

**TELFORD & WREKIN COUNCIL**

**PLANS BOARD**

**17<sup>TH</sup> NOVEMBER 2010**

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TWC/2010/0006 The Talbot Centre, Hillside East, Lilleshall, Shropshire,  
TF10 9GZ  
Erection of 6no. 8m high floodlights

**APPLICANT**

Lilleshall Village Tennis Club, Mr Ian Sadler

**RECEIVED**

12/03/2010

**PARISH**

Lilleshall and Donnington

**WARD**

Church Aston and  
Lilleshall

**CASE OFFICER**

Phil Baker

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Light spillage and glare, noise and disturbance

**PROPOSAL:**

This application relates to the erection of 6no. eight metre high floodlights at the Lilleshall tennis courts, Hillside East, Lilleshall to illuminate 2 'hard' surface tennis courts. The application was first submitted for 4no. ten metre high floodlights, but following concerns by residents the scheme has been amended to six lower floodlights. Residents have been consulted on the amended scheme.

**SITE AND SURROUNDINGS:**

The two tennis courts are located on the eastern side of Hillside East, at a lower level than the road. The two 'hard' courts are surrounded by four metre high mesh fencing. To the north west of the site, beyond the road, is Lilleshall Hill; to the south east is the cricket ground; and to the north east and south west are existing residential properties, one 12 metres from the courts, and the other over 30 metres away. There is a club house, toilets, store, pavilion shelter, and practice area between the courts and Hillside East.

**PLANNING HISTORY:**

None

**PLANNING POLICY CONTEXT:**

National Planning Guidance  
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies  
Policy UD2 – Design Criteria

LDF Core Strategy  
Policy CS7 – Rural Area  
Policy CS10 – Community facilities

**CONSULTATION RESPONSES:**

Two letters of objection have been received from local residents relating to the original scheme. The grounds of objection relate to:- (a) The floodlights would lead to an increase in noise, disturbance, and bad language, and (b) The

residents are already disturbed by activities taking place on the Primary School playing field, and by youths kicking footballs, cycling and skate boarding around the tennis courts, and congregating at the pavilion shelter. One of the residents has reiterated his objections to the amended scheme.

The Parish Council has no objections to the amended scheme but recommends that the lighting columns are of a colour that blends in with the surrounding landscape.

The Council's Highways Engineer has no objections.

The Council's Ecologist has no objections, but states that light spillage could affect bat foraging routes. Therefore, she recommends that the floodlights should be positioned to reduce light spillage, should be as low in height as practicable, should not be left on too late in the evenings, and should be as low in intensity as practicable.

#### PLANNING CONSIDERATIONS:

The tennis courts at Lilleshall have been in existence for many years and are extensively used by the Lilleshall tennis club and other individuals. The courts are owned and maintained by the Parish Council, in Trust, but are managed by the tennis club. The tennis club is one of the premier clubs in Shropshire and, in particular, has a thriving Junior section. The club has recently been awarded 'Club Mark', a mark of excellence awarded by the Lawn Tennis Association. Floodlights are now required to enable the club to move forward, and to enable matches and coaching to take place during the hours of darkness. The club is hoping to obtain a grant from the LTA that would fund 75% of the total cost of the lights.

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

When the application was originally submitted it comprised 4no. ten metre high columns. This was assessed by the Council's Street Lighting Engineer who considered that even if the lighting shields were installed correctly that there would still be the likelihood of unavoidable light trespass to properties within 20 metres of the site.

An amended scheme has now been submitted which comprises 6no. eight metre high columns (with lower powered luminaires). These columns would be located at the four corners of the tennis courts and at the mid point of the two ends. It is understood that such an arrangement complies with the LTA guidance for floodlighting because it would be much better at evenly lighting the courts, minimising glare, and controlling light spillage outside the site. Lower columns would also reduce the visual impact on the surrounding area.

The amended floodlighting scheme will undoubtedly help to reduce the potential impact of any light spillage on the two neighbouring properties. However, it will be essential that the lights are fitted with effective shields that will concentrate the light onto the playing surfaces at all times, and this will be conditioned accordingly.

The anticipated usage of the tennis courts when the floodlights have been installed is not known at this stage. The tennis club foresees several late afternoon/early evening coaching sessions but only occasional usage later in the evenings, maybe 2 or 3 times in the Summer but only one night a week up until 8.00pm the rest of the year. However, the courts are available for any non-members to use when not required by the tennis club. It is being proposed that if they wish to use them during the hours of darkness, and want the lights turned on, they would need to book the courts in advance. The lights will only be used when the courts are in use.

In these circumstances, even if the courts are used were to be used most evenings of the week, it is considered that there will be no appreciable increase in the amount of any noise and disturbance that is experienced by local residents as a result of installing the floodlights.

The Parish Council has stated that they have erected notices around the tennis courts prohibiting their use at those times when tennis is not being played on them, and since being erected it has not received any complaints about anti-social behaviour. As a further safeguard, to protect the residential amenities of local residents, a planning condition will be imposed stating that the floodlights shall be switched off at 10.00pm and not used before 8.00am in the morning.

In conclusion, it is considered that the installation of the floodlights will increase the usage of the tennis courts and provide an enhanced community facility for the people of Lilleshall and the surrounding area which accords with the Council's objectives and priorities for active lifestyles. It is considered that the net benefits that this provision will bring will outweigh any adverse effects that may occasionally be experienced by immediate neighbours of the site.

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

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

**REASON FOR APPROVAL:**

The installation of the floodlights will increase the usage of the tennis courts and provide an enhanced community facility for the people of Lilleshall and the surrounding area which accords with the Council's objectives and priorities for active lifestyles. The net benefits that this provision will bring will

outweigh any adverse effects that may occasionally be experienced by immediate neighbours of the site.

TWC/2010/0046 Tudor Rose Cottage, 4 Chetwynd End, Newport,  
Shropshire, TF10 7GE  
Erection of single storey rear extension a detached garden room and  
alterations to include attic conversion

**APPLICANT**

Ms Sarah Moreton-Caller

**RECEIVED**

25/03/2010

**PARISH**

Newport

**WARD**

Newport North

**CASE OFFICER**

Elizabeth Attwood

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Effect on character and appearance of the listed building and  
Newport Conservation Area and residential amenity.

**PROPOSAL:**

This is a full application for the erection of a small single storey rear extension  
to provide a Utility room and WC, the installation of two pitched roofs over  
both the existing flat roofed extension and the proposed extension, and a  
detached sun room (shed) in the rear garden.

A Listed Building consent application (TWC/2010/0047) has also been  
submitted for above works as well as other alterations that include:

- an attic conversion to create an en-suite bedroom
- the insertion of four conservation roof lights
- the glazing of the top panels of the timber framed gable
- 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
- retrospective permission for the erection of a garden room.

The Listed Building application will be decided once this planning application  
has been determined.

This application is part retrospective as the detached timber sun room shed  
has already been erected in the rear garden.

**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 onto Chetwynd End and

the front elevation has two Bay windows either side of a plain central doorway all under a tiled pentice porch 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 an approx 2m length of 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 3.5m in height adjacent the proposed development reducing to approx 2m high then changing to timber panel fencing .

#### PLANNING HISTORY:

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. This has not been implemented.

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

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS 1 Delivering Sustainable Development  
PPS5 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 they have received correspondence from the occupier of the neighbouring property regarding dampness in the party wall.

Conservation Officer no objections subject to conditions.

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

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

Representations have been received from the nearest neighbour at Honey House (No.6). Some of the issues raised are in respect of an on-going neighbour dispute concerning the sand blasting of the boundary wall, which has resulted in the bricks becoming porous. Other issues raised are:-

- On-going damp issue
- Party Wall Act
- Access for maintenance of wall,
- Refusal of applicant to allow neighbour's surveyor access to inspect the wall,
- No objection to loft conversion providing adequate noise and fire insulation is incorporated,
- Adverse effect on building insurance policy,
- Adverse impact on market value of no.6,
- Location of proposed toilet and drainage system in relation to the boundary,
- Close proximity of garden room to wall,
- Would like 1.0m gap between any development and wall,
- No objection in principle to rear extension providing a gap is left between extension and boundary wall.

#### PLANNING CONSIDERATIONS:

Planning permission is only required for the single storey rear toilet and Utility extension, the replacement of the existing flat roof with a pair of pitched roofs and the retention of the sun room (shed). The other proposed alterations are permitted development and only require Listed Building Consent.

Nationally, PPS5 gives Government advice on the protection of historic buildings and conservation areas and it's 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 to 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 over the kitchen extension with Upvc windows detracts from the character and appearance of the listed building. Although an earlier consent allowed a pitched roof over part of the existing rear extension, this current revised design, which removes the flat roof altogether, is considered to be more appropriate. Thus it will result in an enhancement and will have a positive impact upon the character and appearance of the listed building, the street scene and the Conservation Area.

The sun room, which has the appearance of a large garden shed, is not attached to the listed building and is not visible within the public domain, and therefore will have no impact upon the character and appearance of the listed building or the Conservation Area.

The sun room is positioned close to the boundary wall with No.6 but not touching it. Comments raised by the neighbour in respect of the shed impeding access to her wall for maintenance are noted. However, there is no minimum separation distance required between the structure and the wall, nor maintenance access in this situation, and hence it is not a material planning consideration in determining this application and is covered under separate legislation.

As a result of the neighbour's concerns the case officer has attempted to sort out the damp issues by involving the Council's Environmental Health Officer (Private Sector Housing) and has been in discussions with the agent, the neighbour and the neighbour's surveyor and this has resulted in the delay of determining this application. The exact cause of the damp in both properties is unknown despite more recent investigation and surveys prompted by the planning officer. It is considered that the concentration of water may well be exacerbated by the existing rainwater and foul water disposal arrangements. Although the damp problem is not material in respect of determining the application, trying to resolve it seems to be a sensible course of action because if the extension was approved and then built, the on-going damp problems would be encapsulated within the new build without giving opportunity to resolve the problem if the neighbours were not prepared to discuss the matter. Officers conclude that there appear to be a number of factors contributing to the damp problems being experienced by both properties.

The proposed small single storey rear extension that will abut the neighbouring wall and the new pitched roofs will necessitate the removal of the gulley running against the wall, the repositioning of the existing soil and

vent pipe and the reconfiguration of the rainwater disposal, which will all help address the drainage issues.

Whilst the damp matter is not a planning issue officers consider that the proposed extension, which is acceptable in design, scale and impact terms, will help alleviate the damp problems experienced by both the applicant and the neighbour. Building the small extension adjoining the neighbour's boundary wall will allow the applicant's rainwater guttering and foul drainage arrangement to be altered. The guttering will be re-routed into the new valley gutter between the 2 new pitched roofs and the extension would be sealed and lead flashed to the wall of no.6, with the box gutter adjacent to the neighbour's wall draining to a soakaway in the applicant's garden.

The abutting of the new extension to the existing boundary rear wall would also cover the area of sandblasted brickwork (another of the neighbour's concerns), and any damp proof membrane inserted into the neighbour's wall would further prevent any ingress of damp. The extension would be constructed upon a raft foundation which would minimise the amount of excavation required and ensure the stability of the neighbouring property.

The neighbour would prefer the small extension to be set away from the boundary wall leaving a gap. This design option has not been presented by the applicant. Having a small gap between the extension and the neighbour's wall will be a trap for damp and rubbish and will not be big enough to allow maintenance of the wall. In addition there would be no need to reposition the soil and vent pipes or address the drainage issues. The Council can not insist that the applicant amend the proposal in such a way. Officers consider that the proposed development to join onto the neighbour's boundary wall is acceptable in policy and design terms and will also help solve the existing damp issues, and is therefore the preferable solution.

As the extension would adjoin the neighbour's wall the neighbour's consent would be needed for this work to go ahead. Notice has been served on the owner but any subsequent refusal for any works on their land is not a planning matter.

Therefore, although permission will have to be given by the neighbour (and this is not a material planning consideration), the design of the proposed rear extension for Utility and WC is considered acceptable and will be beneficial to the neighbouring property. The proposed development complies with the Council's 45 degree code, sufficient private amenity space is retained and parking is unaffected.

In conclusion, it is considered that 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 not harm its historic fabric or interest and will have a positive impact upon the character and appearance of the street scene and Conservation Area. There will be no loss of residential amenity to the adjoining neighbour and the on-

going damp issues will be addressed as a consequence. Off street parking is unaffected and adequate private amenity space is retained.

Accordingly, the proposal accords with policies CS14 and CS15 of the Local Development Framework Core Strategy, 'saved' Policies UD2 HE3 and HE16 of the Wrekin Local Plan and national guidance contained in PPS1 and PPS5, and is therefore recommended for approval with conditions.

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

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

**REASON FOR APPROVAL:**

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 will have a positive impact on the character and appearance of the street scene and Newport Conservation Area. There will be no loss of residential amenity to the adjoining neighbour and the on-going damp issues will be addressed as a consequence. Off street parking is unaffected and adequate private amenity space is retained.

TWC/2010/0304 Land adjacent to 27, Hadley Park Road, Hadley, Telford, Shropshire, TF1 6PW Change of use from open land to private parking (Retrospective)

**APPLICANT**

Guru Nanak Sikh Gurwara

**RECEIVED**

13/10/2010

**PARISH**

Hadley and Leegomery

**WARD**

Hadley and Leegomery

**CASE OFFICER**

Elizabeth Attwood

HADLEY AND LEEGOMERY PARISH COUNCIL HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED BY PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Character and appearance and biodiversity of the area, residential amenity and highway safety.

**PROPOSAL:**

This is a retrospective application to create a new car park for Guru Nanak Sikh Temple on land between 27 and 37 Hadley Park Road, to provide 10 additional off street parking spaces for visitors to the Temple during large events.

The original submission included a piece of dedicated public highway land; following the receipt of amended drawings it was necessary to re consult. There is another application (TWC/2010/0305) to extend the existing car park behind the Temple also on the agenda.

**SITE AND SURROUNDINGS:**

Guru Nanak Sikh Temple is situated in a predominantly residential area and is located off Hadley Park Road. It is accessed via a cul-de-sac with double yellow lines on both side of the carriageway.

The existing car parking is located to the rear of the building and accessed via the drive located to the left (north) of the temple building, and provides approximately 23 spaces. The access also leads to the car parking to the rear of the adjoining Children's Nursery. The Temple is on a regular Bus route and within 300m of Hadley District Centre and within 5 minutes walk from four public car parks.

The application site is roughly triangular in shape and is located on the western side of the bend on Hadley Park Road where it joins Leegate Avenue. The site is on the opposite side of the road to the Temple and was grassed and contained several mature trees on the site. There is a Utilities box at the front of the site.

The site has been cleared.

#### PLANNING HISTORY:

Informal planning advice was provided by the LPA last year in respect of the change of use of the land to car parking; Officer advice at the time was that the proposed development was considered appropriate.

During a site visit for this application the Case Officer observed that the car parking was in the process of being constructed and advised the applicants and their contractors to cease work and any work which had been undertaken was at the applicant's own risk and that commencement of work was not a guarantee that planning permission would be granted.

Another retrospective application (TWC/2010/0305) for Temple car parking to the rear of Guru Nanak Sikh Temple using the bottom half of the rear gardens previously belonging to no's 109 and 110 Parkdale is also on this agenda after being deferred for a site visit. This was recommended for refusal at the last Plans Board (27.10.10), the application was deferred for a site visit and is now due for determination by Members.

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS 1 – Delivering Sustainable Development  
PPG 24 - Planning and Noise

Saved Wrekin Local Plan Policies  
Policy UD2 – Design Criteria

LDF Core Strategy  
Policy CS12 – Natural Environment  
Policy CS15 – Urban Design

#### CONSULTATION RESPONSES:

A Site Notice and 11 direct neighbour letters have publicised the application.

4 letters of objection and photographs of indiscriminate parking and a recent road traffic collision have been received; the issues raised in the representations are:

- Site will be very dangerous as it is on a bend, with a restricted view,
- Dangerous for vehicles turning right,
- Hadley Park Road is a very busy road day and night
- Proposed plan is incorrect in the statement which claims the right of way over the land has ceased,
- The right of way is still very much used and the only vehicular access to no.27 Hadley Park Road,
- A small fence could be erected to mark the edge of the access and car park,
- During large events additional cars may try to squeeze on the car park and block no.27's access,
- A second access should be considered,
- 10 vehicles could result in 40 pedestrians crossing the road,

- On-going problems in respect of indiscriminate parking by visitors to the temple will be compounded,
- Visitors to the Temple have no regard for local residents or the chaos they cause,
- Further 30 car parking spaces proposed behind the Temple will generate more traffic exiting adjacent the school and nursery down a blind driveway,
- There is plenty of existing well sign posted public car parks within walking distance,
- The development has already started,
- Many trees have been felled destroying birds nests and their young in April on the assumption that planning permission would be granted.

The Parish Council has objected to the application, the issues raised are:

- Highway safety - the proposed vehicle access point would create highway safety issues for vehicles and pedestrians. The location is on a bend where a number of road traffic accidents have occurred, the most recent being within the last fortnight. Traffic approaching from the north along Hadley Park Road is not visible until it reaches the bend at the point where this access is proposed. Vehicles entering and leaving a car park at this location would present a danger to themselves and other road users and pedestrians particularly in view of the close proximity of a nursery, Hadley Rest Room and elderly persons' dwellings.
- Planning history - it is understood that previous applications in respect of adjoining land which required access at the same location have been refused on highway safety grounds, which creates a precedent. The Council asks that planning history is examined not only for the application site but for adjoining sites to confirm this.

The Council's Highway Engineer has no objections providing that 2.4m x 43m visibility splays are provided before the car park is brought in to use.

The Council's Ecologist has advised that the land has some ecological value, including connectivity to other parts of the landscape, therefore suggests informatics in respect of Protected Species which are protected under the Wildlife and Countryside Act 1981 (as amended), and replacement planting.

The Police have confirmed that there are no reported parking problems and they have suggested that the nearby public car parks are utilised when demand arises.

#### PLANNING CONSIDERATIONS:

The Temple is open from 6:00am until 9:00pm for prayers and community uses. On Fridays and during the weekend prayers are held continuously 24hrs a day. As well as worship, weddings and funerals the Temple is also used for a number of classes including English, Tae Kwando and Health & Well Being taking place during the week. The applicants have stated that the existing congregation comprises 150-200 worshippers using the Temple for

various purposes mentioned above and during various times of the day. They require additional car parking facilities to accommodate visitors when they have large events such as weddings and funerals which can generate up to 200 mourners at funerals and between 250-300 wedding guests at any one time. On average there are 2 funerals and 4 weddings per year.

The applicants have also stated that regular worshippers and visitors to the Temple are not prepared to use the nearby public car parks due to personal safety fears and visitors from further a field attending weddings and funerals have difficulty finding the public car parks. This is because they enter the Temple address to their Sat Navs and they do not know where the public car parks are located. The temple has the use of the adjoining Nursery car park when the Nursery is closed (after 4:00pm) and at weekends that provides approximately 20 spaces depending how cars are parked. However, the applicants consider that this does not provide the necessary space to accommodate the additional visitors to the Temple.

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

PPG24 is also considered relevant to this application; it gives guidance to local authorities in England on the use of their planning powers to minimize the adverse impact of noise.

Policy UD2 provides guidance to assess whether or not proposals are appropriate; development is expected to respect adjacent buildings and respond positively to the context, both visually and functionally, whilst enhancing the quality of the local environment through high quality design.

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

This proposed car park for 10 parking spaces off Hadley Park Road is considered different to the proposed car park extension application situated behind the Temple in the rear gardens of residential dwellings which is deemed unacceptable as it would have a detrimental impact on the character and appearance of the area as well as the residential amenities of the occupiers of the adjacent dwellings, by way of noise and disturbance from the increased number of vehicles and 24hr use at weekends.

This site is located in the public realm with a road frontage and as such the change of use will not detrimentally impact upon the character and appearance of the area. Moreover, the comings and goings will be considerably less as the site is only a third of the size of the one proposed behind the Temple (TWC/2010/0305), and the ambient background noise is considerably higher than that of the back gardens in Parkdale. Therefore, the change of use will not significantly impact upon residential amenity.

According to the applicant's submission for this application and application TWC/2010/0305 t officers consider that as the extra parking is only required for large events and these events do not appear to be held on a regular basis.

Furthermore, West Mercia Police have checked their 'Command and Control system' and confirm that they have received no reports relating to parking problems in Hadley Park Road in the last 6 months, although 4 letters of objection and photographs showing a recent road traffic collision have been received in response to this planning application. However, even if there was a parking problem as stated by the applicant, the LPA is not convinced that only 10 (plus 32 provided by application TWC/2010/0305) extra spaces will satisfactorily address the situation when large events generate up to 300 visitors even with people car sharing.

The LPA appreciates that the Sikh Temple Management Committee are seeking to alleviate parking problems around the temple associated with large events and have acquired land to effect a solution. However, from a more sustainable point of view the preferred alternative would be to explore better usage of the numerous nearby public car parks in Hadley centre to provide extra car parking when necessary and possibly improve signage and visitors awareness of these car parks, to their proximity to the Temple.

The existing grass has been ripped up, cleared and the trees on the site felled. The application form states that there were no trees on site, and this was confirmed by the applicants during the registration process. However, this does not appear to be the case as recent photographs and the aerial photographs of the area clearly show that the site was grassed and contained several trees which contributed to the visual amenity of the area. The pre-application advice also advised that a Tree Survey would be required to assess the impact of the proposed development on the trees. Policy CS12 states that biodiversity, including habitats will be protected from development. It is therefore, unfortunate that this area of soft landscaping has been lost with little regard to the local biodiversity of the area. Ideally, some mitigation by way of replacement planting would be required, but, due to the constraints of the site it is not possible to provide any soft landscaping or new trees. However, the applicant will be expected to re-instate the damaged grass highway verge to the satisfaction of the Council.

Nevertheless, taking all of the above in to account, on balance the change of use is considered acceptable as it will not result in a significant adverse impact upon the character and appearance of the area or the streetscene or the residential amenity of the adjacent residential properties. The development is therefore considered compliant with policies UD2 of the Wrekin Local Plan, policy CS15 of the Core Strategy and national guidance contained in PPS1 and PPG24 and therefore recommended for approval.

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

- 1) A04 time limit
- 2) B05 details of hard surfacing

- 3) C19 car parking (laid out (including access to no.27), hard surfaced and drained)
- 4) C21 Visibility splays
- 5) C custom highway verge re-instated within 1 month
- 6) D17 location of access
- 7) I40 conditions
- 8) I41 reasons for grant
- 9) Icustom utilities box on the site

**REASON FOR APPROVAL:**

The change of use is considered acceptable as it will not result in a significant adverse impact upon the character and appearance of the area or the streetscene or the residential amenity of the adjacent residential properties.

TWC/2010/0305 109, 110 Parkdale, Hadley, Telford, Shropshire TF1 6PF  
Change of use from open space to car parking area (Retrospective)

**APPLICANT**

Guru Nanak Sikh Gurdwara

**RECEIVED**

28/06/2010

**PARISH**

Hadley and Leegomery

**WARD**

Hadley and Leegomery

**CASE OFFICER**

Elizabeth Attwood

MEMBERS WILL RECALL THAT THIS APPLICATION WAS DEFERRED ON 27<sup>th</sup> OCTOBER 2010 TO ENABLE MEMBERS TO CARRY OUT A SITE VISIT.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Character and appearance and biodiversity of the area, residential amenity and highway safety.

**PROPOSAL:**

This is a retrospective application for a car park extension to the rear of Guru Nanak Sikh Temple using the bottom half of the rear gardens previously belonging to no's 109 and 110 Parkdale, to provide additional off street parking for visitors to the Temple during large events and take parking off the highway.

**SITE AND SURROUNDINGS:**

Guru Nanak Sikh Temple is situated in a predominantly residential area and is located off Hadley Park Road. It is accessed via a cul-de-sac with double yellow lines on both side of the carriageway.

The existing car parking is located to the rear of the building and accessed via the drive located to the left (north) of the temple building, and provides approximately 23 spaces. The access also leads to the car parking to the rear of the adjoining Children's Nursery. The Temple is on a regular Bus route and within 300m of Hadley District Centre and within 5 minutes walk from four public car parks.

**PLANNING HISTORY:**

Informal planning advice was provided by the LPA in respect of the change of use of the gardens to car parking; Officer advice at the time was that the proposed development was considered inappropriate.

During a site visit the Case Officer observed that the car parking was in the process of being constructed and advised the applicants and their contractors to cease work and any work which had been undertaken was at the applicant's own risk and that commencement of work was not a guarantee that planning permission would be granted.

A second retrospective application (TWC/2010/0304) for additional 10 parking spaces on land opposite the Temple and adjacent to 1& 2 Hadley Park Road

has been submitted. The original submission included a piece of dedicated public highway land; following the receipt of amended drawings it was necessary to re consult. The consultation period has not yet expired and therefore the application will be presented to Plans Board on 17<sup>th</sup> November with a likely recommendation for approval.

**PLANNING POLICY CONTEXT:**

National Planning Guidance  
PPS 1 – Delivering Sustainable Development  
PPG24 - Planning and Noise

Saved Wrekin Local Plan Policies  
Policy UD2 – Design Criteria

LDF Core Strategy  
Policy CS12 – Natural Environment  
Policy CS15 – Urban Design

**CONSULTATION RESPONSES:**

A Site Notice and 12 direct neighbour letters have publicised the application.

1 letter of objection has been received; the issues raised are:

- Residents have not been consulted,
- Residents already suffer noise abuse with children playing balls games in the car park at weekends,
- The development has already started,
- Many trees have been felled destroying birds nests and their young.

The Parish Council has no objections.

The Council's Highway Engineer has no objections.

The Council's Ecologist has advised that land has some ecological value, including connectivity to other parts of the landscape, therefore suggests informatives in respect of Protected Species which are protected under the Wildlife and Countryside Act 1981 (as amended), and replacement planting.

The Police have confirmed that there are no reported parking problems and they have suggested that the nearby public car parks are utilised when demand arises.

**PLANNING CONSIDERATIONS:**

The car park extension comprises the wedge shaped areas of the rear gardens of two dwellings no's 109 and 110 Parkdale; the gardens were laid to lawn with various trees and shrubs and bounded by Leylandi trees. The shape of the newly created car park is irregular and bounded by 2.0m high timber panel fencing with concrete posts and gravel boards, and gravel board fencing, and membrane and hardcore laid. (The submitted drawings show timber panel fencing to all of the boundaries and not the mixture of fencing which has actually been erected on site).

The existing mature gardens have been ripped up, cleared and trees felled.

The Temple is open from 6:00am until 9:00pm for prayers and community uses. On Fridays and during the weekend prayers are held continuously 24hrs a day. As well as worship, weddings and funerals the Temple is also used for a number of classes including English, Tae Kwando and Health & Well Being taking place during the week. The applicants have stated that the existing congregation comprises 150-200 worshippers using the Temple for various purposes mentioned above and during various times of the day. They require additional car parking facilities to accommodate visitors when they have large events such as weddings and funerals which can generate up to 200 mourners at funerals and between 250-300 wedding guests at any one time. On average there are 2 funerals and 4 weddings per year.

The applicants have also stated that regular worshippers and visitors to the Temple are not prepared to use the nearby public car parks due to personal safety fears and visitors from further a field attending weddings and funerals have difficulty finding the public car parks. This is because they enter the Temple address to their Sat Navs and they do not know where the public car parks are located. The temple has the use of the adjoining Nursery car park when the Nursery is closed (after 4:00pm) and at weekends that provides approximately 20 spaces depending how cars are parked. However, the applicants consider that this does not provide the necessary space to accommodate the additional visitors to the Temple.

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

Planning Policy Guidance 24 Planning and Noise (PPG24) is considered relevant to this application; it gives guidance to local authorities in England on the use of their planning powers to minimize the adverse impact of noise and builds on the advice previously contained in DOE Circular 10/73. Amongst other issues, it outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which will generate noise.

Policy UD2 provides guidance to assess whether or not proposals are appropriate; development is expected to respect adjacent buildings and respond positively to the context, both visually and functionally, whilst enhancing the quality of the local environment through high quality design.

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

The proposed car park for the number of vehicles proposed, situated in the rear gardens of residential dwellings is considered unacceptable and would have a detrimental impact on the character and appearance of the residential

amenity and well as the residential amenities of the occupiers of the adjacent dwellings.

Noise can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities. It is therefore important to minimise the adverse impact of noise without placing unreasonable restrictions on development. With this in mind the additional comings and goings of vehicles (of the 200 – 300 visitors to large events), engine noise and door slamming within 20m or so of the rear of the nearby residential properties, and potentially 24 hours a day over the weekend, including late at night is considered unacceptable and would result in an increase in noise and disturbance experienced by the occupiers of the dwellings. In addition, it is considered that the car park fails to reinforce local distinctiveness, relate positively to its context or positively influence the appearance of the local environment.

Officers consider that as the extra parking is only required for large events and these events do not appear to be held on a regular basis according to the applicant's submission; this is not justification for the creation of this additional car parking and the loss of the garden land and adverse effect on residential amenity.

Furthermore, West Mercia Police have checked their 'Command and Control system' and confirm that they have received no reports relating to parking problems in Hadley Park Road in the last 6 months, and no neighbour representations in respect of on-street parking have been received in response to this planning application. Moreover, even if there was a parking problem as stated by the applicant, the LPA is not convinced that only 32 extra spaces will satisfactorily address the situation when large events generate up to 300 visitors even with people car sharing.

The LPA appreciates that the Sikh Temple Management Committee are seeking to alleviate parking problems around the temple associated with large events and have acquired land to effect a solution. However, from a planning point of view the preferred alternative would be to explore better usage of the numerous nearby public car parks in Hadley centre to provide extra car parking when necessary and possibly improve signage and visitors awareness of these car parks, to their proximity to the Temple. This is considered a more sustainable approach to the problem.

The application form states that there were no trees on site; this was confirmed by the applicants during the registration process. This does not appear to be the case as the drawing accompanying the application indicates the trees on the site, as do recent photographs and the aerial photographs of the area. The pre-application advice also advised that a Tree Survey would be required to assess the impact of the proposed development on the trees. Policy CS12 states that biodiversity, including habitats will be protected from development. It is therefore, unfortunate that garden land has been lost with little regard to the local biodiversity of the area. Nonetheless, it is considered that the area should be re-instated and returned to its original use.

The applicant has advised that the proposal is an attempt to alleviate ongoing parking problems. However, if the large events only occur occasionally (up to 6 times a year for weddings and funerals) this does appear not justify the creation of a car park using the rear gardens of no's 109 and 110 Parkdale, which in the opinion of your Officer's will have an adverse impact upon the character and appearance of the residential area, the detrimental impact on residential amenity and local diversity. Although it is a balanced decision, bearing in mind there is no evidence from the Police or neighbours, it is considered that the change of use is unacceptable for the reasons outlined above. The development is therefore considered contrary to policies UD2 of the Wrekin Local Plan, policies CS12 and CS15 of the Core Strategy and national guidance contained in PPS1 and PPG24 and therefore recommended for refusal.

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

The increased vehicular movement within close proximity to the residential dwellings will result in loss of residential amenity by way of noise and nuisance. The creation of additional car parking is considered unsustainable and unjustified given the close proximity of numerous public car parks. The development has resulted in an adverse impact upon the character and appearance and the biodiversity of the area.

TWC/2010/0420 Sytch Lane, Waters Upton, Shropshire TF6 6NT  
Change of Use of land to provide Sewage Pumping Station (including the provision of new access, hardstanding, erection of a kiosk and associated fencing and landscaping).

**APPLICANT**

Severn Trent Water Limited

**RECEIVED**

02/08/2010

**PARISH**

Waters Upton

**WARD**

Ercall Magna

**CASE OFFICER**

Anna Robinson

THIS APPLICATION WAS DEFERRED AT 27<sup>TH</sup> OCTOBER 2010 PLANS BOARD TO ENABLE MEMBERS TO UNDERTAKE A SITE VISIT

The Environment Agency (EA) has provided comments regarding the proposal, stating that whilst it has not been required by the EA, in their opinion the development should provide for a more sustainable long term water treatment option. They advise Government advice in the form of Circular 3/99 - Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development, primarily concerns itself with the alternatives to mains drainage. However it does refer to a hierarchy of water treatment, and states that the first presumption in drawing up development proposals should be to provide a system of foul drainage discharging into a public sewer. In this case Severn Trent Water are seeking to install this 'presumption', c/o a local pumping station in place of the existing septic tank as a means of enhancing the water environment. The EA would be unlikely to support a replacement septic tank, unless a pumping station and thereafter a private treatment plant option had been discounted. Accordingly, the EA has no objection to the proposal.

Officers consider the EA's comments provide greater clarity regarding the proposal. The scheme represents an upgrade to Severn Trent Water's sewage treatment assets serving Waters Upton and Sytch Lane, and whilst it is not required by the EA, the EA acknowledges that the scheme will have benefits to water quality and the wider local water environment.

No changes have been made to the officer recommendation presented to Members at 27<sup>th</sup> October Plans Board. A copy of the report is attached below.

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WATERS UPTON PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS AT PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Design, Character and appearance, Impact on residential amenity, Highways issues, Loss of hedge

#### PROPOSAL:

The application submitted by Severn Trent Water seeks planning permission for the change of use of existing agricultural/ grazing land to a sewage pumping station with associated access on to Sytch Lane, hardstanding (turning head), kiosk, fencing and landscaping.

#### SITE AND SURROUNDINGS:

The site comprises an area of agricultural land adjacent to established residential properties off Sytch Lane to the north of Waters Upton. It is bounded by substantial hedge screening to the highway boundary, as well as timber and wire fencing. There is currently no vehicular access, only a farm gate at the entrance of the adjacent land. The nearest residential properties are located approx. 20 metres to the north, 50 metres to the south, with further properties in East View located opposite the site to the west. The River Tern is located more than 200 metres to the east of the site.

#### PLANNING HISTORY:

W92/0498 Erection of Two Dwelling Houses, Outline Refused (OLR)  
W93/0375 Erection of One or Two Dwellings with Construction of New Vehicular/Pedestrian Access, OLR

Pre-application advice was sought; however no formal response was given

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS1 Delivering Sustainable Development

Saved Wrekin Local Plan Policies  
UD2 Design Criteria

LDF Core Strategy  
CS7 Rural Area  
CS15 Urban Design

#### CONSULTATION RESPONSES:

Waters Upton Parish Council objects to the development and has requested that they and Councillor Bentley the Ward Councillor speak at the Plans Board meeting. They were prepared to support a proposal for mains sewage in Sytch Lane; however they state the Environment Agency has confirmed that it is not a necessity and the Parish Council believes there are alternative sites where the development would be located further from residential properties (eg. on Sytch Bank).

The Council's Highways Engineer has requested that visibility splays of 2m x 43m are provided. This visibility splay cannot be achieved to the south of the site access; however the Agent and Highways Engineer have discussed and agreed a revised splay of 2m x 30m to the south.

The Geotechnical Engineers have no objections to the proposal.

The Environmental Planner has no objections to the proposed development.

Environmental Health has not formerly commented on the application; however they consider as there is a sufficient distance between the development and adjacent properties, the pumping station will not have an adverse impact on adjoining amenity in terms of noise and odour.

Seventeen letters of objection (including duplicates) have been received from local residents; their comments are summarised below:

- The dwellings in Sytch Lane have existing septic tanks and do not require the sewage pumping station for 12 properties
- No residents have requested their septic tanks be replaced
- Substandard effluent draining into River Tern could be improved by more regular emptying and maintenance of existing septic tanks
- River quality is good and wildlife is flourishing
- Distance from River
- Cost of upgrade
- Intention to dispose of 'grey water' only
- Eyesore on open land in quiet residential area
- More suitable alternative locations elsewhere
- Scale of development – facility at Long Lane more compact than proposed development
- Adverse impact on character of area with some historic buildings
- Limited visibility
- Increased traffic – problems to other highway users
- Proposal does not appear to be in response to Environment Agency (EA) requirements nor problems with water quality
- Is intention to build new large residential development?
- Delays in consultation process and no green notice – insufficient time for residents to properly consider application and manipulation of democratic process
- Other development refused on site for residential properties in 1990s
- Further development on site would not require planning permission
- Removal of hedgerow – loss of wildlife and impact on character and appearance of area
- Smell and noise from pumps

#### PLANNING CONSIDERATIONS:

Severn Trent Water has statutory responsibilities for the provision of water and sewerage services and proposes improvements to pumping stations and a pipeline along a 4km area from the proposed site at Sytch Lane to an existing pumping station further south on A442. The improvement scheme includes the proposed new pumping station at Sytch Lane leading to an established sewage treatment works 0.7km to the south in Waters Upton where a new pumping station is proposed, which will in turn pump flows to Long Lane pumping station and onwards to Rushmoor sewage treatment works. There are other current planning applications in association with the upgrades at Waters Upton and Rushmoor. The new pumping stations are

required by Severn Trent to provide adequate sewerage services in the local area.

As a statutory sewerage undertaker, Severn Trent Water does have permitted development rights for much of the underground works, such as the chambers that are part of the proposed pumping station and the pipeline which would link the new pumping station to existing facilities. Planning permission is required for the change of use of the land, the kiosk, access and hardstanding, fencing.

The policies that are considered relevant in regard to this application are design guidance contained in Planning Policy Statement 1 (PPS1), and local planning policies. National guidance contained in PPS1 states that development should be of a high quality design and should reinforce local distinctiveness, and where it is inappropriate in its context or fails to improve the character and quality of an area, it should not be accepted. CS15 of the Core Strategy outlines design of development will create and sustain safe places and strengthen local identity, positively influencing the appearance and use of the local environment. Policy UD2 of the Wrekin Local Plan states that development must respect and respond positively to the context, and enhance the quality of the local environment through high quality, and it will be assessed in relation to its scale, design, form and materials etc.

The kiosks constitute glass reinforced plastic boxes set on concrete plinths, of a design, materials and finish in keeping with other Severn Trent Water kiosks in the area and approved in other parts of Telford. The main kiosk measures 2200mm x 600mm with a height of 2300mm, with the smaller adjacent kiosk measuring 500mm x 500mm with height of 1750mm and would be coloured holly green to help blend the development with its rural setting within the village. The access, measuring nearly 35 metres in length, would be tarmaced at the entrance to the site and the remaining area surfaced in concrete. The proposed post and rail fencing would measure 1.2 metres in height. The applicants' agent has advised that the lighting column indicated on the plans would be used only when emergency maintenance is required. It would measure a maximum of 3 metres in height and would be orientated so the light illuminates the chambers and wet wells and does not lead to dispersal of light to adjoining properties. The details are still being prepared; therefore this additional information would need to be conditioned. However given its position and orientation towards the site, the lighting column should not impact on adjoining amenity.

The existing site is relatively well screened along the boundary to the highway and whilst much of the existing hedge will be removed to provide new access and visibility splays, replacement planting to the front on a new line set back from the highway, and rear of the site is proposed. Officers also consider that the boundaries adjacent to residential properties should also be screened to minimise the impact of the development in the area and will impose a condition. The proposed kiosks will be set back from the highway and will not be prominent from the highway.

In response to some of the neighbour concerns, whilst Waters Upton is listed in Policy CS7 as one of the key settlements where new development in the rural area will be focussed, officers can clarify that Sytch Lane is not currently allocated to receive new housing. Local residents have raised concerns about the impact of the development on amenity, in terms of traffic generation, noise and odour and the character of the area. Whilst it is acknowledged that the proposed pumping station will lead to the loss of a small area of agricultural land, it will not generate a significant increase in vehicle movements. Its design and materials and the associated landscaping will minimise its impact in the semi-rural location. It is also considered that there will not be a significant impact on the amenity of nearby residential properties. The upgrade to the treatment works is intended to improve sewerage services in this part of Telford and given the scale, design and materials of the proposed development, the proposal is considered acceptable.

Severn Trent Water's Agents have responded to the Parish Council concerns as follows:

- STW is unable to comply with the EA discharge as they cannot get to the tank in the field to maintain it and there is no sampling point on it.
- If the pumping station is located outside the village STW would be required to lay sewers to another pumping station site. A pumping station is required to cross the river as it cannot be achieved with a syphon (due to the flow being too small). This is therefore not a feasible option. Furthermore, such a solution, if it was feasible would be very expensive due to sewers being much more expensive and would likely have to be laid down the road, potentially requiring a road closure and great disturbance to residents.

In response to the neighbour objections, Severn Trent Water's Agents have responded as follows:

- **Future housing development** - scheme not designed for future housing development in the vicinity, and not aware of any such development in locality. Scheme proposed is at a capacity to accept sewage from properties in Sytch Lane and East View, meeting design standards of STW of a minimum 100mm pipe to prevent potential blockages, and reduce maintenance requirements.
- **Existing water quality** - no specific water quality tests of river undertaken. Whilst habitat survey found wildlife along river, does not prove water quality is of any particular quality. With regards to discharge levels into the watercourse this is a separate issue.
- **Manipulation of democratic process** - no manipulation of democratic process. Delays occurred in validation of the application, but have not impacted on compliance with respective statutory legislation or notification/consultation periods.
- **No proper consultation** - No statutory requirement for STW to hold consultations prior to submission of planning application. However meeting requested by the Parish Council also attended by local residents and STW representatives prior to submission of the proposal to LPA; and at request of the Parish Council, a Public Consultation

event was carried out on 7 July 2010, attended by large number local residents.

- **Hedgerow removal** - Required to provide visibility splays and adequate and safe access to, and egress from the site. Hedgerow is of no special value, and replacement native hedgerow proposed to be provided to rear of visibility splay, likely to increase ecological value of the area.
- **Noise/Odour** - Pumping station will be self contained and constructed of impermeable concrete construction fitted with sealed covers, minimising odour. With regards noise, kiosk will only contain electrical control and telemetry equipment. All pumps and pipework will be located underground and secured on resilient mountings to suppress noise and vibration. It is unlikely that any noise will be heard above the existing background noise levels.
- **Will only deal with grey water** - Existing septic tanks and STW continuation does not deal solely with 'grey water' but all sewerage discharge from the properties.
- **Location of pumping station** – Site identified as most suitable location for the pumping station and relates to potential for gravity feed from the existing septic tanks, and a requirement to pump the waste to the Sewage Treatment Works as a gravity fed system is not acceptable to serve the settlement. The proposed pumping station is located over the existing sewer, creating less disturbance, and being a further reason for the choice of location to which this application relates.
- **Economic/Commercial Sense** - The scheme is required to ensure compliance with the descriptive consent (from EA), and has been subject to consideration of optioneering and life costings. The cost/economics of the scheme however is not a material planning consideration.
- **The Environment Agency (EA) would not grant permission to continue with current levels of discharge into river from East View/Sytech Lane** - STW already holds permission in respect of a Consent agreed by the EA in 2007; however STW are unable to meet the level of treatment, or other requirements such as sampling points that the discharge requires.
- **Does STWL have an ongoing policy to convert septic tank systems to mains sewerage via pumping stations?** - STW has number of these small septic tank replacements. Most are being converted to pumping stations, others, where it is possible, are being sewered directly into an existing system for treatment at an existing Sewage Treatment Works. In this instance, it is not possible to connect into an existing system.
- **No desire for residents to connect to the STW sewerage network** - The residents of East View have been looking after their septic tanks for a number of years at their own cost, which is why the other septic tank in the field (STW ownership) has never blocked and has never been maintained as a result. Under the Drainage Act 1937, Severn Trent as sewerage undertaker (and its predecessors) became responsible for sewerage infrastructure from a 'set point of connection'

for properties constructed prior to 1937. This is the reason for the scheme.

- **Regular increase in traffic** - The vehicle movements for a pumping station, once built, will be limited. The pumping station will be monitored remotely so only if there is a problem will the station be attended. Normal attendance, besides cutting grass etc., is approx maintenance visits up to 4 times a year (a small van) and a tanker visit twice a year for cleaning the well. Besides that any further visit will be created only if there is a problem at the works. No highway objections have been received with regards to the above proposal, although a request for visibility splays has been requested. The proposed layout will enable any service vehicles to be located off the highway, ensuring no negative impact on highway safety.

In conclusion, whilst officers note Waters Upton Parish Council's and local residents' concerns, the proposed pumping station is considered acceptable in this location as it will enable improvements to existing Severn Trent Water sewerage services in the area and is appropriate in terms of the scale, design, form and materials, considered in keeping with development at other pumping stations and the proposal will not be overly prominent in the area, with suitable landscaping. The proposal will not have a detrimental impact on adjoining residential amenities.

**RECOMMENDATION:** to GRANT PLANNING PERMISSION subject to resolving the provision of visibility splays and the following conditions:

- |   |          |   |
|---|----------|---|
| 1 | A04      | Time limit – Full with no reserved matters                          |
| 2 | B14      | Landscaping design – including planting to northern boundary        |
| 3 | B custom | Details of site lighting column to be submitted and agreed          |
| 4 | C21      | and shall only be used for emergency maintenance                    |
| 5 | C38      | Visibility splays<br>Development in accordance with deposited plans |

**REASON FOR APPROVAL:**

The proposed pumping station is considered acceptable as it will enable improvements to existing Severn Trent Water sewerage services in the area and is appropriate in terms of the scale, design, form and materials in keeping with development at other pumping stations and will not be overly prominent in the area, with suitable landscaping. The proposal will not have a detrimental impact on adjoining residential amenities.

TWC/2010/0423 1 Ellerdine, Telford, Shropshire, TF6 6RP  
Demolition of existing dwelling and erection of a detached dwelling (Amended plans received)

**APPLICANT**  
Mr D Leonard

**RECEIVED**  
25/08/2010

**PARISH**  
Ercall Magna

**WARD**  
Ercall Magna

**CASE OFFICER**  
Anna Robinson

ERCALL MAGNA PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED AT PLANS BOARD IN CONJUNCTION WITH TWC/2010/0520 (CONVERSION OF GARAGE TO RESIDENTIAL USE)

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of development, Scale and design, Character and appearance.

**PROPOSAL:**

The application seeks planning permission for the demolition of the existing dwelling and erection of a detached 2 storey replacement dwelling at 1 Ellerdine. The proposal comprises a dwelling measuring approximately 157.4sqm with a height of 7.1 metres to ridge. The existing dwelling has been altered and extended previously and planning permission has been granted for further extensions, with the extended dwelling also having a footprint of 157.4sqm but a slightly lower roof height.

An associated application seeks retrospective planning permission to convert the new detached garage to residential use to enable the applicants to occupy the garage during the construction of the replacement dwelling if this receives planning permission.

**SITE AND SURROUNDINGS:**

The existing site comprises a large extended detached property situated in a substantial plot with the neighbouring properties approximately 50 metres away, and is located within the rural area, with boundary treatment consisting of trees, hedgerows and timber fencing. A recently built large detached triple garage is located to the north of the property and a new vehicular access serves the site, replacing the existing access. The property has been altered and extended with a variety of different elements added and different materials used. There are a variety of types and styles of properties in the locality with both traditional cottages and modern dwellings.

**PLANNING HISTORY:**

W2006/0147 Erection of a two storey extension, Full granted (FG) – the proposal comprised an additional 2 storey wing to the building. The extensions and alterations created enlarged accommodation and a conservatory.

W2008/0310 Erection of a two storey side extension, Full Refused (FR) – The Local Planning Authority considered the proposed development would be detrimental to the existing scale, design, character and appearance of the property due to the size, massing and design. The proposal comprised an additional gable to match the existing wing previously approved, but the Local Planning Authority (LPA) considered it would not be subservient to the existing property.

W2008/1331 Extensions and alterations, FG – The LPA considered that whilst the proposal was large, it would not be overly dominant nor detract from the character and appearance of the dwelling through its scale and siting, as the proposed gable was narrower than the existing front facing gable and also had a lower ridge height.

W2009/0134 Erection of a detached triple garage with ancillary accommodation above, FR

W2009/0759 Erection of a detached triple garage with accommodation above, Full Granted at Plans Board with a condition to ensure that the building would be ancillary and not become a separate unit of accommodation

W2010/0181 Formation of new access (retrospective), FG

W2010/0191 Demolition of existing dwelling and erection of replacement dwelling, Withdrawn. The proposed dwelling had a footprint of 181sqm and a height of 7.5m to ridge, constituting an increase of almost 25sqm and more than 0.5m in height. The wider gables were prominent and the building would be substantially larger in scale and mass than the existing dwelling once extended. Officers considered that the new dwelling would not relate to the existing built form in Ellerdine Heath and the rural character of the area.

Associated application to be considered by Members in conjunction with this application: TWC/2010/0520 Conversion of existing garage to residential accommodation (retrospective)

#### PLANNING POLICY CONTEXT:

National Planning Guidance  
PPS1 Delivering Sustainable Development  
PPS3 Housing

Saved Wrekin Local Plan Policies  
Policy UD2 Design Criteria

LDF Core Strategy  
Policy CS15 Urban Design

#### CONSULTATION RESPONSES:

Ercall Magna Parish Council have no objection to one dwelling on the site with one address and only one access from the road (ie garage must be part of development and not a separate unit and address). However, following

consultation on the associated application for garage conversion, the Parish Council has raised concerns regarding the planning history on the site and considers that both applications should be determined by Members at Plans Board.

The Council's Highways Engineer has no objection to the proposal subject to conditions regarding surfacing of the access in a bound material for the first 5 metres from the rear of the highway boundary, and any gating to the access shall be a minimum of 5 metres from the highway and open inwards.

The Drainage Engineer has no objection subject to conditions B33 (details of foul and surface water) and B35 (Soakaway tests).

The Environmental Planner initially requested a protected species survey should be undertaken prior to determination. However following submission of additional information, she has confirmed that there would appear to be no obvious missing tiles, gaps or other ingress points in the roof of the property. An informative re: protected species should be included.

The Fire Authority has advised adequate access for emergency vehicles for fire fighting purposes is required and recommends a sprinkler system.

Following reconsultation on the amended plans, no further comments have been made by the consultees.

No comments received from neighbouring properties.

#### PLANNING CONSIDERATIONS:

The proposal comprises a two-storey replacement dwelling in the same location as the existing extended property, utilising the recently approved vehicular access at the north of the site. The dwelling would be orientated so that the frontage faces northeast towards the new detached garage and new access. The dwelling would comprise 4 large bedrooms and 3 bathrooms at first floor. The application follows a previous similar submission for a replacement dwelling which was withdrawn as it was deemed to be too large, and pre-application discussions including an on-site meeting have been held between officers and the agent and applicant with regard to required revisions to the scale and design. The proposal is in accordance with these discussions.

With regard to the principle of the development, Policy H17 'Replacement Dwellings in the Rural Area' in the Wrekin Local Plan has been deleted. The relevant paragraph in PPS7 has been replaced by PPS4 'Planning for Sustainable Economic Growth' which does not make reference to replacement dwellings, only buildings with associated economic functions. However in accordance with national guidance in PPS1 and PPS3, proposals will be assessed with regard to scale, design, context of the development and impact on the local area and any neighbouring properties.

With regard to relevant local planning policy, CS15 of the Core Strategy outlines design of development will create and sustain safe places and strengthen local identity, positively influencing the appearance and use of the local environment. Policy UD2 of the Wrekin Local Plan states that development must respect and respond positively to the context, and enhance the quality of the local environment through high quality, and it will be assessed in relation to its scale, design, proportions and materials etc.

Given the revisions in national and local planning policies, there are no policy constraints to a replacement dwelling in the rural area, as opposed to the creation of a new dwelling. Thus the principle of a replacement dwelling is considered acceptable, subject to the relevant design policies. The replacement dwelling would be required to be of a similar footprint to the existing building, and there must also be regard to the 2008 approved extensions and alterations (not yet constructed).

The existing dwelling and approved extensions (W2008/1331) would measure approx. 11.7 metres in length and 13.45m in depth (footprint of 157.4sqm), measuring 6.95m to ridge height. The revised application for extensions proposed a narrower and subservient gable element to the frontage. The detached triple garage located adjacent to the property measures 6.1 metres to ridge and has a length of 9.65m and depth of 12.7m.

The initial plans submitted with this application were identical to the submission that was withdrawn and that officers had previously raised concerns about regarding its scale and mass. Accordingly the Agent has submitted amended drawings reducing the size of the development by approx. 24sqm and the ridge height by 0.4m. The proposed footprint of 157.4sqm is the same as the approved extensions. The ridge height of the proposed dwelling is 0.15m higher than the existing dwelling, and 1.0m higher than the ridge height of the garage. The slight increase in height is considered acceptable as it will give the dwelling dominance over the existing substantial detached garage building. The reduction in scale and mass has addressed the previous concerns raised by officers and as discussed at the site meeting. Whilst the projecting gables are symmetrical and the development no longer includes a subservient gable element as approved by W2008/1331, the current application is for a replacement dwelling, not extensions to the existing property. The design of the dwelling is modern and similar to the approved extensions, but with wider symmetrical gables and a single central window at first floor; the ground floor windows are wider. Subsequently it is considered that the design and appearance would be improved if the ground floor windows matched the proportions of the first floor windows, and amended plans will be requested accordingly.

It is intended that the building will be constructed in materials to match the recently constructed garage (currently unauthorised living accommodation).

The proposed replacement dwelling will not adversely impact on adjoining residential amenity given the separation distance from nearby properties (approx. 50m) and the orientation of the property. Existing screening will be

retained and the property will not appear overly prominent in the area, being set back from the highway. The scale and design of the replacement dwelling is considered to be in keeping with the context of existing development on site and the area. The replacement dwelling will improve the existing character and appearance by replacing the ad hoc arrangement of extensions in a variety of materials – render, red brick, brown brick etc. On balance, whilst the gables are wider than those approved on the 2008 plans for extensions to the existing property, the replacement dwelling is considered to be of an acceptable scale and design and will comprise the same footprint as the extended property.

Given the replacement dwelling matches the footprint of the extended property and officers have advised the applicant this would be the maximum that would be allowed, officers consider permitted development rights should be removed to control the scale, mass and form of the replacement dwelling in the rural area.

**RECOMMENDATION:** Subject to the submission of amended plans GRANT PLANNING PERMISSION subject to the following conditions:

- |    |      |  |
|----|------|--|
| 1  | A04  | Time limit – Full with no reserved matters |
| 2  | B06  | Samples of materials                       |
| 3  | B11  | Details of doors and windows               |
| 4  | B19b | Highways condition – surfacing of access   |
| 5  | B33  | Foul and Surface Water                     |
| 6  | B35  | Soakaway tests                             |
| 7  | C05  | Windows stained timber with reveal         |
| 8  | C23  | Highways condition – gating                |
| 9  | C38  | Development in accordance with plans       |
| 10 | D01  | Removal of Permitted Development Rights    |

**REASON FOR APPROVAL:**

The principle of a replacement dwelling is considered acceptable, and the proposal comprises a development with the same footprint as the recently approved extensions. Thus the Local Planning Authority considers the scale, mass and design of the replacement dwelling are appropriate in the context of existing development at the property and the surrounding area.

TWC/2010/0428 Longford Cottage, Longford Road, Newport, Shropshire,  
TF10 8LP  
Erection of a double garage with ancillary living accommodation

**APPLICANT**

Mr & Mrs A Lewis

**RECEIVED**

16/08/2010

**PARISH**

Church Aston

**WARD**

Church Aston and  
Lilleshall

**CASE OFFICER**

Phil Baker

COUNCILLOR EADE HAS REQUESTED THAT THIS APPLICATION BE  
CONSIDERED BY THE COUNCIL'S PLANS BOARD

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Size, Design and Appearance.

**PROPOSAL:**

This application entails the demolition of an existing double garage and the erection of a double garage and garden store, with ancillary living accommodation over, at Longford Cottage near Newport.

The existing flat roof garage, which measures 5 metres wide, 6 metres deep, and 2 metres high, is constructed of pre-cast concrete wall panels and a corrugated sheeted roof, and is of no special architectural merit.

The proposed building would measure 9 metres wide, 6.3 metres deep, and 6 metres high. The walls would comprise facing brickwork and the pitched roof would use concrete tiles that matched those used on the adjacent house. The building would have a double garage, store, shower room and an internal staircase on the ground floor, and living accommodation on the first floor.

**SITE AND SURROUNDINGS:**

The site of the proposed building is located behind Longford Cottage, a large two storey, white rendered, house. Vehicular access to the rear of the property from Longford Road lies along the western side of the site.

To the west of Longford Cottage lies a farm; to the east is another residential property; to the north are open fields; and to the south, beyond Longford Road, are further fields.

**PLANNING HISTORY:**

None

**PLANNING POLICY CONTEXT:**

National Planning Guidance  
PPS 1 –Delivering Sustainable Development

Saved Wrekin Local Plan Policies

## Policy UD2 – Design Criteria

LDF Core Strategy

Policy CS7 – Rural Area

Policy CS15 – Urban Design

### CONSULTATION RESPONSES:

The Ward Member considers that the proposed development is acceptable, and that any issues relating to the future use of the replacement building can be dealt with by conditions.

The Council's Geotechnics and Highways Engineers have no objections to the application.

The Council's Drainage Engineer has no objections subject to a condition relating to the disposal of foul and surface water drainage.

The Council's Ecologist has no objections subject to wildlife informatives relating to nesting birds and replacement planting.

### PLANNING CONSIDERATIONS:

The application site lies in the Council's Rural Area where there are strict controls over the location of new residential development. At present only proposals within the villages of Tibberton, High Ercall and Waters Upton would be considered for new housing development.

The applicants have stated that the ancillary living accommodation would only be used as guest or overflow accommodation. When the Council receives applications for double garages, with living accommodation above them, your officers try to ensure that the proposals are not overly large, and only provide the basic amenities. This is to ensure that the accommodation remains subsidiary to the main dwelling and is only used as guest rooms etc. It is believed that the more conducive or advantageous the accommodation is, the more likely that it will become occupied by people using it as a main residence or as a separate household, which could then lead to lengthy enforcement proceedings. We therefore try to pre-empt these problems from occurring.

Amongst other things, your officers normally request the omission of all dormer windows (although we are willing to accept rooflights) and insist on outside staircases. In this particular case your officers felt that the proposed building was unacceptably large. However, as a gesture of goodwill, it was suggested that if the applicants were willing to remove the three dormer windows (and insert rooflights) then the size of the accommodation and the internal staircase would be accepted. The applicants were unwilling to accede to this request.

Officers have no objection in principle to the erection of a replacement double garage with some ancillary accommodation above. However, it is considered that the scale and size of the proposed development would be inappropriately large for an ancillary structure, and the dormer windows make it look too

domestic in appearance. The proposal does not relate positively to its context, nor does it respect or respond to the site and its surroundings. Therefore, it is considered that the new building would have a detrimental impact on the character and appearance of the existing dwelling and the surrounding environment.

**RECOMMENDATION: REFUSE PLANNING PERMISSION** for the following reason:

1. The Local Planning considers that the proposed development would, by reason of its scale, size, and design, create a building that would not respect or respond positively to its context, and would have a detrimental impact on the character and appearance of the site and the surrounding area. Accordingly the proposal is contrary to 'saved' Policy UD2 of the Wrekin Local Plan, Policy CS15 of the LDF Core Strategy, and national guidance contained in PPS1.

TWC/2010/0502 Land Off Park Road, Dawley Bank, Telford. Shropshire. TF4 2BE

Outline application for 100% affordable residential development with all matters reserved for subsequent approval.

**APPLICANT**

Telford and Wrekin Council

**RECEIVED**

17/09/2010

**PARISH**

Lawley and Overdale

**WARD**

Lawley and Overdale

**CASE OFFICER**

Emma Green

OBJECTIONS RECEIVED: Yes.

**MAIN ISSUES:**

Principle of development, highways, design principles, and impact on neighbouring properties

**PROPOSAL:**

This is an outline application for 100% affordable housing, with all matters reserved for later consideration.

The indicative layout demonstrates that 20 properties with a mix of scale, size and style can be accommodated. The plan demonstrates that 6 x 2 bed houses, 12 x 3 bed houses and 2 x 4 bed houses can be accommodated on the site. This suggested mix is to address the local need which has been identified for this area. The scale of development is a maximum of two storeys. The plan shows on plot parking and garaging, with at least 200% provision. A zoning plan has been submitted which identifies the maximum areas for built development, green spaces and details for roadways and planting.

**BACKGROUND:**

This development is part of a larger joint venture between Telford and Wrekin Council and the Homes and Communities Agency (HCA) to increase affordable housing provision across the borough, to meet local housing needs. The sites across the borough are being made available at nil land value to facilitate 100% affordable housing schemes, with the net gain of these units sought for the borough. Whilst all of the HCA sites currently have outline planning consent in place, the sites being put forward by Telford and Wrekin Council require outline consent. The need for outline consent is to ensure that the Developers or Registered Social Landlords can progress the programme of works swiftly to ensure deliverability of the project.

**SITE AND SURROUNDINGS:**

This is a green field site of approximately 0.8ha, currently used as grazing land. The site has a ridge running north to south on the western part of the site, which gently slopes to the east and has a steeper slope to west.

There is an existing vehicular access point off Park Road into the site, towards the south of the site, but there are no significant areas of hardstanding or road.

The northern boundary comprises of hedgerow and dense belt of trees, and there is a covered reservoir beyond that. There is industrial land uses to the west and south west of the site, which are largely separated from the site by an area of planting including trees. The eastern boundary is largely open and bounded by Park Road, with residential properties opposite.

#### PLANNING HISTORY:

Planning permission for residential development was granted in July 1976 as part of a wider permission under the New Towns Act 1965.

W2005/0790 outline residential development granted on 17/08/07.

W2008/0411 reserved matters consent for the erection of 12 two storey properties was granted on 4/6/08

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS9 Biodiversity and geological conservation

PPG24 Planning and Noise

PPS25 Development and Flood risk

#### Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria

H22 Community Facilities

H23 Affordable Housing

OL11 Woodlands and Trees

#### LDF Core Strategy

CS1 Homes

CS9 Access and social inclusion

CS11 Open Space

CS12 Natural Environment

CS13 Environmental resources

CS15 Urban Design

#### CONSULTATION RESPONSES:

**Shropshire Fire Service:** No objections subject to informative, I32 Fire Service

**Drainage:** No objections subject to standard conditions B33 Foul and Surface water drainage and C28a Drainage Greenfield run off.

**Geotechnics:** Support proposal subject to conditions B28 Untreated mineshafts, B26 shallow mining

**Highways:** No objections subject to the following conditions B19 Highways new access, B20 road design, B22 Parking/turning/loading, B22c details of parking B25 Highways details

**Ecology:** Trees in North West of site and mature willow in north of site to be retained to support roosting bats. No objections subject to conditions and informatives, BNS Tree Protection, C70a Works in accordance with survey, C71 update survey, I25e Trenches, I25f replacement planting, I25g enhancement planting, I25h vegetation cutting, I25c Bird, bat and invertebrate boxes, I25l refuges, I25m nesting birds (vegetation) I25n lighting  
**Contaminated Land:** No objection subject to conditions B30 Land contamination (amended as part a completed)

**Lawley and Overdale Parish Council** are surprised by the increase in dwelling numbers from 12 previously approved to 20 now proposed, given the lack of drive for increased density, also concerned about parking issues.

One letter of objection received from adjacent factory raising concerns relating to parking provision for the existing business, lack of play provision within the scheme and potential for increased damage to building due to lack of facilities and impact on operation of business.

#### PLANNING CONSIDERATIONS:

The proposal is for outline planning permission with all matters reserved. The masterplan submitted with the application indicates maximum horizontal parameters set out in zones and the zones also set vertical parameters to a maximum of 2 storey development.

#### Principle of Development

The site is designated as 'white' land in the local plan, and is therefore acceptable for development in principle, subject issues of highways, drainage, ground conditions design etc being acceptable. These issues fully considered below. In addition, there has been a previous approval for part of the site for development of 12 residential properties, which has now lapsed, but did establish the principle of residential development.

#### Highways Issues

Whilst the siting of the access is reserved for later consideration, the zoning plan has indicated a position for access into the site. Furthermore, the submitted zoning plan demonstrates that an acceptable layout of development can be accommodated on the site with adequate levels of parking provision, and it is not anticipated that the development will have an adverse impact on parking arrangements as raised in objections received. The highways officer has no objection in principle to the development and access, subject to conditions.

#### Design Principles

As the application is outline with no detailed design matters submitted for consideration only the principles of design can be considered at this stage, as set out in the design and access statement. The indicative plans demonstrate that the mix of development can be accommodated on the site, which would be suitable to meet the housing requirements of the local area, with the mix of semi detached and detached houses from 2 to 4 bedrooms. It is considered

that the configuration of development zones will allow for a variety of affordable housing type.

The development is to be a maximum of two storeys in height to reflect the character and appearance of existing residential properties within the area, as an appropriate response to the context. The location of the development zones would ensure that there is sufficient separation between the proposed and existing properties to preserve the amenities of occupiers of these properties. The proposal therefore accords with Policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

#### Drainage and Ground conditions

The site can be adequately drained and levels of runoff can be controlled through conditions. Issues regarding mineshafts, mining activity and land contamination can be adequately addressed and mitigated through the imposition of conditions.

#### Noise

Given the proximity of the site to existing industrial uses at adjacent properties, a noise survey was required to consider the impact on the proposed development.

The site falls within noise exposure categories NEC A and NEC B. PPG24 provides guidance on assessing the impact on noise on developments. Sites that fall within category NEC A are those where noise is not a significant issue for consideration. Sites within category NEC B are those where noise is an issue for consideration and where appropriate conditions can be imposed to ensure an adequate level of protection against noise. In accordance with PPG24 guidance, acoustic barriers are not considered appropriate, however, buildings would be expected to have solid facades ( in terms of method of construction) and double glazing to mitigate any noise impact.

#### Open Space, trees, hedging and ecology

The site is currently an open field with any significant planting located around the boundaries of the site. The zoning plan indicates an area of open space, with details of use to be confirmed at reserved matters stage. The principle of retaining open space is acceptable and will be of benefit to the new development and the wider community.

The existing trees, which are situated around the edge of the site, are of importance in both ecological and visual terms and therefore retention is considered essential and is to be secured through conditions. The development is considered to accord with Policy CS11 of the Core Strategy and Policy OL11 of the Wrekin Local Plan

#### Planning Obligations

Development of this scale has an impact on existing community facilities and planning obligations are used to mitigate this impact. Usually such a scheme would require contributions for play facilities/open space and education; however such contributions are not being secured. In this case as the

proposal is for 100% affordable housing provision, officers consider that the overall benefit of increase affordable housing provision is sufficient planning gain.

### Conclusion

Residential development of the site has already been accepted in principle, by the grant of previous recent planning permissions. The scale and layout of the development for 20 dwellings is in keeping with the character and appearance of the surrounding area. The indicative zoning drawings demonstrate that the site can accommodate an acceptable mix of dwellings, with adequate parking provisions for the proposed dwellings. The site can be adequately drained; and issues of land contamination and mining works can be addressed and mitigated through conditions. There is adequate level of open space retained within the development, to provide protection and enhancement for ecological benefits and visual amenity. Accordingly, the proposal is acceptable in principle and complies with local and national policies.

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

- |    |      |  |
|----|------|--|
| 1  | A01  | Time limit – Outline                           |
| 2  | A03  | Time Limit – Submission of reserved matters    |
| 3  | B01  | Standard outline all matters reserved          |
| 4  | B03  | General details required                       |
| 5  | B19  | Highways new access                            |
| 6  | B20  | Road design                                    |
| 7  | B22  | Parking/turning/loading                        |
| 8  | B22c | details of parking                             |
| 9  | B25  | Highways details                               |
| 10 | B26  | shallow mining                                 |
| 11 | B28  | Untreated mineshafts                           |
| 12 | B30  | Land contamination                             |
| 13 | B33  | Drainage                                       |
| 14 | B80  | Site Environmental Management Plan             |
| 15 | BNS  | Tree Protection                                |
| 16 | C38  | Development in accordance with deposited plans |
| 17 | C70a | Works in accordance with survey,               |
| 18 | C71  | update survey                                  |

### INFORMATIVES

- |      |                                  |
|------|----------------------------------|
| I25c | Bird, bat and invertebrate boxes |
| I25e | Trenches                         |
| I25f | replacement planting             |
| I25g | enhancement planting,            |
| I25h | vegetation cutting               |
| I25l | refuges                          |
| I25m | nesting birds (vegetation)       |
| I25n | lighting                         |
| I32  | Fire Service Informatives        |
| I40  | Conditions                       |
| I44  | Reason for outline consent       |

**REASON FOR APPROVAL:**

Residential development of the site has already been accepted with the grant of previous recent planning permission and therefore is still acceptable in principle. The scale and layout of the development for 20 dwellings is in keeping with the character and appearance of the surrounding area. The indicative zoning drawings demonstrate that the site can accommodate an acceptable mix of dwellings, with adequate parking provisions for the proposed dwellings. The site can be adequately drained and issues of land contamination and mining works can be addressed and mitigated through conditions. There is adequate level of open space retained within the development, to provide, protect and enhance ecological benefits and visual amenity. Accordingly, the proposal is acceptable in principle and complies with local and national policies.

TWC/2010/0520 1 Ellerdine, Telford, Shropshire, TF6 6RP  
Conversion of garage into residential accommodation (Retrospective)

**APPLICANT**  
Mr D Leonard

**RECEIVED**  
17/09/2010

**PARISH**  
Ercall Magna

**WARD**  
Ercall Magna

**CASE OFFICER**  
Anna Robinson

ERCALL MAGNA PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED AT PLANS BOARD IN CONJUNCTION WITH TWC/2010/0423 (REPLACEMENT DWELLING)

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, temporary or permanent conversion, design and appearance

**PROPOSAL:**

The application seeks planning permission for the conversion of the large detached garage into residential accommodation at 1 Ellerdine. The application is retrospective and the applicant and family have been residing in the converted garage since the beginning of July 2010.

An associated application seeks planning permission for the demolition of the existing dwelling and erection of a detached 2 storey replacement dwelling (TWC/2010/0423). It is the intention of the applicant to live in the converted garage until the construction of the replacement dwelling has been completed (subject to it receiving planning permission).

**SITE AND SURROUNDINGS:**

The proposal involves the recently built large detached garage measuring approx. 100sqm with ancillary living accommodation at first floor. The garage comprises three bays to the front and additional garaging/ storage to rear. The building has been converted and the garage doors replaced with French doors/ windows. The ground floor comprises lounge and playroom to front and kitchen/ dining area to rear. Each room has been fully equipped with permanent in-built fixtures and fittings. The Applicant has advised that the fitted kitchen will be refitted into the proposed dwelling. The first floor comprises three bedrooms and a bathroom.

There is also a large extended detached property and a new vehicular access into the site. The property has been altered and extended with a variety of different elements added and materials used. The property is situated in a substantial plot with the neighbouring properties approximately 50 metres away, and is located within the rural area.

**PLANNING HISTORY:**

W2006/0147 Erection of a two storey extension, Full granted (FG) – the proposal comprised an additional 2 storey wing to the dwelling. The

extensions and alterations created enlarged accommodation and a conservatory.

W2008/0310 Erection of a two storey side extension, Full Refused (FR) – The Local Planning Authority considered the proposed development would be detrimental to the existing scale, design, character and appearance of the property due to the size, massing and design. The proposal comprised an additional gable to match the existing wing previously approved, but the Local Planning Authority (LPA) considered it would not be subservient to the existing property.

W2008/1331 Extensions and alterations, FG – The LPA considered that whilst the proposal was large, it would not be overly dominant nor detract from the character and appearance of the dwelling through its scale and siting, as the proposed gable was narrower than the existing front facing gable and also had a lower ridge height.

W2009/0134 Erection of a detached triple garage with ancillary accommodation above, FR – The LPA considered the proposal was detrimental to the character and appearance of the dwelling and surrounding area by reason of its scale and design.

W2009/0759 Erection of a detached triple garage with accommodation above, Full Granted at Plans Board, with conditions imposed stating the ground floor of the garage building would not be used for living accommodation and the first floor would be an integral part of the existing dwelling, to ensure that the garage would remain ancillary and would not become a separate unit of accommodation

W2010/0181 Formation of new access (retrospective), Full Granted with a condition to permanently block off the original access

W2010/0191 Demolition of existing dwelling and erection of replacement dwelling, Withdrawn. The proposed dwelling had a footprint of 181sqm and a height of 7.5m to ridge, constituting an increase of 25sqm and more than 0.5m in height. The wider gables were prominent and the building would be substantially larger in scale and mass than the existing dwelling once extended. Officers considered that the new dwelling would not relate to the existing built form in Ellerdine Heath and the rural character of the area.

Associated application to be considered by Members in conjunction with this application: TWC/2010/0423 Demolition of existing dwelling and erection of a detached dwelling

#### PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS7 Sustainable Development in Rural Areas

LDF Core Strategy  
CS1 Homes  
CS7 Rural Areas  
CS15 Urban Design

Saved Wrekin Local Plan Policies  
UD2 Urban Design Criteria  
H9 Location of New Housing  
H10 Scale of Development

#### CONSULTATION RESPONSES:

Ercall Magna Parish Council objects to the proposal. They consider that this application must be considered in conjunction with the application for the new dwelling and that the history of the site should be investigated. The Parish Council recommends that a section 106 legal agreement is placed on the two applications to restrict to one property at one address. A representative of the Parish Council will attend and speak at Plans Board.

The Council's Highways Engineer has no objection to the proposal.

The Drainage Engineer has no comment to make regarding the proposal.

Shropshire Fire Authority recommends an informative re: access for emergency fire vehicles and installation of sprinkler system.

No neighbour representations have been received.

#### PLANNING CONSIDERATIONS:

The proposal seeks retrospective planning permission for the conversion of the new garage approved in 2009 which provided substantial accommodation for 3 vehicles and workshop/storage space to the rear; with ancillary accommodation to the first floor. The approved first floor plans indicate a predominantly open-plan space for uses such as gym, playroom and study. For clarification, conditions 6 and 7 of W2009/0759 stated the following:

6. *The ground floor of the garage building shall not be used for any purpose other than those incidental to the enjoyment of a dwelling house but not as living accommodation.*
7. *The development hereby permitted shall only be used as an integral part and incidental to the enjoyment of the existing dwelling and shall not at any time be occupied as separate residential accommodation.*

The garage has been occupied by the applicant and his family (converted from garaging to residential) since the start of July, and both the applicant and agent have been advised by the Planning Enforcement Officer that this is in breach of conditions imposed on the 2009 planning permission for the garage. Moreover, if planning permission is granted for the associated application for a replacement dwelling; once the dwelling is demolished and until the new dwelling is habitable, there will only be the converted garage in situ. Accordingly the garage would be a separate unit of accommodation and

would not be ancillary to the dwelling house which is contrary to the extant approval.

There is some confusion between the information provided on the application form and the Design & Access Statement (DAS). The application form states the proposal is for 1 no. 3 bedroomed market dwelling with no loss of parking. It does not specify that the conversion of the garage would be for a temporary period. However, the updated DAS states the proposal is for retrospective 'Temporary Garage Conversion' during work to either build the extension to the existing dwelling (implement the planning consent W2008/1331) or to replace the main dwelling. The application is therefore being considered as a temporary dwelling. There is no timeframe given for how long the construction of the dwelling or the extension would take to complete and no timeframe for the use of the garage as residential.

There are no extensions proposed to the building. The principle alterations are the replacement of the 5 garage doors with French doors and the addition of a partition wall within the triple garage to create 2 rooms comprising lounge and playroom. Within the rear workshop/storage area, a fitted kitchen has been installed. In addition, three plasma screens have been installed within the walls of each of the ground floor rooms – the lounge, playroom and kitchen/dining area. At first floor, additional partition walls have been installed to create 3 bedrooms. The conversion of the garage to residential use has the appearance of being permanent in its layout, fixtures and fittings, with the applicant having incurred significant expense. Subsequently officers consider that the application should also be considered having regard to policies for the principle of new dwellings in the rural area.

With regard to national guidance contained in PPS1, PPS3 and PPS7, new development shall be located in or on the edge of existing settlements and service areas where housing, employment, services and other facilities are provided close together, in order to create sustainable communities.

Core Strategy Policy CS1 requires the spatial distribution of new homes to be consistent with the spatial development strategy, stating that housing needs in the rural area will be met by approximately 170 new dwellings over the period from 2006 – 2016. This figure is derived from evidence provided by the Telford & Wrekin Housing Needs Study. Its inclusion in local policy reflects national planning policy requirements to limit the number of new dwellings in rural areas. At the current time, the threshold has been met from dwellings already built or having received planning permission. The proposal would therefore be contrary to Policy CS1.

Policy CS7 states that development within the rural area should be limited to meet the needs of the area, and be focussed on the 3 key settlements of High Ercall, Tibberton and Waters Upton. Outside these settlements development will be limited and within the open countryside strictly controlled. Ellerdine is identified as a key settlement and it was not listed as one of the 13 suitable settlements in policy H9 of the Wrekin Local Plan, now superseded by Policy

CS7). Therefore any new residential development in Ellerdine would be limited to agricultural, forestry or other occupational dwellings or affordable housing, having regard to national policy guidance.

Furthermore, within the suitable settlements in the rural area (formerly listed in Policy H9), H10 of the Wrekin Local Plan states that development will be permitted where the proposal involves one or two dwellings on a suitable infill plot within the existing built up frontage and would not lead to the loss of open space or an extension of the village into open countryside. The site does not constitute an infill plot within a built up frontage of the village. The garage already constitutes built form within the residential curtilage and therefore the development does not extend the village into the open countryside; however the conversion of the garage to a residential dwelling would create an additional residential unit in the rural area, outside the key settlements and further exceeding rural housing numbers. Consequently the creation of a new dwelling in this location is contrary to policies CS1, CS7 and H10 and is therefore unacceptable.

With regard to the design of the building, the following policies are considered relevant: Policy CS15 outlines design of development will create and sustain safe places and strengthen local identity, positively influencing the appearance and use of the local environment. In the Wrekin Local Plan, Policy UD2 asserts that development must respect and respond positively to the context, and enhance the local environment through high quality design, and it will be assessed in relation to its scale, form, proportions, materials and access etc. Whilst the built form of the garage has not significantly changed, the external appearance has altered with a predominance of glazing to the openings which has been determined by its new unauthorised use as a residential unit. The design of the development is acceptable as the scale, form and proportions are unchanged; however the principle of the conversion is not; and the garage can no longer be utilised for its intended purpose for storage of vehicles/ workshop etc. and ancillary accommodation above.

Given that the development would be contrary to both national and local planning policies, the proposal cannot be supported on a permanent basis. Furthermore, officers consider that temporary planning permission cannot be supported either, as it would be unreasonable to condition temporary permission and request that the building is reverted to garaging at the end of the temporary period given the permanent nature of the conversion. The conversion of the garage to residential use has been undertaken at the applicant's own risk as the LPA has advised that the development breaches conditions on the previous planning permission.

In conclusion, the retrospective conversion of the garage to separate residential use is considered unacceptable and is recommended for refusal. The creation of a new dwelling in the rural area conflicts with the aims of the adopted Core Strategy. Officers consider the triple garage and workshop building with ancillary accommodation at first floor must be reinstated in accordance with W2009/0759; and the LPA should take further enforcement action if necessary.

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

The proposed conversion of the detached garage to a new residential property in Ellerdine is considered unacceptable as the site lies outside the identified settlements of High Ercall, Waters Upton and Tibberton where new residential development in the rural area is expected to be sited. The development would not constitute an exceptional circumstance, in terms of providing an agricultural or forestry workers dwelling or affordable housing, and the provision of a new dwelling away from the identified settlements would conflict with the purposes of the adopted Core Strategy. Accordingly the development is contrary to Local Development Framework Core Strategy policies CS1 and CS7, Wrekin Local Plan policy H10 and national guidance contained in PPS1, PPS3 and PPS7.