

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 17th November, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

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

ALSO PRESENT: Councillor A.J. Eade (for planning application TWC/2010/0428), Councillor S. Bentley (for planning application TWC/2010/0420) and Councillor A.A. Meredith (for planning application TWC/2010/0046)

PB-51 MINUTES

RESOLVED – that the minutes of the Plans Board held on the 27th October, 2010 be confirmed and signed by the Chairman.

PB-52 APOLOGY FOR ABSENCE

Councillor G.M. Green

PB-53 DECLARATIONS OF INTEREST

None.

PB-54 DEFERRED/WITHDRAWN APPLICATIONS

RESOLVED – that planning applications TWC/2010/0046 and TWC/2010/0428 be deferred to allow Site Visits to be made.

PB-55 SITE VISITS

RESOLVED – that the following Site Visits take place on Wednesday, 8 December, 2010:

TWC/2010/0046 – 3.00 p.m.

TWC/2010/0428 – 3.20 p.m.

PB-56 PLANNING APPLICATIONS FOR DETERMINATION

(Councillor F.R. Picken left the room during the presentation of the following application and, having returned to the room, did not vote thereon.)

(a) TWC/2010/0006 - The Talbot Centre, Hillside East, Lilleshall, Shropshire

This application was for the erection of floodlights to illuminate two hard surface tennis courts at the Lilleshall tennis courts. The original scheme had proposed 4 x 10m. high floodlights but concerns had been expressed by both residents and the Council's Street Lighting Engineer, who considered that, even if the lighting shields

were installed correctly, there would still be the likelihood of unavoidable light trespass to properties within 20m. of the site. Therefore, an amended scheme for 6 x 8m floodlights with lower powered luminaires had been submitted. These would be located at the four corners of the tennis courts and at the mid-point of the two ends, which was understood to be in compliance with the Lawn Tennis Association's (LTA) guidance for floodlighting. The amended scheme would help to reduce the potential impact of any light spillage on the two neighbouring properties and conditions would be imposed to ensure that the lights were fitted with effective shields to concentrate the light onto the playing surfaces at all times. The Council's Ecologist had no objections but had recommended a number of measures to mitigate the light spillage that could affect bat foraging routes.

Two letters of objection had been received from local residents relating to the original scheme, one of whom had reiterated his objections to the amended scheme. Lilleshall, Donnington & Muxton Parish Council had no objections to the amended scheme but had recommended that the lighting columns be of a colour that blended in with the surrounding landscape.

This facility, which was used extensively, was one of the premier clubs in Shropshire and the floodlights were required to enable it to develop further by holding matches and coaching during the hours of darkness. The club was hoping to obtain a grant from the LTA to fund 75% of the total cost of the lights.

At this stage the tennis club anticipated that the installation of the floodlights would result in several late afternoon/early evening coaching sessions with only occasional usage later in the evenings possibly for two or three nights a week in the summer, although this could change, but for only one night a week until 8.00 p.m. for the rest of the year. The courts were also available for use by non-members when not required by the tennis club. Therefore, even if the courts were to be used most evenings of the week, it was considered that there would be no appreciable increase in the amount of any noise and disturbance to local residents. Furthermore, the net community benefits accruing from this installation would outweigh any adverse effects that might occasionally be experienced by immediate neighbours.

The Parish Council had stated that notices had been erected around the tennis courts prohibiting their use at those times when tennis was not being played and since then no complaints had been received about anti-social behaviour. As a further safeguard to protect the residential amenities of local residents, a planning condition would be imposed stating that the floodlights should be switched off between 10.00 p.m. and 8.00 a.m.

Mrs. Pauline Coffey, Secretary of the Lawn Tennis Club spoke in support of the application, which would enable both the hours of use for members and for the general public to be extended with the minimum of impact from light pollution on residential amenities.

Members welcomed the application, which would provide community benefits and meet the Council's health and fitness priorities.

RESOLVED – that with respect to planning application TWC/2010/006 planning permission be granted subject to the conditions as set out in the report.

- (b) TWC/2010/0046 - Tudor Rose Cottage, 4 Chetwynd End, Newport, Shropshire

RESOLVED – that determination of planning application TWC/2010/0046 be deferred to allow a Site Visit to be made.

- (c) TWC/2010/0304 - Land adjacent to 27, Hadley Park Road, Hadley, Telford, Shropshire

This was a retrospective application to create a new 10 spaces car park for the Guru Nanak Sikh Temple for visitors during large events. Hadley & Leegomery Parish Council had requested that the application be determined by the Plans Board. The Temple was situated in a predominantly residential area and accessed via a cul-de-sac with double yellow lines on both sides of the carriageway, off Hadley Park Road. It was on a regular bus route and within 300m of Hadley District Centre and a five minute walk from four public car parks. Members noted that planning application TWC/2010/0305 for the extension of the existing car park to the rear of the Temple was also on the agenda.

The Local Planning Authority (LPA) had informally advised the applicants that the proposed change of use of the site would be considered appropriate. During a site visit in relation to this application the Case Officer had observed that the car park was being constructed and had advised the applicants and their contractors to cease work, that any work which had been undertaken was at their own risk, and that commencement of work was not a guarantee that planning permission would be granted.

Four letters of objection and additional information had been received during the consultation period, as summarised in the report. Hadley & Leegomery Parish Council had objected to the application for the highway and planning history reasons set out in the report. However, the Council's Highway Engineer had no objections to the proposal on condition that 2.4m x 43m visibility splays were provided before the car park was brought in to use.

The Temple was open from 6:00 a.m.- 9:00 p.m. for prayers and community uses with prayers being held continuously on Fridays and weekends. The applicants had stated that the existing congregation comprised 150-200 worshippers, who used the Temple for various purposes throughout the day. Additional car parking facilities were required to accommodate between 200-300 mourners at funerals and visitors to weddings and funerals. On average there were two funerals and four weddings per year. The applicants had stated that both regular worshippers and visitors did not wish to use the nearby public car parks due to personal safety fears and visitors from further afield used satellite navigation to locate the Temple and did not, therefore, know the location of the public car parks. Although the Temple had its own existing car park for some 23 cars and the use of the 20 spaces (maximum) on the adjoining Nursery car park after 4.00 p.m. and at weekends, the applicants considered that this did not provide the necessary space required.

The application site was located in the public realm with a road frontage and it was, therefore, considered that the change of use would not detrimentally impact upon the character and appearance of the area. Given the size of the car park and the level of ambient noise on Hadley Park Road, it was considered that the change of use would not significantly impact upon residential amenity.

West Mercia Police had confirmed that there were no reported parking problems and had suggested that the nearby public car parks could be utilised when required. Whilst the LPA appreciated that the Sikh Temple Management Committee had submitted the application to alleviate parking problems, it considered that a more sustainable option would be the greater use of the nearby public car parks in Hadley Centre and, possibly, to improve signage and visitor awareness of their proximity to the Temple.

The existing grass and trees on the site had been removed although the pre-application advice had been that a Survey would be required to assess the impact of the proposed development on the trees. Therefore, it was unfortunate that this area of soft landscaping had been lost with little regard to the local biodiversity of the area. Therefore, the applicant would be expected to re-instate the damaged grass highway verge to and an appropriate condition would be attached to any approval.

Despite these issues, on balance the change of use was considered acceptable as it would not result in a significantly adverse impact upon the character and appearance of the area, the streetscene or the residential amenity of the adjacent residential properties. The development was, 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.

The update report tabled at the meeting made reference to the concerns expressed by the Parish Council with regard to the planning history of the site. While planning permission for the change of use from a dwelling to a church at 35a Hadley Park Road had been refused in March 1986 inter alia because of the adverse impact on the residential amenities due to the increase in traffic, the increase resulting from the current application was considered acceptable as the traffic movements generated by 10 additional parking spaces would be considerably less than that from a new church and the access was in a different location. The update confirmed that the visibility splay requested by the Highway's Engineer could be achieved.

Councillor M.J. Smith, Ward Councillor for Hadley & Leegomery, supported the application, which would prevent the site from, potentially, becoming an eyesore.

RESOLVED – that with regard to planning application TWC/2010/0304 planning permission be granted subject to the conditions as set out in the report.

(d) TWC/2010/0305 – 109, 110 Parkdale, Hadley, Telford, Shropshire

This was a retrospective application for an extension to the existing car park at the rear of the Guru Nanak Sikh Temple on garden land previously belonging to nos. 109 and 110 Parkdale. The extension would provide additional off-street parking for

visitors to the Temple during large events. The application had been deferred at the previous meeting of the Board to allow Members to undertake a Site Visit.

The Local Planning Authority (LPA) had given informal planning advice that the proposed change of use of the gardens to car parking would be inappropriate but during a site visit the Case Officer had observed that the car parking was already being constructed and had advised the applicants as set out under planning application TWC/2010/0304.

One letter of objection had been received as summarised in the report. Neither Hadley & Leegomery Parish Council nor the Council's Highways Engineer had any objections.

The information relating to the usage of the Temple and the additional car parking facilities required for visitors attending wedding and funerals was as set out in planning application TWC/2010/0304 above.

The irregular shaped extension was bounded by 2.0m high timber panel fencing with concrete posts and gravel boards and gravel board fencing, membrane and hardcore had also been laid. However, the submitted drawings showed timber panel fencing to all of the boundaries and not the mixture of fencing which had actually been erected on the site. The existing mature gardens had been cleared and the trees felled.

The siting of a car park in the rear gardens of residential dwellings was considered unacceptable as it would have a detrimental impact on the character and appearance of the residential amenity as well as on the residential amenities of the occupiers of the adjacent dwellings. Therefore, the additional traffic movements arising from large events at the Temple, potentially all day and night at weekends, was considered unacceptable. In addition, the car park failed to reinforce local distinctiveness, relate positively to its context or positively influence the appearance of the local environment.

Officers considered that, as the additional car parking was only required for large events which would not be held on a regular basis, the proposal, the loss of garden land, and the adverse effect on residential amenity was not justified. In addition, West Mercia Police had confirmed that they had received no reports of parking problems in Hadley Park Road within the last six months and no neighbour representations in respect of on-street parking had been received in response to this planning application. In addition, the LPA was not convinced that only 32 additional spaces would satisfactorily address the presence of up to 300 visitors even with car sharing.

The application form stated that there were no trees on the site but the drawing accompanying the application had indicated that there were, as confirmed by recent photographs. The pre-application advice had included the need for a Survey to be undertaken to assess the impact of the proposed development on the trees and it was, therefore, unfortunate that garden land had been lost with little regard to the local biodiversity of the area.

Councillor M.J. Smith said that the Site Visit had shown the need for additional car parking to solve the issue of on-street parking. As one of the Ward Councillors for Hadley & Leegomery, he was not aware of any noise issues arising from the use of the existing car park. Other councillors who knew the locality commented on the need for additional car parking for the Temple.

RESOLVED – that with regard to planning application TWC/2010/0305 planning permission be granted subject to the resolution of the provision of visibility splays and the conditions as set out in the report.

(e) TWC/2010/0420 - Sytch Lane, Waters Upton, Shropshire

This application from Severn Trent Water (STW) sought 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), kiosks, fencing and landscaping. The site, which comprised an area of agricultural land adjacent to established residential properties off Sytch Lane to the north of Waters Upton, was bounded by substantial hedge screening to the highway boundary together with timber and wire fencing. There was currently no vehicular access, only a farm gate at the entrance of the adjacent land. The nearest residential properties were located approximately 20m. to the north and 50m. to the south, with further properties in East View being located opposite the site to the west. The application, which Waters Upton Parish Council had requested be determined by the Plans Board, had been deferred from the previous meeting to allow Members to make a site visit.

Waters Upton Parish Council had objected to the development and 17 letters of objection, including duplicates, had been received from local residents, as summarised in the report. The Council's Highways Engineer had requested that visibility splays be provided and following discussions with the applicant's agent it had been agreed that these should be 2m x 30m and located to the south of the access.

STW had statutory responsibilities for the provision of water and sewerage services and proposed improvements to pumping stations, including that at Sytch Lane, as described in the report. The new pumping stations were required to provide adequate sewerage services in the local area. As a statutory sewerage undertaker, STW had permitted development rights for much of the underground works but planning permission was required for the change of use of the land, the kiosk, access, hardstanding and fencing.

The kiosks would be glass reinforced plastic boxes set on concrete plinths of a design, materials and finish in keeping with other STW kiosks in the area and approved in other parts of Telford. The main kiosk would measure 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. The access, measuring nearly 35m. 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 1.2m. in height. The applicants' agent had advised that the lighting column indicated on the plans would be used only when emergency maintenance was required. It would measure a

maximum of 3m. in height and would be orientated so that the light illuminated the chambers and wet wells and did not lead to dispersal of light to adjoining properties. The details were still being prepared and the additional information would, therefore, 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 was relatively well screened along the boundary to the highway and, whilst much of the existing hedge would 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 was proposed. It was also considered that the boundaries adjacent to residential properties should be screened to minimise the impact of the development in the area and a condition would be imposed accordingly. The proposed kiosks would be set back from the highway and would not be prominent from the highway.

In response to the neighbour concerns relating to large residential development in Waters Upton, whilst it was listed in Policy CS7 as one of the key settlements, officers clarified that Sytch Lane was not currently allocated for new housing. Local residents had also raised concerns about the impact of the development on amenity from traffic generation, noise, odour and upon the character of the area. Whilst it was acknowledged that the proposed pumping station would lead to the loss of a small area of agricultural land, it would not generate a significant increase in vehicle movements. The design and materials and the associated landscaping would minimise its impact in the semi-rural location and there would be no significant impact on the amenity of nearby residential properties. Given the scale, design and materials of the proposed development, the proposal was considered acceptable.

Severn Trent Water's agents had responded to the Parish Council's concerns in detail as set out in the report. In conclusion, whilst officers noted these concerns and those of local residents', the proposed pumping station was considered acceptable in this location by virtue of the proposal's scale, design, form and materials and would not be overly prominent in the area with suitable landscaping. Furthermore, the proposal would not have a detrimental impact on adjoining residential amenities.

Since preparation of the officer's report, the Environment Agency had commented that, whilst they had not requested the proposal, they considered that the scheme would provide a more sustainable, long term water treatment option with benefits to both the water quality and the wider local water environment.

Following the deferral of the application at the previous Plans Board, officers had re-consulted local residents and notified them of the site visit and the date of this meeting. One neighbour had submitted further information to Members regarding local residents' concerns and suggesting an alternative site in Waters Upton, as summarised in the update report tabled at the meeting. STW had responded to the issues raised, as set out in the update report, and had provided photographs showing an example of the proposed development as recently built in Clee Hill, near Ludlow. No specification of the proposed lighting column had been submitted but STW had confirmed that it would not exceed 3m in height.

For the clarification of the Board, the update report gave further information on Part 16 of the General Permitted Development Order 1995 as it applied to this site and outlining that it was only the development above ground level which required consent..

Cllr C. Purves, on behalf of Waters Upton Parish Council spoke against the application and referred to the degree of local opposition. He also made reference to an alternative site which local residents considered more appropriate than that put forward by STW. These views were supported by Mr. Kevin Whittle, a local resident, who had provided additional information for the Members, as tabled. Councillor Stephen Bentley, Ward Member for Ercall Magna, spoke against the application and asked that determination of the application be deferred to allow STW to undertake further investigations on the suitability of the proposed site.

Alan Hardwick of Fisher German, the applicant's agent, spoke in support of the application. In response to the points raised by the previous speakers, he said that the Environment Agency had confirmed that the proposed scheme was the most sustainable solution to providing a sampling point, which was the main reason for installing this Sewage Pumping Station.

Councillors R.T. Kiernan and H. Rhodes asked if any alternative sites had been considered and the Planning Officer responded that, while the Council had not done so, STW had, but full information on an alternative site had not been made available. The Chairman suggested that, in view of the local concerns being expressed, determination of the application be deferred and STW be requested to provide this information to justify its choice of the application site. This was supported by the Head of Housing & Planning, who stated that an evaluation of any alternative sites would allow the Board to have all the available information on which to make its decision.

RESOLVED – that planning application TWC/2010/0420 be deferred to enable officers to seek additional information on the location of the Sewage Pumping Station.

(f) TWC/2010/0423 - 1 Ellerdine, Telford, Shropshire, TF6 6RP

This application sought planning permission for the demolition of the existing dwelling and the erection of a detached two-storey replacement. The existing dwelling had previously been altered and extended and there was planning permission for further extensions. Ercall Magna Parish Council had requested that both applications be considered by the Plans Board.

Ercall Magna Parish Council had no objection to one dwelling on the site with access from the road. The Council's Highways Engineer had no objection to the proposal subject to appropriate conditions.

The proposal was for a two-storey replacement dwelling in the same location as the existing property, utilising the recently approved vehicular access at the north of the site. The dwelling, which would have four large bedrooms and 3 bathrooms on the first floor, would be orientated so that the frontage faced north-east towards the new

detached garage and access. A similar submission for a replacement dwelling had been withdrawn as it was deemed to be too large and pre-application discussions had taken place on the required revisions to the scale and design. The proposal was in accordance with these discussions.

Given the revisions in national and local planning policies, there were no policy constraints to a replacement dwelling as opposed to the creation of a new dwelling in the rural area. Therefore, the principle of a replacement dwelling was 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 the recently approved extensions and alterations.

The existing dwelling and approved extensions had a footprint of 157.4sq.m and measured 6.95m to ridge height. This proposal had the same footprint but a ridge height 0.15m higher than the existing dwelling and 1.0m. higher than the ridge height of the garage. This was considered acceptable as it would give the dwelling dominance over the existing substantial detached garage building. The design of the dwelling was modern and similar to the approved extensions but with wider symmetrical gables and a single central window at first floor but with wider ground floor windows. Therefore, it was 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 would be requested accordingly. It was intended that the building will be constructed in materials to match the recently constructed garage.

The proposed replacement dwelling would not adversely impact on adjoining residential amenity given the separation distance of approximately 50m. from nearby properties or the orientation of the property. Existing screening would be retained and the property would not appear overly prominent in the area, being set back from the highway. The scale and design of the replacement dwelling was in keeping with the existing development on the site and the surrounding area and would improve the existing character and appearance by replacing the ad hoc arrangement of extensions constructed in a variety of materials. On balance, whilst the gables were wider than those approved on the 2008 plans for extensions to the existing property, the replacement dwelling was considered to be of an acceptable scale and design. Given that the replacement dwelling matched the footprint of the extended property and the applicant had been advised that this was the maximum that would be allowed, officers considered that permitted development rights should be removed to control the scale, mass and form of the replacement dwelling in the rural area.

Councillor C. Purves, on behalf of Ercall Magna Parish Council and David Humphreys, the applicant's agent, spoke in support of the application. David Humphreys said that the proposed new build would provide a more symmetrical dwelling than would the previously approved extensions to the existing dwelling. The new build would be energy efficient and of a design in keeping with the area.

The update report tabled at the meeting informed the Board that, following discussions with the applicant's agent, amended plans had been received showing a reduction in the size of the ground floor windows on the front elevation in line with

the suggestion contained within the main report. Officers considered that the design and appearance of the proposed dwelling would be enhanced by this amendment.

RESOLVED – that planning application YWC/2010/0423 be granted planning permission subject to the submission of amended plans and to the conditions as set out in the report.

(g) TWC/2010/0428 - Longford Cottage, Longford Road, Newport, Shropshire

RESOLVED – that determination of planning application TWC/2010/0428 be deferred to allow a Site Visit to be made.

(h) TWC/2010/0502 - Land Off Park Road, Dawley Bank, Telford. Shropshire

This was an outline application by Telford & Wrekin Council for 100% affordable housing on a site of approximately 0.8ha currently used as grazing land, with all matters reserved for later consideration. The indicative site layout demonstrated that 6 x 2 bedroom houses, 12 x 3 bedroom houses and 2 x 4 bedroom houses with a maximum height of two storeys could be accommodated together with at least 200% provision of on-plot parking and garaging. A zoning plan identified the maximum areas for built development, green spaces and details for roadways and planting.

The development was part of a larger joint venture between Telford & Wrekin Council and the Homes & Communities Agency (HCA) to increase affordable housing provision in the borough. Sites were being made available at nil land value to facilitate such schemes with the net gain being sought for the borough. Whilst all of the HCA sites currently had outline planning consent, those from Telford & Wrekin Council required outline consent to ensure that the developers or Registered Social Landlords could progress the programme of works to ensure deliverability of the project.

Lawley & Overdale Parish Council had commented as set out in the main report and one letter of objection had been received from the adjacent factory relating to parking issues. The update report tabled at the meeting outlined the additional comments received from the Parish Council in respect of the birds on the site. In response the Planning Officer informed the Board that the applicants had carried out an ecological study which had shown that there were no protected species present but had made recommendations for action to ensure that the proposal would have no adverse impact on wildlife in the area. The update report also responded to the concerns expressed by the objector and informed Members that the application site was not currently used for parking by the factory and, as there would be sufficient parking provision within the proposed development, there would be no adverse impact on its parking area.

The site was designated as 'white' land in the local plan and, therefore, was acceptable for development in principle, subject to issues of highways, drainage, ground conditions design, etc. being agreed. In addition, a previous, lapsed approval for development of part of the site with 12 residential properties had established the principle of residential development. The Council's Highways Officer

had no objection in principle to the development and access, subject to appropriate conditions.

As this application was for outline planning permission only, the principles of design could be considered, as set out in the Design and Access Statement. It was considered that the configuration of the development zones would allow for a variety of affordable housing types, of a maximum of two storeys in height to reflect the character and appearance of existing residential properties within the area. In addition, the location of the development zones would ensure that there was sufficient separation between the proposed and existing properties to preserve the amenities of occupiers of these properties. The proposal, therefore, accorded with Policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

Given the proximity of the site to existing industrial uses at adjacent properties, a noise survey was required to consider the impact of the proposed development, as set out in the report but appropriate conditions could be imposed to ensure an adequate level of protection. In accordance with PPG24 guidance, acoustic barriers were not considered appropriate, but the buildings would be expected to have solid facades in terms of method of construction and double glazing to mitigate any noise impact.

The zoning plan indicated an area of open space with details of use to be confirmed at the reserved matters stage but the principle of retaining open space was acceptable. The existing trees, which were situated around the edge of the site, were of importance in both ecological and visual terms and their retention was considered essential, which would be secured through conditions. Therefore, the development was in accordance with Policy CS11 of the Core Strategy and Policy OL11 of the Wrekin Local Plan

A development of this scale would impact upon the existing community facilities, and, normally, there would be a requirement for contributions for play facilities/open space and education. But, as the proposal was for 100% affordable housing, a contribution was not being sought in this instance as it was considered that the overall benefit of increased affordable housing provision was sufficient planning gain. The update report made further reference to this point and informed the Board that, whilst a scheme of this size did not warrant the creation of formal play space within the site, an area of open spaces for informal play/use was proposed and it was not considered that the lack of formal facilities would have an adverse impact upon adjacent occupiers in terms of anti-social behaviour or damage to buildings. To ensure that the development would deliver 100% affordable housing, the update report stated that the Council, as landowner, would be required to agree that the site would be bound by an appropriate obligation.

RESOLVED – that with regard to planning application TWC/2010/0502 the Head of Housing & Planning be authorised to grant outline planning permission subject to the Council as landowner agreeing that the land would be bound by obligations in respect of the provision of 100% affordable housing, and to the conditions as set out in the main report.

(i) TWC/2010/0520 - 1 Ellerdine, Telford, Shropshire,

The application sought retrospective planning permission for the conversion of the large detached garage on the site into residential accommodation; the applicant and family having been resident in the converted garage since the beginning of July 2010. It was the applicant's intention to live in the building until the construction of the replacement dwelling (TWC/2010/0423) had been completed, subject to receipt of planning permission. Ercall Magna Parish Council had requested that the application be determined by the Plans Board, and had submitted objections to the proposal.

The proposal related to a recently built large detached garage measuring approximately 100 sq.m. with ancillary living accommodation at first floor. It comprised three bays to the front and additional garaging/ storage to the rear and had been converted by replacing the garage doors with French doors/windows. The ground floor comprised a lounge and playroom to the front and a kitchen/dining area to the rear. Each room had been fully equipped with permanent in-built fixtures and fittings although the applicant had advised that the fitted kitchen would be re-installed in the proposed dwelling. The first floor comprised three bedrooms and a bathroom. Planning permission for the garage had been granted in 2009 (W2009/0759) and, for clarification the report set out conditions 6 and 7 of that planning approval, as follows:

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.*

Following occupancy of the garage both the applicant and his agent had been advised by the Planning Enforcement Officer that this was in breach of these conditions. In addition, if planning permission was granted for a replacement dwelling (TWC/2010/0423) once the existing dwelling was demolished and until the new dwelling was habitable, only the converted garage would be in situ. Accordingly, it would then be a separate unit of accommodation and not ancillary to the dwelling house and thus contrary to the extant approval.

The application form submitted did not specify that the conversion of the garage would be for a temporary period whilst the updated Design & Access Statement stated that the proposal was for retrospective 'Temporary Garage Conversion' during work to either build the extension to the existing dwelling (W2008/1331) or to replace the main dwelling. The application was, therefore, being considered as a temporary dwelling. No timeframe for how long the construction of the dwelling or the extension would take to complete and for the residential use of the garage had been submitted by the applicant.

The principal alterations proposed to the garage were the replacement of the 5 doors with French windows and the addition of a partition wall to create a lounge and a playroom. Within the rear workshop/storage area a fitted kitchen had been installed

and 3 plasma screens had been installed within the walls of each of the ground floor rooms. At first floor level additional partition walls had been installed to create 3 bedrooms. This conversion had the appearance of being permanent in its layout, fixtures and fittings, with the applicant having incurred significant expense. Subsequently, officers considered that the application should also be considered having regard to policies relating to the principle of new dwellings in the rural area, particularly Policy CS7 of the Core Strategy which stated that development within the rural area should be limited to meet the needs of the area and be focussed on the three key settlements of High Ercall, Tibberton and Waters Upton. In addition, it did not constitute an infill plot within a built-up frontage of the village in accordance with H10 of the Wrekin Local Plan. The garage already constituted built form within the residential curtilage and, therefore, the development did not extend the village into the open countryside but 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 was contrary to Policies CS1, CS7 and H10 and was, therefore, unacceptable.

Whilst the built form of the garage had not significantly changed, the external appearance had been altered with a predominance of glazing to the openings, as determined by its new unauthorised use as a residential unit. Whilst the design was acceptable as the scale, form and proportions were unchanged, the principle of the conversion was not acceptable and the garage could no longer be utilised for its intended purpose.

Given that the development would be contrary to both national and local planning policies, the proposal could not be supported on a permanent basis and temporary planning permission could not be supported as it would be unreasonable to condition temporary permission and request that the building was 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 had been undertaken at the applicant's own risk as the Local Planning Authority had advised that the development breached conditions on planning permission W2009/0759.

Councillor C. Purves on behalf of Ercall Magna Parish Council said that concerns had been raised that the applicant was attempting to secure two properties on the one site given the standard of work and the fittings that had been installed in the garage.

The applicant's agent, David Humphreys, responded that there had been no attempt to have two dwellings on the one site, as any confusion with regard to the site address had been due to an administrative error by the Local Planning Authority, for which it had apologised. He stressed that the conversion of the garage was only intended to be temporary during construction of the now approved new build. The fittings installed in the garage would be reinstalled in that dwelling. His client was willing to accept a S106 obligation to restrict the future use of the garage.

Councillor D.G. Chaplin drew the Board's attention to conditions 6 and 7 of planning permission W2009/0759 which restricted the use of the garage as ancillary

accommodation only. This was supported by the Chairman and Councillor K.L. Tomlinson.

RESOLVED – that with regard to planning application TWC/2010/0520 planning permission be refused for the following reasons:

1. The proposed conversion of the detached garage to a new residential property in Ellerdine was considered unacceptable as the site lay outside the identified settlements of High Erroll, Waters Upton and Tibberton where new residential development in the rural area was 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 was 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.

The meeting ended at 7.20 p.m.

Chairman:

Date: