and in need of care. It is intended that everything necessary for their care would be available to them on-site, 24 hours a day, every day.

The applicants argue that this is a sustainable approach to the provision of care facilities for the elderly, as, by concentrating the customers and services in a community setting, the need to travel for both customers and providers of services is greatly reduced, and services they need can be provided much more efficiently, effectively and economically. At the same time those residents who are capable and desiring of interaction with the wider community will be able to do so. Residents will be encouraged to forge social and economic links both within the 'village' and with the local community. It is claimed that the project is not intended to be insular or exclusive.

The application is accompanied by a draft obligation made under the provisions of S106 of the Town and Country Planning Act 1990, which will limit those persons who may occupy the properties to those persons falling within the above description.

The layout drawing shows a potential site for a future self contained residential home for the elderly. This would have to be the subject of a separate planning application.

It is envisaged that the majority of the residential units will be provided on the basis of long leases, with the operator retaining the freehold. However, the applicants state that a number (unspecified) of units will be available for rent. The majority of the "assisted living" units in particular, where the occupants are likely to be frail, are likely to be rented.

Occupants will be required to purchase 'care packages' from the operator. These will be tailored to the occupants' individual needs, and will involve the provision of appropriate care on a daily/weekly basis as necessary. In addition residents will pay a service charge for the communal facilities, laundry etc.

The provision of Care is regulated under the Health and Social Care Act and the operator will be required to register the service with the Care Quality Commission (CQC). This registration will provide an ongoing regulatory influence on the operation and practice of the operator long after the planning input has ceased.

Vehicular and pedestrian access to the site is proposed from Stafford Road by way of the existing traffic island (which will be reconfigured) which presently provides access to the Daniel's Cross housing. There will be pedestrian-only access (but with potential for use as an emergency vehicular access) to Meadow View Road.

THE SITE AND ITS SURROUNDINGS:

The application site is a triangular shaped area of land, extending to 4.9ha, which is located around 800m east of Newport town centre, off Stafford Road.

The site lies at the junction of Stafford Road with the A41 Wolverhampton to Warrington Principal highway. It is agricultural land, most recently used for crops.

The land falls generally and gently from west to east and from north to south, the lowest point being the south eastern corner. As the land has been in arable use for many years there is an absence of trees on the main part of the site, the important natural features being the boundary hedgerows and trees.

The A41 and Stafford Road form the eastern and northern boundaries of the application site. Both of these boundaries are delineated by tall mature hedgerows that stand around 6 - 7m high. A footway exists along Stafford Road site road frontage but there is no footway alongside the A41.

The site is currently accessed by a field gate off Stafford Road. There is a mini traffic island at the junction of Stafford Road and Daniels Cross, which lies close to the north western corner of the application site from which it is intended to access the site.

To the north, south and west of the site is modern residential development, comprising, for the most part, modern housing estates, both private and former local authority. It is mostly two storey development, constructed of bricks and concrete roof tiles, in detached, semi-detached and terraced forms, displaying design features typical of the eras in which they were constructed, though there is no common theme or architectural distinction.

To the east of the site on the opposite side of the A41 lies Mere Park Garden Centre with the newly constructed Premier Inn and Beefeater restaurant. Still further to the east is a golf course, and large private dwelling.

There is a Public Right of Way that leads into the site.

PLANNING HISTORY:

The site has no recent planning history. In the mid 1990's a proposal to construct a public house/restaurant on a small part of the site was submitted, but permission was refused.

PLANNING POLICY CONTEXT:

National Planning Policy

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPS25 - Development at Flood Risk

Wrekin Local Plan (saved policies and Proposals Map)

Policy UD2 – Design.

Policy UD4 - Landscape Design

Policy OL6 - Open land

Local Development Framework Core Strategy

CS1 – Homes

CS6 – Newport

CS7 - Rural Area

CS9 – Accessibility
CS15 – Urban Design

West Midlands Regional Spatial Strategy
RR3 – Market Towns

National Policy relating to accommodation for elderly people who are in need of care

Department for Communities and Local Government 'Lifetime Homes, Lifetime Neighbourhoods – A National Strategy for Housing in an Ageing Society'

Royal Town Planning Institute Good Practice Note 8 - 'Extra Care Housing'

National Planning Policy

Planning Policy Statements 1, 3 and 25 are all concerned with promoting sustainable development, and the need to produce appropriate forms of accommodation to cater for the needs of the population and to choose sustainable locations for that development.

Para 69 of PPS3, indicates that, in general, in deciding planning applications, Local Planning Authorities should have regard to (amongst other things)

- Achieving high quality housing,
- Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people, and
- Ensuring the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for the area.....

Wrekin Local Plan

The Wrekin Local Plan is now outside its Plan period, though certain policies have been 'saved' as part of the statutory development plan. It does not contain any policies that would be appropriate for consideration in relation to the provision of dwellings for persons in need of care.

The Local Plan established a development boundary for Newport, and the application site lies outside that boundary. The Plan identified a number of sites lying within the development boundary as being suitable for residential development, but these sites have now all been developed.

Policy UD2 seeks to ensure that the design of new development in the Borough is of high quality, and produces a series of criteria against which proposals should be measured.

Policy UD4 seeks to ensure that an integrated approach is taken to landscape design particularly for large scale developments.

Local Development Framework Core Strategy

As far as Newport is concerned Core Strategy Policy CS1 indicates that the Town's local housing requirement will be met by the construction of approximately 60 dwellings per annum (in the period 2006 – 2016)

Core Strategy Policy CS6: Newport, says that:

“Development in Newport will support its role as a market town. The amount of available employment land within the town will be increased, in order to provide new local employment opportunities. Development will be limited to that required to meet local needs, including those of its rural hinterland, and to support the town’s regeneration..... Newport’s spatial development will include.....development that directly benefits the town’s economy, and will.....meet the local need for new homes and related facilities.”

Policy CS9: Accessibility and Social Inclusion, aims to improve social inclusion and accessibility by making sure that everyone is afforded reasonable opportunity to access homes, work, schools, recreation and open space, sports facilities, healthcare, food shops and other key services.

Policy CS15: Urban Design, says that the design of development will (amongst other things) assist in creating and sustaining safe places, strengthening local identity and projecting a positive local image.

Regional Spatial Strategy

This provides for a hierarchy of settlements including Market Towns with new development that caters for its own needs and that of its rural hinterland.

Within the Borough Telford is proposed as the main foci for development.

National Policy relating to accommodation for elderly people who are in need of care

‘Lifetime Homes, Lifetime Neighbourhoods’ recognises that by 2026 older people will account for almost half (48%) of the increase in the total number of households, resulting in 2.4million more older households than there are today, and that:

- the ageing population will be one of the greatest challenges to the 21st Century for Housing.
- older peoples’ housing options are too often limited to care homes or sheltered housing, and that we need more and better homes for older people now to relieve the forecasted unsustainable pressures on homes, health and social care services.
- 1 million people report feeling trapped in their own home and approximately one third of older people leave their own homes on average only twice a week.
- housing and planning have historically been, and continue to be, one of the greatest influences on the health and care of the Nation.

‘Extra Care Housing Good Practice Note 8’ recognises that:

- a step change in the delivery of high quality housing to meet the changing needs of the UK’s ageing population is urgently needed.
- not only is the number of older people growing, but the average number of years that people survive with a debilitating illness is also increasing,

- an important element in retaining independence and dignity in old age is the chance to avoid residential care and live in specially designed housing
- residents and families benefit from security and peace of mind, and enhanced health and sense of well being
- the delivery of the domiciliary care component to individual residents is registered by the CQC. For planning purposes, this should clarify whether the development is regarded as a 'residential institution' or as a group of 'ordinary' dwellings. This is a key distinction for planners as it relates to C2 or C3 categorisation under Town and County Planning (Use Classes) Order.

CONSULTATION RESPONSES:

Highway Authority

The Highway Authority does not object to the proposal. A traffic assessment was submitted with the application. This demonstrated that the existing junction (mini island) at the junction of Stafford Road and Daniel's Cross could be improved in order to accommodate the proposed development and that the traffic island at the junction of Stafford Road with the A41 can cope with the development.

On-site car parking does not meet the Council's standards for residential development but a lower level has been accepted bearing in mind the type of persons likely to occupy the units, the adjacent public transport facilities and the provision of on-site transport facilities.

The drainage of the site will necessitate laying a pipe under the A41, and this sewer will need to become the responsibility of and maintained by an appropriate drainage authority.

The Travel Plan needs to be amended and implemented as part of the development proposals.

Environment Agency

Has no objection to the development. The site is not at risk from flooding. Surface water run-off from the site needs to be limited to greenfield run-off rates into The Strine as required by PPS 25 Development and Flood Risk.

Severn Trent Water

Has no objection in principle to the proposed development. A public foul sewage pumping station currently exists in Meadow View Road. It will be necessary to build another pumping station which will serve the new development as well as Meadow View Road. The existing pumping station will then be closed. There is capacity in the Newport Treatment Works to accommodate the discharge from the site.

Drainage Officer

Discussions relating to surface water discharge have been based on catering for a 1 in 100 year storm plus a 30% allowance for climate change greenfield discharge. The discharge from the site will be attenuated so that the receiving watercourse, the Strine Brook, does not have to accommodate a discharge in

excess of what it would receive in greenfield conditions. The applicants propose to recycle surface water where possible. As the accommodation units proposed will be occupied on leasehold the operation of a recycling system across the whole site will be relatively easy. Water will be recycled from the roofs for utilisation within the units and for irrigation of the gardens. Soakaways will be used where practical. Porous surfaces will be specified generally (including porous tarmac for the roads). Finalised details are still required.

Footpaths Officer

There is a By-Way that partially crosses the application site. This By-way originally gave access to a number of individual fields, but these have been amalgamated into the single current enclosure and the original purpose of the By-way no longer exists. The route has clearly not been used for many years, and indeed it would now terminate in the middle of the application site. Whether it should be dealt with by means of a diversion order or as a closure and creation exercise is a matter that can be addressed once planning permission has been granted.

Geotechnics

There are no known land stability problems in the locality. There is, however, a former quarry along part of the eastern boundary of the site and the applicants should demonstrate that there is an appropriate stand-off from the edge of the quarry.

In relation to possible ground contamination the engineers are satisfied that the land had only ever been used for agricultural purposes and that it was not at risk from landfill or other industrial contaminants from off-site.

A disused quarry was identified immediately to the north west of the site and there is potential for contamination risk depending upon any infilling of the quarry. There is also the possibility of areas of waste from the construction of the adjacent A41 Newport By-pass. No other potential sources of contamination were identified. These are low risk, localised, issues when set against the groundwork that is likely to be necessary should the proposed development take place, and detailed investigation of these issues can reasonably be covered by a suitable panning condition.

Shropshire Council Archaeologist

There could be a possibility of below-ground archaeological remains in the form of Mesolithic deposits. A watching brief by way of a planning condition is recommended.

Planning Ecologist

As the site has been in regular agricultural use there is little of interest from an ecological point of view on the site. The main interest is the boundary hedges and trees which need to be retained and protected.

Environmental Health Officer

The site is located at the junction of Stafford Road with the A41 and so is affected by road traffic noise. An assessment of the effect of the noise generated at this junction was undertaken and the results showed that the noise generated by the traffic using the A41 is such that the development needs to be set back a distance of around 31.5m from the centreline of the A41.

Newport Town Council

Members are broadly in favour of the development and consider that the amended drawings have addressed the concerns raised by immediate neighbours and previously by the Town Council. It was felt that the development could potentially release larger properties into the market, provide a number of new jobs and provide an alternative to care homes for elderly residents.

Newport and District Civic Society

Welcomes the principle of a CCRC but considers the scale and density too high and inappropriate location on the edge of the town adjacent to open countryside. The Society questions whether the figure of 222 (as submitted – now reduced to 209) units has been justified by assessment of need. They were also concerned about the height of the original blocks of flats which were 4 storey. Although the Society welcomes the estimated 75+ jobs that will be created, it questions how has this figure been arrived at and how the developer will be able to ensure that the jobs go to people in Newport.

The Society suggested that measures should be put in place to reduce the speed of traffic etc on the A41, and in particular consideration be given to pedestrians trying to cross the A41 to Mere Park, particularly elderly and infirm.

More details were needed with regard to the existing hedge which is supposed to be maintained and strengthened, particularly bearing in mind the wildlife that is likely to exist.

Adult Social Care

Although there is a requirement to meet the needs of the local population, there are potentially considerable additional financial implications for the Council and local taxpayers if the development attracts people from outside the area.

Housing Strategy Officer

Accepts that there is a need for this type of facility but considers it should be located within Telford rather than Newport to support a larger population. He does confirm that there is a higher proportion of older residents in Newport than in the other areas of the Borough.

West Midlands Regional Assembly (no longer a consultation body)

Considered that the Care Village was not in general conformity to the Regional Spatial Strategy particularly as the site was on greenfield land,

Telford was the main sub-regional foci where development such as this should be sited and that Newport should only cater for need generated locally.

NEIGHBOUR RESPONSES:

Petition, collected in Newport High Street, with 200 signatures, objecting to the development has been received. There was no objection in principle to the Care Village but had great concerns about the height and design of the flats around the boundary that were not in keeping with the character of Newport. (These have now been amended to a more traditional style)

Comments received from 25 individual households.

6 of the letters received stated they were not objecting to the proposal but had concerns.

Not all the letters that were received objected to every aspect of the proposed development, some objected to the development in principle, others to details of the scheme. The objections included:

- 3 and 4 storey buildings are too high, and not in keeping with area and Newport in general.
- Gateway building ugly.
- Proposal will represent over-development of the site.
- Proposal could be better located – leaving greenfield intact.
- Proposal too close to existing properties, particularly in Meadowview Road and will affect privacy, view, and create overlooking etc.
- Without proposed Care Home development not justified.
- Development is contrary to planning policy.
- Development will require destruction or in part to the existing hawthorn hedge - birds and wildlife are present – should be maintained from a conservation point of view.
- Concerned with regard to the disruption during the construction of the development as could take as long as 2 years, concerns with regard to noise, dirt, dust etc.
- Concerns that the site will eventually have a change of use and become a general housing estate.
- Access – would access be better from the A41.
- Traffic increase.
- Lighting that will be required on site and its effect on existing properties.
- Car parking on site seems limited.
- Why is there a need for 3 and 4 storey properties and 3 bedroom houses when development is for the elderly?
- Accuracy of plans.
- Residents in Meadow View Road concerned regarding the distance between the bungalow building line and the line of the house and garden in Meadow View Road.
- Who will be responsible for maintaining a secure boundary between Meadow View boundary and the Care Village?
- Perimeter blocks should be maximum of 2 storey.

- The care home proposed is 2 storey and will overlook property – should be single storey only or a minimum of 30m away from boundary and not 20m as indicated.
- Landscaping scheme not submitted so difficult to see overall impact and screening.

Barton Willmore, acting on behalf of Urban Renaissance Villages (URV) – a development company engaged in building homes for elderly persons - objected on the following grounds:

- Planning policy ie that the development was in the rural area.
- Is there a need for the development
- Alternative sites
- Landscape and visual appearance
- Archaeology
- No need for the over 65's to have 3 bedroom property
- Care Home not included in application.

PLANNING CONSIDERATIONS:

Planning Policy Considerations

In relation to national and local policies relating to provision of care and accommodation for the elderly, there is clear acceptance that there is a serious and growing need for more accommodation for elderly persons and persons who are in need of care. All the national statistics point towards the future population having a greater percentage of elderly persons (65+) than at present, that, amongst the elderly there will be a greater percentage who live into their 70's, 80's and 90's, and that the percentage that will need care of some form will increase massively, and especially as far as dementia is concerned. It also seems to be accepted that the present arrangements and facilities for providing for these elderly people are, and will be inadequate, both in terms of quantity and quality.

There also appears to be an acceptance that housing that is available to the general public is not necessarily appropriate for elderly persons who are in need of care, and that placing elderly persons in care homes is an option that is not appropriate in all cases. Further, the cost to the Community of caring for elderly people and people in need of care is likely to increase to an unsustainable level, and that cheaper, or at least more cost effective ways of providing accommodation and care, need to be found.

There is a growing recognition that accommodation that will allow older people a degree of independence, keep them active and, if possible, involved in the community, and where services can be provided effective, efficiently and economically, is a way forward. This provides the context for this type of development.

Concern has been expressed that the proposed development might simply be a means of producing housing that will be available on the open market, or might in the future become such housing, and that it would cease to provide housing for elderly persons who are in need of care. Open market housing

would not be permitted on this site at present as it lies outside the development boundary for Newport established by the Proposals Map in the Wrekin Local Plan. The applicants have endeavoured to justify that this development is not open market housing but falls within Class 2 of the Use Classes Order 1987 as equivalent to a Care Home.

The Town and Country Planning Use Classes Order 1987 defines Use Class C2 as being

Use for the provision of residential accommodation and care to people in need of care (by reason of old age or disablement etc). This includes use as hospital or nursing home.

By contrast general open market housing for occupation by the general population falls within Use Class C3, as being

Use as a dwellinghouse (whether or not as a sole or main residence)

—

- (a) by a single person or by people living together as a family, or
- (b) by not more than 6 residents living together as a single household.

The Council has sought a legal opinion on this matter. There is no question that each of the units are capable of falling within Class 3, that is 'use as a dwellinghouse'.

To fall within Class 2 the units need to be 'used for the provision of residential accommodation and care...' The applicants have put forward the following arguments to demonstrate that this development can be considered to fall within Class 2 i.e. provision of residential accommodation and care.

- Emphasis by the applicants that the provision of care will be central to the (tenants) occupancy of any residential unit on site. At least one of the occupants of the dwellings will be in need of care and this need will be assessed by a properly qualified person.
- There are restrictions on the resale of properties, which are in any event leasehold, which makes the imposition of such restrictions easier. The nature of the conditions will distinguish these properties from normal dwellings and market housing.
- At least one occupant must purchase a care package from the operator of the Care Village.
- Features of the Care Village are medical, social and recreation facilities provided on site. The applicants state that the community will function as an entity, rather than a series of individual dwellings, and that the residents should be in need of care and that that care is available within the Community. The residents will all contribute to the upkeep of the development and to the provision of the social and recreational facilities, as well as all the normal services such as provision of food, laundry, gardening etc. No-one can reside in the community without accepting these costs and restrictions. In this way, the community functions in the same fashion as a care home, and the occupants

would not be able to operate without that continual support. There will be 24 hour support on site. The important difference between the Care Community and a Care Home is that the residents will maintain a level of independence, may be able to continue to live with a partner, and will be able to function outside the community as well as within it.

Counsel, in his legal opinion, suggests that this development is capable of falling within Class 2 for the provision of care for people over 65 years providing there are certain safeguards. The S106 agreement needs to be carefully drafted to ensure that the scheme is not diluted so that there is not a change to non-care occupants otherwise this may lead to a gradual change to open market housing. In order to protect against this he suggests that the S106 agreement should also include a properly drafted restrictions within the lease. He has provided a list of issues that need to be addressed in the lease. There is particular concern about the proposed 3 bedroom dwellings and more general use of the community centre. The applicants justify the provision of 3 bed accommodation on the grounds that some elderly couples prefer to sleep in separate bedrooms and the third bedroom is required for visitors or a live-in carer. The use of the community centre will be primarily for the use of residents but in order to encourage interaction with the local community certain groups and clubs may be able to become members and use the community centre for meetings etc. There will be no general right for the public to use the community centre and facilities.

Appeal decisions elsewhere in the Country have also accepted that this type of development falls within Class C2 of the Use Classes Order.

The application is accompanied by a draft obligation made under the provisions of S106 of the Town and Country Planning Act 1990, which will limit those persons who may occupy the properties to those persons aged 65 or above who are in need of care. Occupants will purchase 'care packages' from the operator. These will be tailored to the occupants' individual needs, and will involve the provision of appropriate care on a daily/weekly basis as necessary. This agreement is still under discussion together with details of the proposed lease to ensure that the development proposed will, indeed, remain in use for elderly persons who are in need of care and thus within Use Class C2, and that the development does not become a general housing development open for occupation by the general public.

In terms of current policy, the applicants argue that as the development falls within Use Class C2, it is not part of the general housing provision for Newport and the number of units proposed will not have to be subtracted from the 60 housing units per year that the Core Strategy requires to be constructed in Newport – that is, it will not detract from the general supply of housing in the Town. They also argue that as residents move into the CCRC they will free up other dwellings within the area, some of which would be suitable for families, and thereby give a boost to the housing stock in the Newport area.

All the sites that were allocated for development in Newport in the Proposals Map in the Wrekin Local Plan lay within the development boundary and these have now been developed. It is likely that some of the future general housing development to meet the requirements of the Core Strategy of 60 dwellings

per year will extend beyond the established development boundary. The applicants have demonstrated that the level of accommodation that is proposed in this application cannot be provided on a suitable site within the development boundary. The applicants were not prepared to consider sites within Telford.

Whilst lying outside the development boundary, the application site is closely associated with the Newport urban area and lies on the town side of Newport Bypass. In terms of location the site is within 1km of the town centre and there is a regular bus service along Stafford Road. The applicants have agreed to provide £15,000 for the improvement of the bus stops and to improve the footpaths along Stafford Road adjacent to the site as part of the necessary highway improvement works. In addition the applicants propose to provide a minibuss and pool cars for local residents (see below). Whilst Mere Park Garden Centre is on the opposite side of A41 it is not easily accessible by pedestrians due to the speed of traffic using the A41. This site is, therefore, considered to be moderately sustainable. Nonetheless, as it is outside the boundaries for Newport as set out in the Wrekin Local Plan the development is considered to constitute a departure from the approved Local Plan and Core Strategy.

The applicants have provided information to establish a need for the development to be considered as a material consideration which, bearing in mind the fact that the Local Plan is well outside its plan period, could be considered to outweigh the need to restrict development to land within the development boundary. They claim that Telford and Wrekin Borough Council area - and Newport in particular - is, like many others, lacking in specialised accommodation for people in need of care. There are care and nursing homes in the area, though insufficient for demand, but there is no specialised accommodation for those in need of care but who can lead active lives and contribute to community life.

The proportion of older people in society has been increasing for many years, and this trend will continue for at least the next 50 years, as people live longer and birth rates decline. The biggest rate of growth is in the so called 'old old' group of people - those aged 85+; this group is projected to increase by up to 60% by 2026. This age group accounts for a disproportionately large amount of resources in both health and social care.

The age profile for Newport was older than that of the Borough as a whole. In particular in 2001, only 18.8% of the population was aged 15 years or less compared with 22.3% Borough-wide, whilst some 16.2% of the population was aged 65+ compared with 12.4% Borough-wide. Reflecting the town's age structure, almost one in four households, 24.7%, contained only pensioners, compared with 19.0% Borough-wide. Newport lies at the heart of a large rural catchment which stretches into Staffordshire. Rural areas generally, and Newport is no exception, have older age profiles than urban areas.

More people in the 60 – 65 age group in 2001 will come into the 65+ age group in the period 2006 – 2016 (the period of influence of the Core Strategy). The 'baby boom' of the late 1940's/early 1950's has now worked its way

through to the 60+ age group, and so there will be an increase in that age group simply because greater numbers of people were born in that mid 20th century period.

This trend is recognised in the Core Strategy at para. 3.2, which says:

“Between 2005 and 2016 the profile of the Borough's population is set to age. Whilst this will not be as rapid as the National average between 2005 and 2016, the number of residents aged 65+ will increase by 33% and by 2021 will represent over 16% of the population (14% by 2011). As part of this trend, significant increases in residents aged 75+ and 85+ can be expected,” and

para. 3.22 which says:

“The population of Newport and its immediate rural hinterland is ageing faster than that of Telford.”

If current percentages of elderly persons were to be maintained, some 4,366 people in the Newport catchment area would be over 65 by the year 2016, an increase of over 600 people.

The percentage of persons in the 65+ age group in the Newport catchment is very similar to the National figure and there is no reason to suppose that Newport has any lower rate of dementia sufferers than the National situation. If national figures were applied to the population in the Newport catchment some 287 people will be present and suffering from dementia by 2016.

All available information and forecasts point to an urgent, and growing, need for more elderly persons' accommodation and accommodation for those in need of care, and demand that simply cannot be met by existing and proposed provision.

In addition they argue that this proposal provides a different type of care accommodation which will help to add to the mix of accommodation available as required by PPS 3.

It is accepted that there is a need for this type of accommodation both within Newport and the Borough as a whole. Even so this proposal will only be suitable for a proportion of the elderly, i.e. those with the resources to purchase (or rent) the available dwellings and also the necessary care and service packages in order to be eligible to live within this Care Village.

The size and number of units proposed has been subject of much discussion and the applicants argue that this number is not untypical of this type of development and the number is necessary to ensure viability of the project though this has not been supported by a financial appraisal. It is, however, accepted that there will be additional costs with the need for the community building.

Affordable Provision

As a site falling outside the development boundary, it would be the usual practice to require affordable housing provision on mainstream residential sites. The applicants were requested to provide some affordable housing.

However the applicants have argued that as this development falls within Use Class C2 and as such it does not fall within the requirements for the provision of 'affordable' housing. In addition they claim that the provision of affordable housing will give rise to issues of viability (though this claim is not supported by evidence) and that the residents in the affordable housing may not require a care package which could increase costs for other residents. There are appeal decisions which set the precedent for both the provision of affordable dwellings and its non- requirement.

The developer did research the position and argues that there are practical difficulties associated with the provision of this form of development which means that the provision of 'affordable' housing is difficult if not impossible for Affordable housing providers (AHPs) to deal with. In particular, there needs to be a long term commitment to the retention of the accommodation units and AHPs, because of the manner in which they are funded, cannot make such commitments. Further, in terms of maintenance and the upkeep of community facilities, contributions from all of the residents on the development are necessary, and necessary in the long term. Again he argues that AHPs cannot commit to such charges. Further, the developers have undertaken to build out the communal facilities from the outset. This imposes a significant financial burden on the developer and the residents and is another factor which militates against the involvement of AHPs.

Design

The design of the development in terms of the layout of the site and the individual buildings has been the subject of considerable discussion between the developers and Council Officers. The applicants have also carried out extensive consultation with the public including holding public meetings. Many of the detailed design comments made by members of the public have been taken on board by the applicant. The scheme has, then, been revised several times, both in terms of its layout and the individual buildings. The scheme now before the Plans Board is the result of those discussions and revisions, and is now believed to be acceptable in detailed design terms (although conditions will be imposed to seek further details in some respects – landscaping for instance). It will safeguard this important approach to Newport with the retention of the existing boundary hedges and the amenities of the nearby dwellinghouses.

The design and appearance of the single and two storey units (numbering 88 in total) are now found to be generally acceptable. The blocks of apartments have, however, been the cause of much debate. Some of these were originally proposed as four storey structures, but that height proved to be cause for concern to some members of the public, and the height was reduced to a maximum of three storeys. Most of the original apartment blocks were contemporary in design. These contemporary blocks caused some

adverse comment from certain members of the public and Members and have been dropped from the scheme altogether, leaving all the blocks of apartments with a more traditional appearance.

In terms of layout the development has been arranged around a loop road from which the various accommodation units are served. A central pedestrian spine runs the length of the development from the community centre, meaning there is traffic free access to the communal facilities from large areas of the site.

The layout of the dwellings was based on the need to provide the community and care facilities necessary and to foster a community that will be self sufficient but that can integrate with the wider community in Newport, so as to produce an excellent living environment for those persons in need of care. All residential units will be constructed to full mobility standards.

The applicants proposed 3 different character areas within the site.

The first is at the front of the site where the majority of the community facilities and services are to be found. The buildings are generally larger and have a more formal arrangement and appearance than the residential areas on the site. The entrance to the site itself at the junction of the estate road with Stafford Road is flanked by two large accommodation units to 'announce' the development.

The second area is that which skirts the northern and eastern boundaries of the development site. Here the flatted accommodation has been grouped to follow the estate road and create a solid definable edge to the development. The bulk of the accommodation blocks sets the development apart from the open market housing in the locality, and the blocks have, therefore, been sited in such a manner that they do not relate, directly, to any existing two storey residential accommodation. At three stories in height these blocks echo the development to be found in the centre of Newport, where two, three and four storey buildings form virtually continuous frontages along the main roads through the town, thus creating the town's character.

The third area is that of the one and two storey individual accommodation units that runs through the body of the site and backs on to the existing dwellings in Meadow View Road. Here the scale of development is more domestic, with small groups of units being grouped together in clusters so as to make the area more legible, and to relate to the adjacent existing residential accommodation. The applicant has ensured that no part of any dwelling is within 5 metres of the boundary of the existing dwellings in Meadowview Road and have no windows at first floor level that overlook these existing dwellings in order to maintain privacy.

The boundary with Stafford Road and the A41 is formed by mature hedgerows. These will be maintained and strengthened where necessary. The southern boundary (that with the rear of the properties in Meadow View Road) will be provided with timber fencing to protect the amenities of the properties in Meadow View Road.

In terms of landscaping the applicants are proposing a variety of different types of gardens for the enjoyment of residents such as a Japanese Water

Garden, a Sensory Garden and a Herb Garden. These will aid permeability of the development. The properties that overlook them will be provided with walling that is low enough for them to be enjoyed from within the dwellings.

Highway Considerations

It is proposed that the site will be accessed direct from Stafford Road, from an improved traffic island arrangement at the junction of Stafford Road with Daniel's Cross. Emergency vehicular access will be provided to Meadow View Road, but this route will not be available in normal circumstances, other than for pedestrians and cyclists. No direct access, vehicular or pedestrian, will be permitted direct to the A41.

A traffic assessment was submitted with the application which demonstrated that both Stafford Road and the traffic island at the junction of Stafford Road and the A41 have capacity to accept the proposed development. The Highway Authority accepts this assessment.

Residents within the Community will be encouraged to walk both within the complex and outside to the town centre or other local facilities. Applicants have demonstrated that the level of car ownership on similar schemes is lower than for open market housing so the level of parking provided has been reduced to less than one per dwelling. Access for the disabled will be available to all dwellings, community and recreational facilities.

In addition a Travel Plan was submitted with the application, aimed at reducing the need for motorised travel for residents, staff and visitors. A mini-bus will be retained on site for residents' journeys that cannot be undertaken on foot, or for trips to the town centre and other outings as well as picking up and dropping of staff as required at the beginning and end of shifts.

Two 'pool' cars will be retained on site for use by residents who are capable of driving but who do not wish to retain a private motor vehicle of their own

Socio-Economic Considerations

The applicants anticipate that that over 75 jobs will be created as a result of this development. The majority will be in the caring and professional sectors of the job market but there will also be a range of unskilled and manual jobs available. One of the main concerns of the Inspector who held the Public examination of the Core Strategy was that more (and greater variety of) employment should be introduced into Newport as it was fast becoming a commuter town. The range of jobs that the proposed development would create would assist this objective.

It is suggested that many of the residents will be capable of accessing local shops and facilities. Shopping facilities on site will be extremely limited, so that residents will have to use local shops for the majority of the goods and services they need. Many will choose to shop locally to avoid having to travel longer distances to Telford, Stafford or Wolverhampton. Most of the occupants will be retired persons who have sold their family homes in order to move to the care community, and will have significant financial reserves to

purchase local goods and services. It is likely that the residents will provide a significant boost to the retail and service function in the town.

Whilst there will be on-site recreational facilities residents will be encouraged to involve with the local community. The fact that some will be disabled does not mean that they will be incapable of becoming fully involved in the community. Many will have the time and energy to do so. From time to time it may be possible to organise functions within the care community which people from the wider town community can be invited to.

CONCLUSION:

There is a growing need to cater for increasing numbers of the elderly and to provide suitable accommodation that is recognised both nationally and in the Core Strategy. This development will help address that need even though it will exclude local residents who do not have financial resources to live in the village. It will add to the mix of accommodation available for the elderly. The site is reasonably sustainable in terms of proximity to the local facilities and is on a bus route. In addition the applicants will provide on-site community facilities. They propose to reduce dependency on the car by improvements to bus shelters and provision of a minibus and pool cars.

The design and layout of the development is considered acceptable both at the approach to Newport where existing trees and boundary hedges will be retained and along the Stafford Road frontage.

Section 38 of the 2004 Planning Act requires development to be in accordance with the Development Plan unless material considerations indicate otherwise. In this instance officers consider that there is sufficient material considerations that serve to justify the development even though it is sited outside the development areas set out in the proposals Map of Wrekin Local Plan. The application has been advertised as a departure.

It is considered that the provision of a Care Village on the site proposed at the edge of Newport can be supported.

RECOMMENDATION : Subject to the applicants entering into a S106 agreement together with a draft lease to limit the occupants of the proposed dwellings to at least one member of the household being over 65 and in need of care (subject to further discussion), £15,000 towards the improvement of nearby bus shelter, improvements to nearby footways and crossing of A41, provision of minibus and pool cars then **GRANT PLANNING PERMISSION** subject to the following conditions and any other conditions officers subsequently deem necessary:

1. A04 Time limit full
2. BO6 Samples of materials
3. B10 Sample brick panel and render/cladding
4. B14 Landscape design (including strengthening hedgerow)
5. B17 landscape management plan
6. B20 Road Design
7. B22b Travel Plan – implementation

8. B80 Site environmental management plan.
9. B31 Slope Stability – adjacent to former quarry
10. B33a Foul and Surface Water drainage (including recommendations in the flood risk assessment.
11. B35 Soakaway tests
12. Phasing of the development
13. B46 Details of fume extractions system
14. B68 Archaeology watching brief
15. B73 Protective fencing/soil levels/no storage
16. B75 Trees no dig method
17. C12 Landscape implementation hard and soft
18. C19 roads, paving and parking areas
19. C33 Drainage oil interceptor
20. C38 Development in accordance with deposited plans
21. Implementation of waste management system
22. D06 Restriction of use to C2
24. Restriction on use of the Community Facilities
25. D09 No further windows
26. Second access to Meadow View Road to be emergency access only.

Informatives

- 106 Section 106 agreement
- 110 Stopping up/diversion of public right of way
Pipe under A41 needs to be adopted
- 140 Conditions
- 141 Reasons for Grant of Permission

REASON FOR APPROVAL:

There is an accepted need for accommodation suitable for the elderly as the numbers of people over 65 years and need of care is increasing within the Borough. This development will contribute towards meeting that need. Whilst the site is outside the development area for Newport as set out in the Wrekin Local Plan it is located in a reasonably sustainable position within 1km of the town centre and on a regular bus route. The design and layout of the development is considered acceptable. There will no undue impact on the approaches to Newport and on the street scene. Whilst this development represents a departure it is considered that there are material considerations in this instance that serve to justify the development.