

TELFORD & WREKIN COUNCIL

PLANS BOARD

11th July 2012

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TWC/2012/0031 Land adjacent to, The Shires, Shifnal Road, Telford, Shropshire, 2 9NN
Erection of six detached houses fronting Shifnal Road and a four storey care home to the rear of the site, with new access and associated works

APPLICANT
Chander Jain

RECEIVED
13/01/2012

PARISH
St. Georges and Priorslee

WARD
Priorslee

THE WARD MEMBER, COUNCILLOR IAN FLETCHER, HAS REQUESTED THAT THIS APPLICATION SHOULD BE CONSIDERED BY THE COUNCIL'S PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Principle of development, green network, layout and design, highways, noise and air quality, trees and impact on neighbouring properties.

THE PROPOSAL:

Erection of 6 two storey dwellings along frontage and a four storey nursing home to rear, along with associated works including highways.

SITE AND SURROUNDINGS:

The site is located in Priorslee approximately 1 mile from Telford town centre. It is situated along Shifnal Road with a mixture of university, commercial and residential buildings surrounding the site.

The site slopes upwards from East to West and contains a number of embankments notably those to the South and West. The motorway (M54) is located to the South of the site beyond an area designated to the Green Network which houses the South embankment.

The west of the site is currently residential, single family dwellings, which are set back from the road in a cul-de sac formation, with side boundary and substantial planting creating the boundary with Shifnal Road

To the east of the site is more residential development, of a more traditional form, set at back of pavement and two storey in height. There is a public house and a guest house adjacent to the residential dwellings and further along Shifnal Road is substantial development of 3 storey university accommodation buildings.

The local architectural character is varied in style and age; however residential properties in the immediate vicinity are traditional 2 storey Victorian terraces and 1980's detached speculative housing.

A public foot path runs adjacent to the eastern and southern boundary of the site, which is bounded by hedge and fencing.

PLANNING HISTORY:

TWC/2011/0176 – Erection of a 69-bed Care Home and 6no. detached dwellings and formation of new access - withdrawn June 2011

TWC/2010/0009 - Erection of 5no. detached dwellings with detached garages to include access (Outline Application) – Approved February 2011

Planning permission was granted to Telford Development Corporation (TDC) in 1985 for residential development on the site, under the provisions of the New Town Act 1981. The permission, which remains extant, is equivalent to outline planning permission, and at the time TDC believed that 6 to 8 dwellings could be accommodated on the site.

PLANNING POLICY CONTEXT:

National Planning Guidance
NPPF

Saved Wrekin Local Plan Policies

H6 – Windfall Sites in Telford and Newport

UD2 – Design Criteria

UD4 Landscape Design

OL3 – Green Network

OL11 – Woodland and Trees

EH14 - Land stability

EH7 Contaminated Land

EH8 Remedial action on Contaminated Land

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

LDF Core Strategy

CS1 – Homes

CS11 – Open Space

CS12 – Natural Environment

CS13 – Environmental Resources

CS15 – Urban Design

CONSULTATION RESPONSES:

St Georges and Priorslee Parish Council

Objects on the following grounds:

- The design of property is incompatible and would mar the street scene.
- It is understood that there are no proper sewage connections to that site.
- The development would be over-development of the site.

- This development would be 80 units on a cul de sac site with no alternative access.
- Insufficient parking spaces are proposed - access and egress not satisfactory.
- The development would over-shadow the house "Rutherglen".

Cllr I Fletcher objects for the following reasons:

1. The design of the main building is incompatible with the surrounding properties and will dominate the landscape in what is a historic residential area. It will mar the street scene due to:
 - Size at four storeys
 - Design and appearance – Does not fit in with residential area and has the appearance of a detention centre
 - Location – near the front of the site (moved forward nearer the road from previous withdrawn application)
2. The design of the 6 detached dwellings are incompatible with the surrounding properties:-
 - Flat roofs versus pitch roofs etc
 - White painted garage doors
 - Design and appearance
 - Are they for staff? If not they will not sell due to location
3. The sewage connections in the area cannot handle the current capacity and already block to our premises on a regular basis
4. Over development of the site – the plot should be used for private dwellings
5. This development would be 80 units on a cul de sac site with no alternative access
6. Insufficient parking spaces are proposed which would lead to additional vehicles parking in Priorslee Village blocking residence access
7. There will be loss of habitat
8. A nursing home or similar usage would be a 24 hour operation, which will lead to a number of issues that will affect the existing local residence.
 - 24 hour noise from visitors, staff, commercial, public service vehicles and ambulances (some using sirens)
 - Light pollution
 - Parking and traffic management

Drainage: Standard Conditions: B62 & B75

The proposal includes the use of soakaway to control surface water. There is concern that due to the former use of the site, whilst it is agreed that the ground conditions appear to be allowing surface water to soak away, there is no guarantee that this water is reaching the underlying sandstone and leaving the site. In addition there is no guarantee that the direction of large volumes of surface water to specific areas as a result of the creation of soakaways will not have an effect on inundation settlement of the fill material. Any houses within influence of the associated settlement may not be able to tolerate the total or differential settlement. Even infrastructure or buried services may be seriously affected.

For this reason, unless further information can be provided to address these issues, a Stability Declaration Agreement (or similar) should be entered into.

The purpose of this is for the developer to undertake the responsibility of any future drainage issues or ground stability issues created from the drainage solution on building foundations and ground stability, given that the Councils Engineers have raised concerns over the proposed drainage solution.

Although the use of surface water soakaways may be permitted on this site, subject to the above agreement being reached, any foul flows produced by the development must be directed to either the public sewer in Shifnal Road, or a separate private gravity system (with the agreement of each user). Details on the proposed method of foul water disposal should be submitted for approval.

Geotechnical: The site is a colliery spoil mound. The council do not routinely allow development on spoil mounds. The developer must demonstrate that the whole site is stable and will remain stable in respect to the proposed development. A full slope stability assessment would be required prior to determination of any application at this site. This should also include an assessment of newly proposed slopes, and the embankments of the M54. The assessment should identify a safe stand off position from these slopes and a layout plan adhering to these recommendations should be submitted with any full planning applications.

The current retaining wall has been assessed and report provided however its integrity has not been considered with respect to the proposed development. A detailed assessment considering the changes in slope profiles through the whole site and the new loading to the site need to be considered in addressing the retaining structures suitability.

There is no supporting earth works information to this application. A detailed method statement including a cut and fill analysis would be required. This must include a demonstration of the temporary stability of the site during the works. All newly proposed slopes must be supported by a full slope stability analysis. Any consideration to compaction on the site must follow Series 600 with all details conveyed in the method statement.

Spoil material can give rise to contamination. A detailed contamination investigation must be undertaken in line with the requirements in condition B57. This will include gas monitoring.

The foundation design of each proposed unit will need to be submitted in full for approval prior to work commencing on site.

Arboricultural Officer: There are a number of individual trees and groups within the proposal that have been identified to be removed to facilitate the development.

To ensure that the correct trees are removed, these should be clearly identified and highlighted via marker paint.

Although T4, has been highlighted as Category A, in relation to BS: 5837 (2005). Forethought should be given to its removal, it is a Hybrid Poplar, and it is growing South East of the development proposal, the tree has the potential to double its size and spread which may lead to sunlight issues in the future, it is also growing adjacent to a footpath and the M54 which may lead to tree safety issues.

If consent is afforded to the application, then the following conditions should be imposed;

- Trees – protective,
- Details of enclosure
- Details of Earthworks,
- Landscape Management & Maintenance Plan,
- Trees – No Burning.
- Trees – Soil Levels.
- Trees – Materials Storage.
- Landscape Implementation Hard & Soft,

Highways: No objections to the proposals. I do however have the following comments on the proposals:

1. The dropped kerb for unit 6 needs to be widened to allow sufficient manoeuvrability on and off the driveway due to the reduced road width as a result of the build out feature. This however can be dealt with under condition relating to footway construction detail.

2. Double yellow lines are indicated on the application plans but I would only wish these to be implemented if necessary via a S.106 contribution of £5000, which is to be made on first occupation of the site. The money will be held for 5 years and if the yellow lines are not required after this period the monies will be repaid. To note, any yellow lines have to be implemented under a traffic regulation order by the local authority and not by the developer as part of planning application.

I recommend the following highway conditions

- Parking/Turning/Loading
- visibility splays of a depth of 2.4m and a length of 43m from the centre point of the junctions

- Footway across the frontage of the site will be widened to 1.8m.

Informative

- Highways

Parks and Open Space: have no objection to the application subject to the proposed condition of securing Recreation upgrading off site open space in vicinity at £5000

Ecology: From the mitigation measures provided in the 2010 ecological surveys by Peak Ecology and TEP, I recommend the following conditions and informatives:

Conditions

- Bat, Bird and Invertebrate boxes
- Planting scheme
- Lighting Strategy

Informatives

- Japanese knotweed treatment
- Retention of habitat features
- Nesting birds (vegetation)
- Hand stripping of ivy
- Hand removal of brash piles
- Badgers
- Refuges
- Update survey
- Ponds

Sustainability: There are some very positive sustainability aspects of the residential development, for example the residential aspect of the development is being built to Code for Sustainable Homes (CSH) Level 4 as a minimum standard. This standard of CSH level 4, should be conditioned.

However, greater consideration by the developer could also be given to the four storey care home. A statement is required in the design and access statement where the developer should look to explain how they believe they have developed a valid and sustainable design solution for the care home. One of the most effective ways of securing a more sustainable development, and reducing climate change emissions, is to develop care home buildings to achieve BREEAM standards. Minimum proposed standards of BREEAM “Very Good”, with a requirement to consider “Excellent” should be recommended.

Shropshire Fire Service: No objection subject to informatives

THIRD PARTY REPRESENTATIONS

There are four letter of objection to the proposal and the issues can be summarised as follows:

- Loss of privacy through overlooking
- The design of development is not characteristics of the local area
- There is a lack of adequate parking provision

- The road already has traffic and congestion issues, this will exacerbate problems
- This development would be 80 units on a cul de sac site with no alternative access
- Cars reversing from drives onto Shifnal road will cause delay and danger
- Care home constitutes overdevelopment of the site, due to the size and number of occupants.
- Sewerage and surface Water Disposal, The application states that sewerage will be disposed of into the mains drainage, there is no mains sewerage to the site so the application should be refused.
- The sewage connections in the area cannot handle the current capacity and already block to our premises on a regular basis
- Intrusion of adjoining properties, the four story care home block will dwarf adjoining properties.
- Proposal will affect the value of the adjoining properties.
- Gross over development of the site; the site is excessively over developed, building a four story care home and 6 detached houses.
- Design criteria, the adjoining properties are either Victorian in design or complementary design. the design would not be in keeping with the current surroundings.
- The design of the main building is incompatible with the surrounding properties and will dominate the landscape in what is a historic residential area. It will mar the street scene due to size at four storeys, design and appearance does not fit in with residential area and has the appearance of a detention centre, location – nearer the front of the site
- The design of the 6 detached dwellings are incompatible with the surrounding properties, due to Flat roofs, white painted garage doors, design and appearance. Also are they for staff? If not they will not sell due to location
- Destruction of TPO trees, the previous application made provisions for this in retaining the most important trees and protective measures for these trees. This has been ignored by the application.
- There will be loss of habitat
- A nursing home or similar usage would be a 24 hour operation, which will lead to a number of issues that will affect the existing local residence; 24 hour noise from visitors, staff, commercial, public service vehicles and ambulances (some using sirens), Light pollution and parking and traffic management
- There are more suitable sites for a nursing home are available within the area. For example, the land opposite HMRC at the Priorslee roundabout is large and open with plenty of access and has buildings nearby of a similar appearance. Building what would for all intents and purposes be a large commercial premises in a residential area should not be acceptable

PLANNING CONSIDERATIONS:

Principle of development and green network

Most of the site is shown as 'white land' on the Wrekin Local Plan where residential development is considered to be acceptable in principle. A small part along the southern boundary is designated as Green Network on the Local Plan. The planning permission granted to Telford Development Corporation in 1985, which remains extant, also establishes the principle of residential development on this site.

National planning policy framework (NPPF) has a presumption in favour of development on sustainable locations thereby promoting the efficient use of land, promotion of mixed use development, conservation and enhancement of the natural environment. Furthermore, housing development should deliver a wide choice of high quality homes to create sustainable, inclusive and mixed communities.

Officers consider that in principle the site is suitable for residential development, as it meets the aspiration of NPPF by proposing a mixed use development, includes retention of the part of the site designated as green network with enhancement to biodiversity and represents an efficient use of the land. Furthermore, the development will provide decent affordable housing with a mix of type and size to meet local needs in accordance with policy CS1 of the core strategy and policies H6 and OL3 of the Wrekin Local Plan.

Layout, scale and design, impact on neighbouring properties

The proposed layout comprising 6 number two storey dwellings along the northern boundary would help to create a strong street frontage, which whilst set back from the footpath to allow for access for parking, continues the character of development to the east of development facing the street. Within the rear of the site, located behind the houses is a four storey care home in an L-shaped configuration, and set into the slopes of the site. It is noted that a number of objections have been raised regarding the issue of over development of the site; however, Policy H6 (Wrekin Local Plan) requires site of between 0.4 and 1 hectare to generally be of higher density. Officers consider that the proposal is an efficient use of the land and will significantly boost the supply of residential housing in accordance with guidance in NPPF. Furthermore, the proposal is for a mix of housing to serve a wider community, an approach encouraged within NPPF.

NPPF states that good design is a key aspect of sustainable development, and should positively contribute to making places better for people, with high quality and inclusive design. Planning should not impose architectural styles or particular tastes and should not stifle innovation. Development should however seek to promote or reinforce local distinctiveness.

The design of the proposed dwellings is a modernistic interpretation of the Victorian dwellings adjacent to the development, rather than a pastiche

replica. The dwellings are flat roofed with a strong red brick, tall narrow windows to reflect the vertical emphasis of the building, with one large window to replica bay windows. A deep reveal to the windows and doors is to give depth and shadowing and add interest to the building rather than using more traditional window cill and headers. The scale of the dwellings are wider, but shorter than the existing Victorian dwellings, but have sufficient height and vertical emphasis to reinforce the character of the area.

The design of the care home take is again flat roofed, with a stepped nature to take into account changes in ground levels. As the dwellings to the west are set on significantly higher ground the height of the care home is level with these properties. To the east properties are lower, but the building is pulled away from this boundary and separated by a public footpath. Given the physical separation from side boundaries, being set well back into the site and sloped nature of the site, officers consider that the scale of the property is appropriate and in keeping with the street scene and character of the area

The eastern elevation contains no windows in the main flank wall facing neighbouring properties to the east; furthermore there are no windows at the second or third floor levels in the western elevation. There are three bedroom windows on the first floor, but this is level with the ground level and given the separation from the boundary, and the level of screening with fence and planting, these are considered acceptable. Officers are satisfied that windows have been sensitively located on the northern and southern elevations to ensure no adverse impact on the amenities of occupiers of existing dwellings in terms of loss of privacy and overlooking. To ensure that this is retained, a condition removing permitted development rights to insert new openings in these elevations is considered appropriate.

In summary officers consider that the proposal respects and responds positively to the context through high quality design, with an integrated design which respects the landscape setting and topography, reinforces the existing street pattern and produces a safe and secure environment, in accordance with policy UD2 of the Wrekin Local Plan, CS15 of the LDF core Strategy and design guidance in NPPF.

Highways

Previous proposals have sought to install the access to the northern eastern corner of the site, as the ground levels are more akin with the existing road. However, for this level of development and given the proximity of the public footpath, the highways engineer had concerns about levels of visibility. The proposal is for a more central access point, which achieves the necessary visibility splays, does not impact on existing road calming features and will assist in creating a focal square for the new development. The development is therefore considered to accord with policy UD2 of the Wrekin Local Plan, CS15 of the core strategy and guidance in NPPF>

Residents have raised an issue with on street parking and officers recognise that this should be avoided. The proposed development provides 2 parking

spaces for each of the 6 dwellings, with two visitor spaces at rear along with a further 9 spaces (including 3 disabled spaces) for the care home. This level of parking provision accords with guidance and is considered acceptable by officers. Officers have requested £5000 to be held by the council to monitor the development and if necessary seek a traffic regulation order and install double yellow lines in the vicinity to ensure the proposal does not adversely impact on free flow of traffic along Shifnal Road. The development also includes cycle storage facilities to assist in the promotion of sustainable model of transport.

Ground conditions

The proposal is supported by the geotechnical report, given the previous quarrying use of the site, and potential for land contamination in the made ground. The report is clear that the site has no record of abandoned mine entries or areas affected by shallow mining. The ground is largely made up ground following reclamation after sandstone quarrying. As the make up of the ground is not known, there is potential for gas emissions. Due to the ground conditions, Officers recommend conditions for a detailed land contamination investigation, which would include gas monitoring.

The site is a colliery spoil mound. The council does not routinely allow development on spoil mounds. The geotechnical officers have advised that the developer must demonstrate that the whole site is stable and will remain stable in respect to the proposed development. A full slope stability assessment is required prior to determination of any application at this site. This should also include an assessment of newly proposed slopes, and the embankments of the M54. The assessment should identify a safe stand off position from these slopes and a layout plan adhering to these recommendations should be submitted with any full planning applications. The planning officer forwarded this request to the applicants and was awaiting further details. The applicants requested that such matters be dealt with a through use of conditions; however officers considered that this was not appropriate for the size and scale of the development to ensure the long term stability in accordance with policy EH14 of the Wrekin Local Plan.

During the determination process of the application NPPF has come into force. Whilst existing policies in the development plan, in this case the Wrekin Local plan, are still to be accorded with new guidance is a material consideration in the determination of applications. The guidance further explains that full weight should be given to existing policies provided they conform to NPPF or where there is limited conflict.

In other cases the weight given to existing policies relates to the level of accordance to NPPF.

NPPF in Paragraph 120 states that 'to prevent unacceptable risks from pollution and land stability, planning policies and decisions should ensure that new development is appropriate for its location. ... Where a site is affected by

contamination or stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The information previously requested was to satisfy policy EH14 of the Wrekin Local Plan, and whilst this policy is still relevant. It is considered by officers that this policy does not fully conform to the NPPF and the approach within NPPF should be given greater weight.

Given the previous planning history for the site and as a consequence of the change in policy, officers are no longer requiring this information on land stability prior to determination other than in exceptional circumstances and recommend details to be submitted as conditions prior to commencement of development, and will need to include foundation designs.

The current retaining wall has been assessed and a report provided. However its integrity has not been considered with respect to the proposed development. A detailed assessment considering the changes in slope profiles through the whole site and the new loading to the site will need to be considered later so that the suitability of the retaining structures can be addressed.

There is no supporting earth works information to this application. A detailed method statement including a cut and fill analysis will be required. This must include a demonstration of the temporary stability of the site during the works. All newly proposed slopes must be supported by a full slope stability analysis.

Drainage

The proposal includes the use of soakaway to control surface water. There is concern that due to the former use of the site, the ground conditions appear to be allowing surface water to soak away. That said, there is no guarantee that this water is reaching the underlying sandstone and leaving the site. In addition there is no guarantee that the direction of large volumes of surface water to specific areas as a result of the creation of soakaways will not have an effect on inundation settlement of the fill material. Any houses within influence of the associated settlement may not be able to tolerate the total or differential settlement. Even infrastructure or buried services may be seriously affected.

The Council's Engineers have raised concerns that the drainage solution will impact on ground stability and foundation design, but as discussed above NPPF is clear that such issues are the land owners and developers responsibility to ensure safe development.

Although the use of surface water soakaways may be permitted on this site, any foul flows produced by the development must be directed to either the public sewer in Shifnal Road, or a separate private gravity system (with the agreement of each user). Details on the proposed method of foul water disposal should be submitted for approval. Officer considers that issues of drainage can be adequately covered through appropriate conditions.

Noise and Air Issues

In view of the fact that the rear boundary of the application site is approximately 50 metres from the M54 Motorway a noise assessment has been carried. This assessment concludes that noise levels from road traffic on almost the entire site, during both day and night, fall within noise exposure Category 'B', which is generally considered acceptable for residential development, albeit with appropriate mitigation measures to ensure adequate levels of protection. A 3m high economy acoustic green barrier consisting of 120mm rock delta core, covered in woven willow is to be erected within the tree belt to the rear of the care home to provide acceptable amenities for future residents. The design of the barrier with the willow is considered appropriate within this natural setting.

The proposal is supported by an air quality assessment which recognises that the construction of the development will give rise to dust and potentially impact on air quality; this can be mitigated through appropriate conditions. In terms of long term impacts, the potential exposure to poor quality area from road traffic emissions is not considered an issue with the development and the site is deemed suitable for development in terms of air quality, in accordance with guidance in NPPF.

Trees, Ecology and Landscaping

The development will result in the loss of some trees on the site, but due to the nature/type of the trees, they are no longer protected. Furthermore, none of the trees are considered potential for bat roosts. So there is no objection in principle to the loss of some of these trees which are categorised as low or moderate value with those trees surveyed as having the best quality shown for retention in the scheme. This loss can be mitigated through appropriate planting and management of retained trees. There are protected trees on land adjacent to the proposal, and to ensure these are retained without damage, officers recommend a number of conditions. The development therefore accords the policy OL11 of the Wrekin Local Plan.

The site does not have any protected species within it or nearby. The existing hedgerow along the eastern boundary is species poor and the woodland has been intensively managed. Whilst the site is not botanically diverse the loss of broad leaved woodland represents a loss of biodiversity value, however there will be a low impact on the habitats network. Any trees identified as having potential for bat roost are in the north west of the site and are to be retained. The impact on biodiversity of the development can be mitigated through the retention of some trees, use of native hedgerow species and new tree planting. Officers consider that this is acceptable and recommend conditions to secure the appropriate mitigation.

The development is accompanied by a detailed landscaping plan, which has utilised the willow acoustic barrier to define distinct areas. The views from the public footpath will be retained with trees retained and enhancement planting

and management. Within the site some areas of clearance are proposed to create paths and lawns for the enjoyment of care home residents for recreation, whilst retaining the green character and accords with green network principles. The landscape plan has also incorporated the recommendations for the mitigation of impacts on trees and biodiversity. The development therefore accords with policy OL11 of the Wrekin Local Plan, CS12 of the Core Strategy and guidance on biodiversity and natural environment in NPPF.

Sustainability

The proposed development contains some very positive sustainability aspects of the residential development, for example the residential aspect of the development is being built to Code for Sustainable Homes (CSH) Level 4 as a minimum standard. Officers recommend that this should be conditioned.

However, greater consideration by the developer could also be given to the four storey care home. An effective ways of securing a more sustainable development, and reducing climate change emissions, is to develop care home buildings to achieve BREEAM standards. Minimum proposed standards of BREEAM “Very Good”, officers consider that this is reasonable and suggest this is controlled by condition.

Planning Obligations

The proposed development will have an impact on services and facilities in the locality which need mitigation. The development will led to a requirement for recreational facilities, as the site is not sufficient to accommodate such facilities parks and open space have request a contribution of £5000 to upgrade existing facilities in the vicinity of the site.

With regards to highways as discussed above there maybe future issues of on street along Shifnal Road, and to mitigate such impact a sum of £5000 is requested to undertake a Traffic Regulation Order and provide double yellow lines to mitigate the impact on highway safety.

A further £2500 is requested for financial planning and monitoring in relation to the S106 agreement.

Conclusions

The development is acceptable in principle due to historical consents for residential development and the reuse of white land as designated in the local plan in this sustainable location.

The scale and layout of the development takes advantage of the topography of the site and exploits the sloped nature to provide a substantial building (care home) which does not dominate the streetscene. The residential dwellings give a strong street frontage to reflect the character of adjacent properties.

The design of the dwellings is contemporary in nature, but includes an interpretation of detailing of adjacent properties and is an innovative approach, which reinforce the character and appearance of the area. Officers consider that this is acceptable as it is not the role of planning authorities to limit architectural design or impose particular tastes.

The issue of impact on adjacent properties has been raised and the design of the buildings has had full consideration to these relationships to ensure no adverse impact on amenities of future occupiers.

The development seeks to retain and enhance the area of the site designated green network and improve access and use for recreational purposes in association with the development. Issues relating to trees, ecology and landscaping have been adequately considered and mitigation can be controlled through conditions.

Other technical issues such as Noise, air quality, ground conditions and drainage have been considered and again can be mitigated through conditions.

RECOMMENDATION: to subject to the signing of a S106 agreement for £5000 for recreational facilities, £5000 for highways and £2500 for financial planning and monitoring GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 Time limit
2. B11 Samples of materials
3. B12 Brick Samples
4. B42 Parking turning and Loading
5. BCustom Footpath details
6. B56 Soil gas
7. B57 Land contamination
8. B58 Slope Stability
9. B59 Retaining structures
10. B62 Surface water drainage
11. B75 Greenfield run off rates
12. B125 Details of earthworks
13. B127 Landscape management and maintenance plan
14. B130 Trees protective fencing
15. B145 Lighting strategy
16. B146 Planting scheme
17. B150 Site Environmental Management Plan
18. BCustom Sustainability levels
19. C14 Visibility splays
20. C50 Completion of noise attenuation
21. C70 Trees no burning
22. C71 Trees soil levels
23. C72 Trees materials storage

- 24. C76 Landscaping implementations
- 25. C92 Update survey
- 26. C100 Bird/Bat and Invertebrate Boxes
- 27. D09 No further windows

Informative

- I06 S106 Agreement
- I11 Highways
- I17 Minerals Area
- I18 Landfill Gases
- I19 Mineral Consultation Area
- I20 Contaminated land
- I22 Protected Species
- I25d Updated survey
- I25j Retention of habitat features
- I25l Refuges
- ICus Japanese knotweed treatment
- ICus Hand stripping of ivy
- ICus Badgers
- ICus Ponds
- I Shropshire Fire Service

REASON FOR APPROVAL:

The development is acceptable in principle due to historical consents for residential development and the reuse of white land as designated in the local plan in this sustainable location. The scale and layout of the development takes advantage of the topography of the site and exploits the sloped nature to provide a substantial building (care home) which does not dominate the streetscene. The residential dwellings give a strong street frontage to reflect the character of adjacent properties.

The design of the dwellings is contemporary in nature, but includes an interpretation of detailing of adjacent properties and is an innovative approach, which reinforce the character and appearance of the area. Officers consider that this is acceptable as it is not the role of planning authorities to limit architectural design or impose particular tastes. The issue of impact on adjacent properties has been raised and the design of the buildings has had full consideration to these relationships to ensure no adverse impact on amenities of future occupiers.

The development seeks to retain and enhance the area of the site designated green network and improve access and use for recreational purposes in association with the development. Issues relating to trees, ecology, landscaping noise, air quality, ground conditions and drainage have been adequate considered and mitigation can be controlled though conditions.

TWC/2012/0034 Stockton House Barns, Stockton, Newport, Shropshire,
TF10 9BA
Conversion of barns and former workshop to form 1no. holiday let and 5no.
units for uses within Class B1. *****Amended Description/Plans Received*****

APPLICANT

Christopher Driscoll

RECEIVED

16/01/2012

PARISH

Chetwynd Aston and Woodcote

WARD

Church Aston and Lilleshall

OBJECTIONS RECEIVED: No

MAIN ISSUES:

Principle of the proposed conversion and rural employment, the historic value and interest of the buildings, new holiday accommodation, protected species on site, highway safety and residential amenity.

THE PROPOSAL:

The proposal comprises the conversion of barns and former workshops to form 1no. holiday let and 5no. units for employment uses within Class B1 (Business.)

Class B1 includes offices, research and development of products or processes, any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area.

The original proposal comprised the conversion to 1 residential dwelling and 5 business units. However, the site is located in a settlement which is not identified for housing and is located within the open countryside, and such development is strictly controlled, unless it is for an 'Affordable' dwelling or for agricultural or forestry workers. Thus, although the business use was supported by policy the residential conversion was not. Hence the proposal was amended to include a holiday let rather than a new dwelling to comply with both local and national policy.

The proposal will retain the two existing access/egress points. One of these is directly off the main road leading from the A41 to the west of the site and it leads to the large open yard area serving the former Granary (more recently used as a workshop - Unit C) and the rear of the livestock buildings, which are shown as Unit B. There is a large open sided pole barn in the yard area which is to be demolished as part of the scheme proposal. It is intended that this access serves the 5 commercial (B1) units in Units B & C and that parking areas are be provided adjacent to the units with an overspill/visitor parking area also available. The 4 units in Unit B will be tenanted and Unit C will be used be used by the applicant to relocate his business. The units are to be served by a tarmacadam loop road around the perimeter of a soft landscaped area where indigenous trees are to be planted and a grassland area created. This are will also provide the drainage field for the new sewage treatment plan proposed to serve the commercial units.

This layout minimises any potential disturbance to the occupiers of Stockton House from the vehicular movements associated with the proposed commercial units. Unit A will be a holiday let, Unit C lends itself, physically, to a single unit and is anticipated to be occupied by the applicant's business administration personnel. Unit B will be divided into 4 separate units. The scheme drawing shows how the internal spaces could be used as offices with associated services and storage areas, but the spaces created could also be utilised for other B1 uses (research & development; light industrial etc). The first floor roof space of the most northerly unit is dedicated to accommodating bat roosts as per the recommendations of the ecology report supporting the application.

SITE AND SURROUNDINGS:

Stockton House Farm is located on the edge of the hamlet of Stockton near the Shropshire border with Staffordshire. It is approximately 2 miles from Newport, 8 miles from Telford and 7 miles from the M54 (junction 3). The existing dwelling comprises a large impressive 7 bedroomed period farmhouse with private garden to the sides and rear and an extensive range of rural vernacular single and two storey brick and tiled farm buildings arranged in a traditional 'U' shaped courtyard area to the front of the house, with a secondary courtyard and large yard area to the west. The land associated with the site extends to 2.72 acres, the majority of which lies to the front (south) side of the site between the lane and the rear of the principle courtyard of buildings. The site is accessed off the A41 via a narrow country road for 0.4 miles. There are two existing accesses; there is a driveway along the western boundary of the site leading to the secondary yard and the existing farmhouse access is to the east of the site.

Ordnance Survey plan evidence indicates that the range of barns at Stockton House originate from at least the early 19th century. The barns have historically been used for dairy and livestock farming, with the first floor level providing hay and feed storage with brickwork slits and small windows at low level for ventilation. Latterly the barns have been used for various commercial uses but have been vacant for approximately 10 years and are showing early signs of decay and neglect.

The area is sparsely populated with only 10 or so residential properties and a very large farm (Stockton Grange) located in the vicinity. No.41 Stockton is situated at the rear of Stockton Farmhouse and the end of the rear garden belonging to no.41 is some distance away from proposed Unit C. No's 39 & 40 Stockton are located on the opposite corner of the road which leads to the existing farm house access and proposed holiday let Unit A.

PLANNING HISTORY:

PLANNING POLICY CONTEXT:

National Planning Guidance
NPPF 2012

LDF Core Strategy
Policy CS1 - Homes
Policy CS2 – Jobs
Policy CS7 - Rural Area
Policy CS12 - Natural Environment
Policy CS14- Cultural, Historic and Built Environment
Policy CS15 - Urban Design

Wrekin Local Plan (saved policies):

UD2 - Design Criteria
E6 - Rural Employment
H18 - Conversion of Non-Residential Buildings to Residential Use in Rural Areas
T22 – Planning Obligations

CONSULTATION RESPONSES:

A site notice and 7 direct neighbour letters have advertised the application; a 2nd round of advertising was undertaken following the revised scheme for the holiday let rather than the residential unit. No representations have been received.

The Conservation Officer supports the application subject to conditions that will ensure that existing materials are repaired to match existing (including lime mortar) and that scaled sectional drawing at 1:10 for the new doors/windows are supplied. In addition, new materials such as doors etc. and the finishes will need to be approved by the LPA.

The Council's Drainage Engineer supports subject to standard condition B64 which requires a soakaway test is carried out to determine the suitability of the ground for this type of water disposal. In addition, full designs for the proposed drainage system are required, and details on how surface water will also be dealt are considered necessary.

The Council's Highway Engineer has no objection in principle subject to s106 contributions for road improvements.

The Council's Ecologist has no objection subject to conditions in respect of the erection of nest boxes, to compensate for lost nesting opportunities, and to enhance the site for biodiversity. In addition informatives advising that a Natural England EPS Development Licence is required to carry out the proposed works and that any old nests are removed completely in the winter to discourage birds from reusing them.

Shropshire Fire Authority has advised that it will be necessary to provide adequate access for emergency fire vehicles, and a sprinkler system and that the holiday let accommodation is inappropriate although it conforms to current Building Regulations if used as a single private dwelling. However, due to the proposed use as holiday let the premises would fall within the scope of The Regulatory Reform (Fire Safety) Order. An informative will advise of this matter.

PLANNING CONSIDERATIONS:

Principle of the proposed conversion for rural employment

Policy CS2 states that to create sustainable communities we need to deliver new jobs sufficient to create a dynamic and widely based economy in the Borough and provision should be made to offer a choice of work opportunities for the community to reduce levels of out commuting. The Core Strategy also recognises that there is a lack of sites for start-up and micro businesses. The commercial element of this application is to enable the occupier of the Stockton Farm house to move his existing business from Albrighton to the site thus reducing his need to travel and bringing employment opportunities to the area. The proposal also provides 4 additional small units to help plug the current deficit in the provision of such units. The proposal is therefore considered compliant with policy CS2. Moreover, policy E6 considers rural employment in general; it states that rural employment must be located in existing rural buildings and in or adjacent to a settlement. The Council is required to balance the desire to promote rural employment with the need to protect the existing character and fabric of the countryside. In this respect the proposal is deemed compliant as it will be utilising the existing vacant buildings associated with a previous farm and the site is within the small settlement of Stockton.

Although not strictly relevant because policy H18 of the WLP deals with conversion of rural buildings to residential use, it is worth noting that *inter alia*, policy H18 requires that efforts have been made to secure suitable business re-use, before conversion to residential can be considered as a last resort. Moreover, buildings must be of permanent and substantial construction, development must not prejudice town or village vitality, the design of the conversions must be in-keeping with the surroundings, and conversions must be achieved without major or complete reconstruction. With this in mind the conversion of the buildings to business use must then be deemed acceptable as this is preferable to a residential use. In addition paragraph 28 of NPPF states that planning policies should support the sustainable growth and expansion of all types of businesses and enterprise in rural areas, through conversion of existing buildings. Whilst the site cannot strictly be described as a 'sustainable location' in housing terms, it is within easy reach of both Telford and Newport and the M54 only being 400m off the A41, and it involves the re-use of otherwise under-utilised buildings within an existing farmyard in a rural settlement.

Historic value and interest of the buildings

The existing buildings have significant architectural details and merit including dog tooth dental courses, brick arched headers to the window and door apertures, handmade facing bricks laid in both Flemish and English bond coursing and locally sourced clay tiles. In particular the main roof which survives in original condition includes impressive king post trusses, purlins and bracings. Overall, the historical farmstead and the buildings make a fundamental contribution to the character and appearance of the countryside in a fairly prominent position.

Though the site itself is not listed, the barns represent a good survival of a typically early 19thC regular courtyard plan. Typically these types of buildings were built at broadly the same time and were designed with specific functions within that courtyard. This can be seen to some extent within the surviving buildings with hayloft, cart sheds and animal sheds within the group.

The continued survival of this clear grouping is of historical interest and it is considered that the proposal is a sensitive approach in that the external development has sought to re-use only the external openings already present, leaving much of the original external fabric intact. The re-designs of the openings seek to reinforce the original apertures; which is preferable to the existing doors which in some cases have been poorly altered in recent times. The retention of most of the units for work related purposes is always preferable and is a more suitable form of use than residential which can place greater pressure on the original fabric.

The proposed cut in the 1 storey former cart shed joining to two principle barns is acceptable as the wall is retained to ensure that sense of an enclosed courtyard. As it stands the roof on this section is a poor quality replacement, but the original wall is of importance. The structural report accompanying the application concludes that the buildings are generally in a sound state and can be converted without any major structural or rebuilding works. Accordingly, on balance the proposed use and the design of the scheme is a reasonable solution to ensure the continued use and therefore preservation of the barn group. Therefore, the proposal is deemed compliant with policies CS14 & CS15 of the Core Strategy which seek to protect and enhance the historic environment within the Borough and strengthen local identity and project a positive image, and national guidance contained within chapter 12 of NPPF which aims to conserve and enhance the historic environment.

Holiday accommodation

Having regard to the submitted structural report and the scheme detail, the buildings are clearly capable of conversion without substantial reconstruction and the conversion proposals are sensitive to the features of special interest. It is considered that the former dairy building (Unit A) makes a significant contribution to both the street scene and also the character of the locality, as well as having historical and architectural interest.

Unit A lends itself to a residential conversion scheme allowing the retention of the important and original king post trusses. The proposal maintains the existing access to this building off the cul-de-sac to allow for gravelled parking within the courtyard area with the remaining area predominantly surfaced with brick paviours. On the western side of Unit A it is proposed to re-surface the expanse of the inner courtyard with brick paviours replacing the existing concrete and demarcate an area immediately to the rear of the unit by a low brick wall to provide some amenity space. Additionally, more private, amenity space is proposed to the south of the unit, accessed via the open fronted store building, which is to have its corrugated iron replaced by tiles to match the barns, and from the converted barn itself. This would be a

predominantly lawned area demarcated by a new hedgerow made up of a mix of indigenous species. The proposal is therefore compliant with policy CS14 of the Core Strategy which encourages sustainable tourism related development in the Borough which will bring this local and fairly interesting vacant building back into useful occupation, and paragraph 28 of NPPF which supports sustainable rural tourism developments that benefits businesses in rural areas, communities a visitors, and which respect the character of the countryside. Nevertheless, a condition will be imposed to prevent the unit from being occupied as a permanent residential dwelling as this would be contrary to adopted policy.

Protected Species Bats & Birds

The results of the bat surveys indicate that:

- Barn 1 (unit A) supports a small summer roost of common pipistrelles. A maximum of four bats were recorded during the surveys. The roost is thought to have low conservation significance.
- Barn 2 (unit B) supports a small summer roost of common pipistrelles. A maximum of two bats were recorded during the surveys. The roost is thought to have low conservation significance, and a small brown long-eared bat roost. Up to five brown long-eared bats were recorded using the barn during the surveys. The roost is thought to have low conservation significance.
- Barn 3 (unit C) supports a small summer roost of common pipistrelles. A single pipistrelle bat was recorded during the surveys. The roost is thought to have low conservation significance.

Whilst each of the roosts identified on site have low significance individually, the combined site is thought to have moderate conservation significance locally. Therefore, a European Protected Species licence will be required for works to Barns 1, 2 and 3 (A, B&C). An informative will advise of this matter.

Active swallow nests and nests of other common passerine species were identified in all of the barns on site. Birds were found to be nesting on roof timbers, under eaves, in gaps in walls and gaps beneath roof tiles. Swallows are an amber list bird of Conservation Concern. Under Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010, competent authorities must *have regard to* the Habitats Directive in the exercise of its functions.

The mitigation proposed in the ecological report, when written into a mitigation strategy (as part of the Natural England licence application), will be sufficient to ensure the continuing maintenance of the local bat populations at favourable conservation status. Moreover, the imposition of conditions will require the erection of nesting boxes to compensate for the loss of nesting opportunities and to enhance the bio diversity of the site. The proposal is therefore compliant with policy CS12 which aims to protect and enhance the natural environment of the Borough and national guidance contained within paragraph 109 of the NPPF which states that the planning system should minimise impacts on biodiversity.

Highway safety & s106 contributions

The Council's highway engineer has been in negotiations with the agent due to the increase in vehicular movements that the proposed business use will result in over the narrow section of highway between the A41 to the site. Thus, a contribution of £7,000 has been agreed to fund improvements to passing bays on the road between the site access and the A41. The money is to be indexed and paid prior to first occupation of the units. This contribution will be secured via a s106 agreement. Thus, the proposal is compliant with policy T22 of the WLP which states that '*in all new development, necessary improvements to meet transport needs of the developmentwill be funded by the developer.*'

Residential amenity and impact on adjacent area and properties

The scheme's evolution has had particular regard to the existing site layout; the character of the buildings concerned and their relationship with the existing dwelling (Stockton House) and neighbouring dwellings.

The other point of access/egress is to the south of the building complex, off cul-de-sac road that leads to Stockton Grange. This cul-de-sac serves other residential properties and historically provided the main entrance to Stockton House. It is intended that that remains the case. Unit A (the former dairy), to the south of the entrance has its own vehicular access into the inner courtyard. The relationship of this unit to both Stockton House and other dwellings on its approach along the cul-de-sac suggests that the appropriate re-use would be better as a holiday let rather than commercial. This will avoid any potential disturbance to the occupiers of the existing dwellings from commercial traffic generation. Unit C is significantly distant from the nearest neighbouring dwelling to ensure that the residential amenity currently enjoyed by the occupiers of this property is not adversely effected by the proposed development. Furthermore, it should be noted that the farmyard/outbuildings could resume their existing lawful agricultural use without the need for planning permission and conditional restrictions at any time which, could result in significantly more noise, disturbance and odour than is anticipated by the proposed B1 and holiday let uses. Adequate parking and private amenity space are provided for the proposed holiday let and are unaffected in respect of Stockton House. Accordingly, the proposal is considered compliant with policy UD2 of the WLP and policy CS15 of the CS which consider whether or not a development proposal is appropriate and relate positively to its context.

Conclusion

The Local Planning Authority considers that the proposed development will provide reasonable and viable uses for this historically interesting group of agricultural buildings without adversely affecting the character and appearance of the buildings, the area or the wider landscape. There will be no detrimental effect upon any protected species on the site or residential amenity of the existing Stockton House and other nearby properties and any increase in vehicular movements will be mitigated by the contribution of £7,000 towards improvements to the existing passing places over the short stretch of road between the site and the A41. The proposed development will

contribute to the rural economy and tourism with the provision of small business units and a holiday let. In addition the conversion will also provide the applicant with a business unit adjacent his home which will reduce his need to travel. Accordingly, the proposed development is deemed compliant with 'saved' policies UD2, H18 and T22 of the Wrekin Local Plan 1995 - 2006, policies CS2, CS7, CS12, CS14 and CS15 of the Core Strategy 2007 and Government guidance contained within the National Planning Policy Framework and therefore recommended for approval with conditions and a s106 agreement for £7,000.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the applicant entering into a s106 agreement for £7,000 towards highway improvements and subject to the following conditions:

REASON FOR APPROVAL:

The proposed development will provide reasonable and viable uses for this historically interesting group of agricultural buildings without adversely affecting the character and appearance of the buildings, the area or the wider landscape. There will be no detrimental effect upon any protected species on the site or residential amenity of the existing Stockton House and other nearby properties and any increase in vehicular movements will be mitigated by the contribution of £7,000 towards improvements to the existing passing places over the short stretch of road between the site and the A41. The proposed development will contribute to the rural economy and tourism with the provision of small business units and a holiday let. In addition the conversion will also provide the applicant with a business unit adjacent his home which will reduce his need to travel.

1. A04 time limit
2. B19 window and door sections at 1:10 including finishes
3. B62 surface water drainage
4. B64 soakaway test
5. B79 custom drainage system design to be submitted
6. C01 materials match existing
7. C20 parking, loading and turning
8. C49 brickwork repairs
9. C60 metal rainwater goods or similar
10. C76 Landscape implementation
11. C100 nest boxes
12. D01 removal of permitted development for holiday let
13. D05 removal of commercial permitted development
14. D24 holiday let (occupation no more than 4 consecutive weeks).
15. D25 limited use on open storage
16. I06 Section 106 agreement
17. Icustom EA Licence
18. I25a nesting birds (pre-construction)
19. I32 Fire Authority
20. I40 condition
21. I41 reasons for grant
22. RAcustom reason

TWC/2012/0075 Land off, Concorde, Dawley Bank, Telford, Shropshire, TF4 2QB

Change of use from scrubland to raised bed allotments, erection of a secure boundary fence and gate, improved access with dropped kerb, disabled parking and a dry eco toilet container unit ***AMENDED PLANS RECEIVED***

APPLICANT

Melanie Higginson

RECEIVED

26/01/2012

PARISH

Great Dawley

WARD

Malinslee

THIS APPLICATION WAS CONSIDERED BY MEMBERS OF PLANS BOARD ON THE 20TH JUNE AND DEFERRED FOR A SITE VISIT.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, highway safety, noise and odours, drainage, contaminated land, loss of wildlife, trees and closure of footpath.

THE PROPOSAL: The application seeks planning permission to create 'Podmore Gardens Allotment'. It is proposed to create 200 raised beds; each bed would measure 1m deep and 4m wide to be raised 0.60m above ground. An eco toilet will be positioned on the site within a timber clad container. Three composting bays will be located along the south eastern side of the site each measuring 2m by 2m. A storage container will be located to the south eastern part of the site too which will measure 6.6m wide and 2.43m long and will be screened by 2.6m high trellis screened.

It is intended to clear the centre of the site and cover this area with a G90 fast track woven geo-textile membrane and install 200 raised beds on top of the membrane. The beds would be filled with 400 tonnes (approximately) of imported clean soil. The contamination of the ground soil will be heavily advertised to inform all using the site why the site is only to be used with the raised bed system. No areas other than the raised beds will be cultivated or disturbed in any way.

The proposed driveway and parking areas on the site will be covered with approximately 64 tonnes of hard core stone that will also be imported. The site will provide 8 car parking spaces, 3 of which will allocated as disabled parking. Vehicle access will be positioned west of the site across a dropped curb. Pedestrian paths of 1.5m wide will be provided between the rows of raised beds.

In order to make room for the proposed allotment beds a considerable number of trees will need to be removed. Despite the removal of some trees, a significant number will be retained along the sites north, east and southern boundaries.

Further details have been submitted during the application process, and respective local and statutory consultees have been reconsulted during the application process.

SITE AND SURROUNDINGS:

The site is located with the urban area of Telford, situated north of Concorde, opposite highway access into Drayton Way in Dawley; the surrounding area is predominantly residential. The application site comprises of several trees and is somewhat untidy and overgrown. The site area is bound along the south with timber post and rail fencing, the site lies adjacent a main road and is considerably wooded. The site features a walk way which appears to have been created by people short cutting through the site. No vehicle access to the site currently exists. To the north east of the site is a pub and pub car park as well as residential dwellings surrounding the site.

PLANNING HISTORY:

None

PLANNING POLICY CONTEXT:

National Planning Guidance:
National Planning Policy Framework

Saved Wrekin Local Plan Policies

UD2 Design Criteria
EH7 Contaminated Land
LR1 Provision of community facilities
LR4 Outdoor Recreational Open Space
OL6 Open Land
OL11 Woodland and Trees

LDF Core Strategy

CS6 District and Local Centres in Telford & Wrekin Council
CS10 Community Facilities
CS11 Open Space
CS13 Environmental resources
CS15 Urban Design

CONSULTATION RESPONSES:

Great Dawley Parish Council: The Parish Council has no objections, however they have noted that there is no provision for the supply of water, no provision for the erection of sheds and that no details have been provided in relation to composting arrangements.

Highways:

Following receipt of revised plans have no objection to the proposal subject to informative I11

Geotechs:

Historical maps for the site show a well in the vicinity of the proposed container. Development is not permitted over wells. The position of the

container shown is not over the well however the plan is not to scale or set to a grid.

Informatives: I17 & I20 are required.

Drainage:

Support subject to conditions regarding surface water drainage and Brownfield runoff rate would put the following conditions on this application: Standard conditions B62 & B75.

Parks & Open Spaces:

Originally stated there is insufficient detail provided to properly evaluate the proposal. Since the amendments were submitted no additional comments have been made,

Arboricultural:

The tree officer has verbally stated that there are no objections, confirmation in writing has been requested and will be presented to members at plans board accordingly.

Ecology: no objections

Contaminated Land (Environmental Health):

Support subject to Land contamination condition. It is the developer's intention to install a membrane break layer and then import top soil and have the vegetable plots as raised beds. Suggests a condition to ensure the imported top soil is tested prior to development to ensure it is suitable for use i.e. residual chemical contamination is low.

5 neighbour letters have been received with the following comments:

- Lack of parking/congestion
- Concern with potential outbuildings being erected at the site
- Allotment plots available at Woodside
- Not a large demand for allotments in this area
- Loss of habitat and wildlife
- Smell from rotting vegetation
- Worries that if the proposed allotments were to fail would the land become a building plot
- The site will attract vermin and the smell will permeate into surrounding areas. The concern about removal of trees stands as well as the water issues.
- There is also concern over the contaminated land and the use of raised beds. The cost of having the raised bed allotments created does not appear to be value for money.
- The noise level will increase once the trees are removed and the trees, we have been told, were originally planted to create a noise barrier.
- We would rather see the area kept as a wildlife area than to disturb it for allotments.
- Security of homes will be at increase risk from theft

- There are a large number of objections to this application and we would hope that planning would take the actual residents objections into consideration. As the community does not want the allotments, we would hope that the decision would be made on what the community wants. Please do not approve this application.
- Danger for children crossing to Ladygrove Primary School

2 petitions have been submitted, one containing 134 signatures and the other containing 53 signatures.

PLANNING CONSIDERATIONS:

The majority of the site has no land allocation within the Wrekin Local Plan, with only a small segment adjacent to the highway verge protected as Green Network, accordingly the site can be considered for development. In this case the application seeks planning permission to create 200 allotment beds at a site in Dawley. The principle of development at this site is acceptable providing works comply with relevant local and national planning policies. The NPPF states that local authorities should approve development that accords with the development without delay as well as support sustainable development unless any adverse impacts would significantly outweigh the benefits.

The LPA consider an allotment would make good use of this existing site in a way that it would provide the area with new a place to meet and grow plants. This facility would help bring the community together and potentially enhance community spirit within the area, particularly those residents who do not have a garden or want to meet new people. Changing the use of this area would confirm with policy CS10 of the Core Strategy and would contribute to sustainable economic growth in the way of providing a service and jobs that are needed to create and maintain the site. Despite neighbouring objections the LPA consider this proposal will create an attractive environment that will support and improve the quality of life for local residents.

Policy LR1 of the Wrekin Local Plan states that such proposals will be supported by the Council providing the development satisfies other relevant national and local planning policies. This site will be located within Dawley District Centre; the LPA considers this site to be a suitable and appropriate one that will adhere to guidance set out in the NPPF.

With regard to parking, the highways department conducted a car parking study. This study entailed recording the numbers of vehicles parked at other allotment sites in the borough on a dry week day and weekend day to ascertain the number of car parking spaces considered necessary. In addition the applicant submitted the addresses of persons who are interested in the allotment site who live nearby and have said they will walk or cycle to the site. Vehicles will enter the site via a dropped kerb tarmac access along the south west of the site. Taking into account the information submitted in addition to the support of the highways officer it is considered that the site provides an acceptable access and level of parking for the proposed development.

Local residents have raised concerns with the closure of an existing footpath that runs through this wooded site. However, this is a path that has been created through people cutting through and using the site as a short cut route, and is not a formal right of way.

It is accepted that the proposal will result in the loss of a number of trees, however these trees are considered immature, and dense scrub, furthermore the arboriculturalist does not consider these worthy of protection. With regard to ecology, the trees are not mature enough to support roosting bats or nesting owls. Badgers are unlikely to be present on the site, and no evidence of badgers was observed, e.g. setts, trails or latrines. Reptiles and amphibians are also unlikely to be present. There is some potential for bats and owls to forage on the site, but there is better quality foraging habitat in the area so the clearance of much of the vegetation for allotments will not adversely affect these species. In fact, the ecologist considers the proposed allotments will provide an enhancement for foraging bats and birds, as it will open the area and attract a range of invertebrates, particularly if wildflower seed is planted, as suggested during the site visit. The retention and enhancement of tree lines around the site boundaries are proposed to act as screening and this will ensure that potential flight lines are protected and enhanced.

Concerns in regards to noise and smells have been raised, particularly in regards to the proposed eco-toilet and composting bays. The composting bays will be modest in size, located towards the south part of the site. Both the bays and toilet will be set around 10m in from the southern the boundary. Whilst neighbours are concerned with potential smells the LPA must note that the toilet will be well enclosed within its robust structure, it will be well screened by existing, well established trees and separated from nearby properties by a means of a 10m.

Issues regarding draining the site have also been however the Drainage engineer has confirmed that he has no objections subject to conditions. In reference to comments made by the Parish Council, provision for water supply has been made with a water standpipe as well as composting arrangements in the form of a three composting bays which are shown on the amended site plan.

It has been said that the site is contaminated therefore to ensure that food is grown in a safe and proper manner it is the applicant's intention to cover the site with a geo-textile membrane topped with wood chippings. The contaminated land officer has been consulted regarding the application and has raised no objections subject to a soil testing details condition prior to development commences. The applicant has stated that the contamination of the ground soil will be heavily advertised to inform all using the site why the site is only to be used with the raised bed system. No areas other than the raised beds will be cultivated or disturbed in any way.

Concerns in regards to outbuildings being erected at the site have been raised, in light of these comments the LPA can confirm that the decision

notice will be conditioned to ensure additional buildings are not erected without approval from the LPA. The proposed outbuilding will be used to store tools used in connection with the site. The building will be a shared building which will reduce the need for separate buildings. In addition it should be noted that the building will be a moveable structure that will set back from the road and out of view from the main public realm.

Local residents believe that the proposed allotment site will reduce security for surrounding properties. The LPA however considers that the allotment site will be more open to the public with regular comings and goings and would appear more open in character, unlike a dark wooded, isolated area, The site would continue to be screened along its boundary edges with existing trees therefore the LPA do not believe security to justify a reason on its own to warrant refusing this application.

The case officer acknowledges that some local residents may not want nor need an allotment garden at the site however the LPA must emphasise that these reasons would not warrant a reason for refusal under planning grounds. This is not a planning matter. The LPA do not believe an allotment site will have a detrimental impact on the surrounding area; therefore the principle of the development is acceptable. The site is sustainably located within Dawley and the layout of the site with associated parking, vehicle access, water supply and composting is considered acceptable and in keeping with the character and appearance of the area. The proposal will not have a detrimental impact on the residential amenities of adjoining occupiers. The proposed new access can be accommodated without detriment to highway safety. The existing character of the site shall be maintained in the street scene with the retention of trees to the south and east. Accordingly, the proposal complies with national and local planning policy.

RECOMMENDATION: to GRANT PLANNING PERMISSION

A04 – Time Limit

BCUSTOM – Prior to development top soil will be tested

B062 – Surface water drainage

B075 – Greenfield run off rates

C079 – Suitable Contractor for tree removal

C38 – Development in accordance with approved plans

I11 - Highways

I17 – Minerals Area

I20 – Contaminated Land

I25M – Nesting Birds (Vegetation)

I35CUSTOM – No additional structures/outbuildings

I40 - Conditions

I41 – Reason for grant

RACUSTOM – Custom reason for approval

REASON FOR APPROVAL:

The principle of the development is acceptable. The site is sustainably located and the layout of the site with associated parking, landscaping is considered

acceptable and in keeping with the character and appearance of the area. The proposal will not have a detrimental impact on the residential amenities of adjoining or proposed dwellings. The proposed new access can be accommodated without detriment to highway safety. The existing character of the site shall be maintained in the street scene with the retention of trees to the south and east.

TWC/2012/0143 Land at junction of Moss Road/Rookery Road,
Wrockwardine Wood, Telford, Shropshire, TF2 7BL
Demolition of 2no. dwellings (The Nyth and Erindale) and erection of a block
of 13 apartments with associated car parking and amenity area

APPLICANT

Andrew Cockayne

RECEIVED

22/02/2012

PARISH

Wrockwardine Wood and Trench

WARD

Priorslee

CLLR IAN FLETCHER HAS REQUESTED THIS APPLICATION BE
DETERMINED BY PLANS BOARD.

OBJECTIONS RECEIVED: YES.

MAIN ISSUES:

Principle of Development, design and appearance, highway safety, residential amenity, impact on TPO'd Monkey Puzzle tree and protected species, s106 contributions.

THE PROPOSAL:

This is full application for the demolition of a pair of semi detached dwellings (The Nyth and Erindale) and the erection of an 'L' shaped 2-3 storey block of 13 apartments with associated car parking and amenity area. The apartments comprise 2 bedroomed units with a kitchen/diner, lounge and bathroom. Each apartment has patio doors of the main living room and the 1st and 2nd floors have Juliette balconies too. There is a shared 250 sq.m. amenity space to the rear.

There is an extant planning permission for 4 dwellings (W2010/0060) adjacent the proposed apartment block which will share the proposed access.

SITE AND SURROUNDINGS:

The application site is designated as "white land" in the Wrekin Local Plan, and is located in the built up area of Telford.

Erindale and The Nyth is a very large traditional style building which was originally a Coaching Inn, then tied housing owned by British Coal and latterly 2 private dwellings. The premises are currently vacant and the surrounding land overgrown and unkempt. The site is located on the corner of Moss Road and Rookery Road.

There is an existing vehicular access off Moss Road and a large area of tarmac to the front and left (north west) of the property, and a large mature TPO'd Monkey Puzzle tree located at the front of the existing building. There is a hedgerow and a row of pollarded Beech trees to the front boundary, some of which are showing signs of decay and a large area of un-utilised land located to rear, at much lower level, bounded by a substantial row of conifers to the side and rear. The area of open land to the rear (the

eastern half) is not in the ownership of the applicant. The northern half benefits from planning permission (W2101/0060) for the erection of 4 detached dwellings. The aforementioned Beech trees are to be removed as part of the previously approved application W2010/0060.

Rookery Road runs along the southern boundary to industrial units beyond. There is a known mineshaft on the adjacent site and a sewer crossing the rear of the site, and Green Network land to eastern boundary of site. Moss Road has a varied mixture of ages, styles and designs of single and two storey properties.

PLANNING HISTORY:

W88/0233 Erection of 3 detached dwellings OLR – 21/06/88.

W89/0725 Erection of 3 detached dwellings FG – 12/02/90.

W91/0596 land filling of garden with sub soil and inert builder's rubbish
Withdrawn - 11/06/92.

W91/0617 tipping of imported sub soil Withdrawn – 11/06/91.

W91/0841 Erection of a dwelling FG -13/12/91.

W93/0006 erection of 3 dwellings (renewal of W89/0725) OLG – 23/02/93.

W96/0051 Residential development OLG –19/03/96.

W99/0076 Renewal of O/L permission W96/0051 for residential development
OLG – 26/03/99.

W2001/0220 single dwelling and integral garage FG – 30/04/01.

W2005/1509 three 3-4 bedroomed dwellings and new access OLG –
03/03/06.

W2008/1316 Erection of 4no. dwellings (full planning), Withdrawn – 29/01/09.

W2009/0189 Erection of 3no.detached dwellings with new vehicular access
(outline application) renewal of planning permission W2005/1509 OLG -
21/04/09.

W2009/0632 erection of 4 dwellings and new access Withdrawn – 25/09/09.

W2010/0060 Erection of 4no. dwellings FG – 23/04/10

TWC/2011/0395 Erection of 6 dwellings and 22 apartments Withdrawn –
02/08/11.

PLANNING POLICY CONTEXT:

National Planning Guidance

Nation Planning Policy Framework 2012 (NPPF)

Saved Wrekin Local Plan Policies

EH7 Contaminated Land

EH14 Land Stability

OL11 Woodlands and Trees

H6 Windfall Sites in Telford & Newport

H22 Community Facilities

LR4 Outdoor Recreation and Open Space

LR6 Developer Contributions to Outdoor Recreational Open Space Provision
Within New Residential Development

UD2 Design Criteria

LDF Core Strategy

CS1 Homes
CS5 District and Local centres in Telford
CS9 Accessibility and Social Inclusion
CS12 Natural Environment
CS13 Environmental Resources
CS15 Urban Design

CONSULTATION RESPONSES:

Wrockwardine Wood & Trench Parish Council objects to the proposal and have made the follows comments:

- The Council are concerned that there will be a significant increase of traffic on a very busy road.
- The development increases the need for the traffic light scheme at the end of St. Georges Road.
- The junction of Rookery Road with St. Georges Road needs upgrading, it is heavily overused.
- The Waterways on this site need safeguarding.
- The Monkey Puzzle tree on site should be considered.
- This whole area needs tidying.
- The development of the area seems to be 'piecemeal'.

Cllr Ian Fletcher objects to the development on the following grounds

- Over development of site
- Increase in amount of traffic onto Moss Road when combined with adjacent development for 4 houses
- Development will damage Monkey puzzle tree which is TPO'd.

The Council's Drainage Engineer has no objections to the proposed development, subject to conditions which require the submission of foul and surface water details, that soakaway tests are undertaken to demonstrate the suitability of the site for soakaway drainage and that any soakaways are located more than 5m away from any boundaries, buildings and the highway.

The Council's Arborist initially objected to the application as it failed to take into account the future growth to the TPO'd Monkey Puzzle tree growing at the front of the existing building. However, amended drawings have been received which now address the Arborist's concerns and thus the objections have been withdrawn subject to the imposition of conditions to ensure that the tree is not compromised during the construction phase and the long term health of the tree is preserved. These include the submission of a Landscaping Design; Service runs & planting plans, the erection of Tree Protective Fencing, details of trees & services, A 'No Dig' Method adjacent the TPO'd tree, no burning on site, no alteration to the soil levels adjacent the TPO'd tree, no material storage beneath the tree and the implementation of the hard and soft landscaping plan.

Furthermore, to ensure that the TPO'd Monkey Puzzle is adequately protected throughout the construction process an Arboricultural Method Statement detailing the schedule of works on site will be required.

The Council's Highways Engineer had no objections in principle to the proposed development, subject to a condition which requires full access details including the layout, construction, and visibility splays to be submitted to and approved by the Local Planning Authority prior to the commencement of the development. Moreover, an informative will advise the developer to contact the Council's Highways & Transport Maintenance department prior to commencing works on the adopted highway.

The Council's Geotechnical Engineer has no objection subject to conditions in respect of shallow mining and contaminated land and gas mitigation measures given the mining history of the site and the known mineshaft.

The Council's Parks and Open Space Officer requires £600 per 2 bed property minus the existing 2 dwellings which are to be removed (11 in total) provided prior to commencement of development.

The Council's Education officer has requested a £27,005 contribution towards education facilities in the vicinity of the development (£16,798 for primary schools and £10,207 for secondary schools) given the number and type of dwellings proposed.

The Council's Ecologist has no objections subject to conditions which require the erection of nest boxes to compensate for lost nesting/roosting opportunities, and a planting scheme to enhance the site for biodiversity. In addition informatives advising that a Natural England EPS Development Licence is required for the proposed development. A pre-commencement badger check and nesting Birds (vegetation) are also recommended. Other informatives suggested are vegetation cutting, trenches, enhancement planting, lighting and green roofs.

Shropshire Fire Authority has suggested informatives in respect of Access for Emergency Fire Service Vehicles, and Water Supplies for Fire fighting and Sprinkler Systems - Residential

Severn Trent Water has no objection subject to a condition which requires the submission of foul and surface water details.

A Site Notice a 13 direct neighbour letters have publicised the application; no representations have been received.

PLANNING CONSIDERATIONS:

Principle of Development

NPPF gives Government advice on new housing developments, amongst other issues it states that housing applications should be considered in the

context of the presumption in favour of sustainable development. The mix, type size and tenure of housing should reflect local demand.

The site comprises 1.545 sq. and is designated as 'whiteland' on the Wrekin Local Plan (WLP) proposals map. Policy H6 states that housing development will be permitted on land under 0.4 hectare that is within the Telford built up area when the site can be adequately accessed and parking provided, when the site can be adequately drained, when the Council is satisfied that, where there are land stability and contamination issues, the developer has taken adequate remedial action, where the proposal does not have an adverse impact on the local environment, especially in its relationship with adjacent land uses and where the proposal shows a high quality of design. Policy CS1 states that housing development will seek to provide every household in the Borough with an affordable, decent and appropriate home. Policy CS5 requires all new residential development to be situated in highly accessible locations, creating vibrant, safe and attractive places, with designs which respect and respond to the locality.

The location is within the built up area of Telford in close proximity to Donnington and St Georges, employment opportunities, various amenities and public transport facilities, and considered a sustainable location. It is therefore considered that the proposed development is acceptable in principle and compliant with policy H6 of the Wrekin Local Plan, policies CS1 and CS5 of the Core Strategy and national guidance contained within NPPF. The principle of development comprising 4 dwellings on three separate occasions has been already been approved within the original curtilage of Erindale to the north western side of site.

Design, appearance and amenity

National guidance contained in NPPF, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness. In addition it states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment. Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

With this in mind the loss of this large building is regrettable however, it does not benefit from statutory or non-statutory protection and thus it is not possible to resist its demolition. Indeed, the redevelopment should be seen as an opportunity to bring this now vacant site which is suffering from the early signs of neglect back in to useful occupation and thus will result in an enhancement to the visual amenity of the area. The scale and design of the proposed apartment block is deemed acceptable and appropriate in context and will not adversely impact upon the streetscene. The external materials include

brickwork and render, both of which are present in the vicinity. The ridge height will range between 9, 10 & 11m. The varied roof will help to break up the mass of the building as will the mix of facing materials (brick and render). The proposed building will also be set back from the highway by almost 22m (similar to the existing building), and thus will not appear overly strident within the streetscene. The majority of the parking is proposed at the front of the building which is similar to the existing situation. Suitable soft landscaping and boundary treatment will ensure that this does not detract unduly from the visual amenity of the area.

The proposed units will provide an acceptable standard of living accommodation and adequate shared private amenity space for this type of development. Suitable bin storage is provided within the site to the rear of the smaller parking area to the side (north) of the proposed development. The separation distances between the proposed block, the previously approved 4 detached dwellings and the existing neighbouring dwelling are adequate and this together with the orientation and topography of the site will ensure that there is no adverse impact upon mutual residential amenity by way of over-looking or over-bearing. The proposal is therefore considered compliant with policy UD2 of the WLP, policy CS15 of the Core Strategy and national guidance contained in NPPF.

Highway safety

The proposed layout indicates that the vehicular access will be in a similar position to the existing one to the front of the site. Nevertheless, the Council's Highway Engineer requires full details of the improved access to ensure that it is satisfactory to the Council's standards.

The issues of increased traffic movements raised by the Parish and Ward Councillors are noted. However, this matter does not justify the refusal of this application which could then be substantiated at any subsequent appeal. It should be noted that the existing very large building (which is currently 2 houses), could accommodate a significant number of occupants (up to 12 without the need for planning permission or improvements to the existing vehicular access via the imposition of conditions), which could generate a comparable number of vehicular movements to the application. Accordingly, the proposal will not adversely impact upon highway safety and is therefore compliant with policy UD2 of the WLP, policy CS15 of the Core Strategy and national guidance contained NPPF.

TPO'd tree

Policy OL11 advises the Council to resist development proposals that would result in the loss of trees which make a valuable contribution to the character of the landscape or have a significant ecological value. With this in mind the layout, in particular the car parking to the front of the building has been amended in line with the Council's Arborist's requirements to ensure that the impressive Monkey Puzzle tree towards the front of the site is not adversely affected during or post the development of the site. The proposal is therefore compliant with policy OL11 stated above and Policy CS12 of the Core

Strategy which states that the natural environment of the Borough will be protected.

Previous mining in the locality

There is a known mineshaft on the adjacent site and suitable 'stand-offs' have been achieved. Nevertheless, it is considered necessary to impose conditions in relation to mining. Furthermore, given that the area was formerly an area of coal and mineral extraction, circa 1880. The site is therefore of 'potential concern', with respect of land contamination and is therefore is a material planning consideration, and it is necessary to impose conditions to address these concerns. The proposal is therefore compliant with policy EH14 of the WLP and policy CS13 of the Core Strategy which ensure that issues in respect of land stability and contamination are suitably mitigated against.

Protected species and Habitats Directive

Bats: In the initial (March 2011) ecological assessment, approximately 30 droppings were found in the roof void of 'The Nyth'. These were believed to be from pipistrelles and were scattered across the floor, mainly towards the western gable-end. 'The low number and scattered nature of the droppings suggested occasional use of the void by a low number of bats.'

A nocturnal bat survey was carried out in June 2011 and the following evidence was observed:

- large numbers of common pipistrelles and two small *Myotis* bats foraging on and commuting across the site, particularly in between Erindale and Moss Road, during the two dusk surveys.
- large number of common pipistrelles and a noctule commuting across the site, with a small number foraging on site before continuing their commute.

During the activity surveys, no bats were observed swarming around or entering the buildings on site. The surveys concluded that The Nyth is used occasionally by low numbers of pipistrelles. The site is also a well-used commuting route. A Natural England European Protected Species Development Licence will therefore be required to carry out the works. An informative will advise of this.

Reptiles and amphibians: A full reptile survey was carried out in 2011 following the initial ecological assessment. No evidence of any reptiles or amphibians was observed.

Badgers: No evidence of badgers was found on the site during the ecological assessment or the nocturnal bat survey. A pre-commencement badger survey is nevertheless recommended.

Birds: The trees, scrub and ruderals have the potential to support nesting birds. No red list or BAP (at risk) species were recorded during the ecological assessment, however common species were recorded.

Under Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010, competent authorities must *have regard to* the Habitats Directive in the exercise of its functions. The mitigation proposed in the

ecological report, when written into a mitigation strategy (as part of the Natural England licence application), will be sufficient to ensure the continuing maintenance of the local bat populations at favourable conservation status. Mitigation, compensation and enhancement measures will include supervised demolition under an ecological clerk of works, the erection of alternative roosting sites and the maintenance of the existing commuting and foraging route through the retention of a vegetated corridor with no or low level illumination to limit light spillage. Therefore the test in respect of the Habitats Directive is met, and the proposal is compliant with policy CS12 of the CS and national guidance contained within NPPF.

S106 Contributions

Policies LR4 and LR6 require developers to contribute to the provision of recreational open space and policy H22 requires contributions towards community facilities. Based on the proposed scale of development, the above policies require the developer to contribute £27,005 to education facilities in the vicinity and £7,200 towards recreational facilities. This will be secured by way of a s106 legal agreement.

Conclusion

The site is located within a sustainable location within the built up area of Telford and therefore the principle of residential development is acceptable. The proposed demolition of this building is regretful but cannot be prevented as the building has neither statutory nor non-statutory protection. The proposed apartments will help to provide the mix of dwelling type required by both local and national policy. The proposed development of this site will result in a beneficial effect upon the appearance of the site which is currently unmanaged and will have no adverse impact upon the streetscene, whilst providing an opportunity to enhance the biodiversity of the site. There will be no adverse impact upon the TPO'd tree on the site, highway safety or the mutual residential amenity of the future occupiers of the apartments, the neighbouring dwelling, the previously approved detached dwellings to the west and north of the site. Financial contributions will be paid to support the recreation facilities and education provision in the area. Therefore, having regard to consultation responses and planning guidance, it is considered that on balance, the principle of redeveloping this site for residential use is acceptable subject to conditions and mitigation works.

RECOMMENDATION: Subject to the developer entering in to a Section 106 Agreement to provide financial contributions of £7,200 for recreational facilities and £27,005 to education facilities in the vicinity, then GRANT PLANNING PERMISSION following conditions:

1. A04 Time limit
2. B10 details of materials
3. B31 access details
4. B42 parking, turning laid out
5. B46 on site construction
6. B47 mud on road
7. B50 shallow mining
8. B57 contaminated land

9. C22 gas mitigation measures
10. B61 foul and surface water details
11. B64 soakaway tests
12. B65 soakaways located 5m away from any boundaries, buildings & highway
13. B121 Landscaping; Service runs & planting plans
14. B130 Tree Protective Fencing,
15. B131 Trees & Services,
16. B132 Trees 'No Dig' Method,
17. Bcustom Arboricultural Method Statement detailing the schedule of works on site
18. C38 Development in accordance with approved plans
19. C70 Trees No Burning,
20. C71 Trees Soil Levels,
21. C72 Trees Material Storage
22. C76 Landscaping Implementation Hard & Soft.
23. C101 Bat and bird boxes
24. I106 Section 106
25. I11 contact highways
26. I25e trenches
27. I25g enhancement planting
28. I25h vegetation cutting
29. I25K bats and birds
30. Icustom pre-commencement check nesting birds (vegetation) and Badgers
31. Icustom lighting
32. Icustom green roofs
33. Icustom Natural England EPS Development Licence is required.
34. I32 Fire Authority
35. I40 Conditions
36. I41 Reasons for approval.
37. RaCustom reason

Reasons For Decision

The site is located within a sustainable location within the built up area of Telford and therefore the principle of residential development is acceptable. The proposed demolition of this building is regretful but cannot be prevented as the building has neither statutory nor non-statutory protection. The proposed apartments will help to provide the mix of dwelling type required by both local and national policy. The proposed development of this site will result in a beneficial effect upon the appearance of the site which is currently unmanaged and will have no adverse impact upon the streetscene, whilst providing an opportunity to enhance the biodiversity of the site. There will be no adverse impact upon the TPO'd tree on the site, highway safety or the mutual residential amenity of the future occupiers of the apartments, the neighbouring dwelling, the previously approved detached dwellings to the west and north of the site. The financial contributions will be paid to support the recreation facilities and education provision in the area.

TWC/2012/0145 Maddocks Sports & Social Club, Church Street,
Oakengates, Telford, Shropshire, TF2 6BP

Demolition of existing clubhouse and outbuildings and erection of a new clubhouse facility and bowling green with parking areas and 30no. dwellings comprising of 18no. 2 & 3 bed houses and 12no. two bed apartments with new retaining walls, screen fencing and alterations to vehicular entrance to provide a new access road

APPLICANT

Maddocks Sports & Social Club

RECEIVED

17/02/2012

PARISH

Oakengates

WARD

Ketley and Oakengates

THIS APPLICATION WAS DEFERRED AT PLANS BOARD ON 30.05.12 TO ENABLE MEMBERS TO CARRY OUT A SITE VISIT.

Cllr Minor suggested that the agent should look to amend the layout of the two dwellings closest to Station Fields. However, the agent considers that this is not necessary and will incur additional unnecessary costs to the club (which is already struggling financially), as the application is an outline with all matters reserved for later consideration. Moreover, the layout plans are indicative only to demonstrate that the site is adequate to accommodate 30 dwellings. The agent has also supplied an annotated photograph of the tree covered mound to the rear of the properties in Station Fields to show the relationship between the existing dwellings in Station Fields and the proposed development site.

Members are respectfully advised that matters in respect of siting, layout, design, appearance, boundary treatment and landscaping will be addressed at the reserved matters stage or at any subsequent full applications. The purpose of this application is to decide the principle of the redevelopment of the site for housing and a new club house only, and not the design details.

The club (applicant) has written to 40 residents explaining what the club does and it's intentions for the future and has responded to the issues raised during the statutory consultation period, and are as follows:

- Overlooking/loss of privacy, shading and loss of sunlight
The Town Planning application is in Outline only and the development remains subject to final design proposals for dwelling types, location, etc. Whilst any new properties to the northern embankment will be at a lower level than the top of the existing embankment, with no overlooking windows, they will also be partly obscured by the tree planting. We anticipate however that the eventual developer will look into suggestions to reduce the height of properties that may be located in similar positions on this boundary.

New planting to the lower slopes will also help to stabilize the bank, reducing erosion, and improve the overall outlook for the properties backing onto the pedestrian right of way. There will be the removal of

some of the trees as part of the proposed woodland management discussed with the Council Officers to improve the environment and ecology for wildlife, in accordance with the Landscape Architect proposals, which should also allow more light to percolate through and improve the current situation to the benefit of the local residents.

The retaining wall along the western boundary was introduced to stabilize the top of the embankment in this location, with the further fence being erected to prevent car headlights shining into bedroom windows. This is a historical issue as clearly during the winter months car headlights have and are currently a possible irritation. With the proposed development this matter will be resolved once and for all to all parties' satisfaction.

- Noise levels
The limited use of windows and sound insulation to external walls will be an inherent part of the new clubhouse design, together with audio equipment designed to limit/ minimize any annoyance to local residents. The new location and modern construction methods will eliminate the majority if not all of the noise emanating from the new building. It should also be noted that the new Clubhouse will be situated further to the South than the existing facility, which again will reduce any potential noise issues
- Ground conditions/stability
Whilst preliminary assessments have been made by structural and geotechnical engineers, based on a previous ground investigation report, this remains subject to the further advice of specialists and a new investigation is anticipated using the latest technology in ground investigation, which will form part of the detailed planning applications to be made for each element of the works at a later date.
- Risk of flooding/surface water run-off/use of soakaways –
It may be unlikely that soakaways would be suitable on this particular site, subject to satisfactory testing to current building legislation, and if that is the case then it may be that the disposal into the existing storm sewer system will need to be assessed by a suitably qualified civil engineer.
- Ecology/bats/wildlife
The recommendations of the ecological report, in liaison with the suggestions of the Landscape Architect, to identify sections of the existing woodland to be managed and improved, are intended to form a part of the detailed planning applications to be submitted at a later date. The woodland adjacent to the southern boundary is to be retained as a potential foraging area, which will ensure the bats roosting in a neighbouring dwelling will not be adversely affected by the proposed development. It is assumed that the new development will include the introduction of bat boxes.

- Archaeology
Following investigation of old record plans the position of the former Ketley canal was determined more accurately and deemed to not impinge on the development site. It is therefore understood that there is now only the need for a watching brief during development to assess any mine workings that may be uncovered during excavation and we assume that this will form part of the conditions of any approval granted.

Increased traffic/congestion

It has been assessed that the proposed residential and Clubhouse facilities will decrease the normal traffic to the site as the Members will utilize the Club facilities during the daytime, which currently they are unable to, thus creating a more sympathetic use of the building. The Club Committee will introduce and adopt a new programme to enable the most efficient use of facilities for all Members and local residents as opposed to the current position where all activity takes place after 6.00pm, which can only benefit all concerned.

- Asbestos removal
This will only be undertaken by suitably qualified specialists following the correct investigations and preparation of specialist reports as to the material type, extent and location prior to demolition of the existing buildings being undertaken. Please let us not to forget that this material has been in-situ in excess of 50 years and we do not believe to date that it has caused any health concerns

A stamp addressed envelope was enclosed for any replies. To date no further representations have been received and any received subsequently will be reported to Members at Plans Board. It is also understood that a petition in support of the proposed developments will be forwarded to the Council in due course.

There is no change to the officer's recommendation which is subject to the developer entering in to a Section 106 Agreement to provide 38% affordable housing of a mix and tenure to be confirmed by the Council's Strategic Housing Officer, financial contributions of £18,000 for recreational facilities in the local area, £69,828 towards education facilities in the vicinity and £10,000 towards highway improvements then GRANT PLANNING PERMISSION following conditions:

- 38.B01 Standard outline all matters reserved
- 39.B03 General details required
- 40.B11 Samples of materials
- 41.B19 Details of new access
- 42.B30 Access
- 43.B32 Road Design
- 44.B42 Parking/Turning/Loading
- 45.B44 Parking

- 46. B50 Shallow mine working
- 47. B57 Land contamination
- 48. B62 Surface water drainage
- 49. B64 Soak away tests
- 50. B65 Soakaways more than 5m away.
- 51. B67 Programme of archaeological work (desk based study)
- 52. B74 Brownfield run off rates
- 53. B75 Greenfield run off rates
- 54. B121 Landscape Design
- 55. B120 Details of enclosure
- 56. B122 Tree Survey, Retention/ Removal Plan, buffer distances between retained trees & construction exclusion zones, location of HERAS fencing
- 57. B125 Details of Earthworks/Soil Survey,
- 58. B126 Landscape Management
- 59. B128 Maintenance Plan
- 23. C22 Gas mitigation
- 24. C38 Development in accordance with approved plans
- 25. C43 Flood Risk Assessment
- 26. C70 No burning,
- 27. C71 Soil Levels,
- 28. C72 Material Storage
- 29. C76 Landscaping Implementation hard & soft.
- 30. C095 retention of habitat features
- 31. C101 Bat and bird boxes
- 32. I06 Section 106
- 33. I11 contact highways
- 34. I25m nesting birds (vegetation)
- 35. I custom management plan (Japanese Knotweed, Cherry Laurel, scrub)
- 34. I40 Conditions
- 35. I41 Reasons for approval.

Reasons For Decision

The site is sustainably located and its redevelopment will not be incompatible with the long term aims of the Green Network and will ensure the long term future of the sports and social club. The indicative layout satisfactorily demonstrates that the site and the scale and design of the dwellings with associated parking, amenity space and landscaping is acceptable and in keeping with the character and appearance of the area. The development of the site will not have a significant detrimental impact on the residential amenities of adjoining or proposed dwellings. The proposed new access can be accommodated without detriment to highway safety. The redevelopment of a new club house and bowling green will provide enhanced facilities which are sustainable and fit for purpose. Appropriate conditions will ensure the stability and possible archaeology on the site are not adversely affected. Financial contributions towards recreation will help support the amenities of nearby recreational facilities, education provision and highway improvements and much needed affordable housing provided. Accordingly, the proposal is

considered acceptable and compliant with both local and national policy and guidance and hence recommended for approval with conditions.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, loss of existing buildings and sports facilities, affect on character and appearance of the area, contaminated land, highway issues, ecology, Green Network, archaeology & residential amenity.

THE PROPOSAL:

Outline planning permission is sought for the demolition of existing clubhouse and outbuildings and erection of a new clubhouse facility and bowling green with parking areas and 30no. dwellings comprising of 18no. 2 & 3 bed houses and 12no. two bed apartments with new retaining walls, screen fencing and alterations to vehicular entrance to provide a new access road at Maddocks Sports & Social Club, Church Street, Oakengates. The proposed development would involve the loss of 1 of the existing bowling greens.

The applicants are seeking outline planning permission with all matters reserved for consideration at a later date.

The applicants have submitted indicative drawings which show a new access road off Church Street, 17 VIP parking spaces adjacent Church Street leading to a new club house with a viewing terrace and new bowling green. There is a new 52 space parking area to the north of the club house and the bowling green is screened from the access road by a 2m high brick wall. The new access road continues in an easterly direction serving the proposed residential development located on the north, east and south eastern half of the site.

The elevational drawings of the dwellings show traditional features including brick segmental arches above multi paned sash windows, cill details, gable roofs, eaves details and low boundary walls to the fronts of the properties.

The house type mix comprises;

- 12 Type A 2-bed apartments plots 1- 4,7-10 & 27- 30
- 3 Type B 3-bed detached dwellings plots 5, 6 & 13
- 2 Type B 3-bed semi detached dwelling plots 23 & 24
- 3 Type C 3-bed detached dwellings plots 20, 21 & 22
- 10 Type D 2-bed semi detached dwellings plots 11,12,14,15,16,17,18, 19, 25 & 26.

All units have private amenity space. The proposed parking provides communal spaces for the flatted element, spaces adjacent to the dwellings (with some having garaging too) and a number of visitor parking spaces.

SITE AND SURROUNDINGS:

The application site comprises Maddocks Sports & Social Club and covers 1.45 hectares. The club has occupied the present site since the mid 1960's and is a private members club. It is roughly square in shape and comprises a club house, parking, 2 bowling greens and various ancillary sheds and buildings. The club house has a tired and dated appearance, the greens and flower borders are well maintained.

The north and eastern areas of the site, which are designated Green Network, slope away and include unmaintained grassed and scrub areas with tree covered slopes including Sycamore, Goat Willow, Birch, Ash Hawthorne, and Pine. The southern boundary abuts the rear gardens of 6 dwellings located along Holyhead Road (which sit significantly higher than the application site) and a vacant piece of land on the corner of Charlton Street and Holyhead Road; this land is being marketed for residential development (planning permission has previously been granted for 6 x 2 bedroomed dwellings on the site but never implemented W99/0539 OLG & W2001/0493 RMG). The eastern boundary abuts a horse grazing paddock. The northern boundary abuts a public footpath which runs along the rear gardens of properties located in Station Fields. The western boundary abuts the rear gardens of dwellings fronting Church Street.

The ages and design of the existing dwellings in the locality vary from detached and semi detached traditional 2 storey dwellings, 1960/70's houses and ex local authority housing. Further to the east are bungalows.

PLANNING HISTORY:

TWC/2011/ 0522 for the same proposal was withdrawn on 07.09.11 to allow the agent time to compile the outstanding information to enable the application to be resubmitted.

PLANNING POLICY CONTEXT:

National Planning Guidance
NPPF National Planning Framework 2012

Core Strategy:

CS1 Homes
CS5 District and Local Centres in Telford
CS9 Accessibility and Social Inclusion
CS10 Community Facilities
CS12 Natural Environment
CS13 Environmental Resources
CS14 Cultural, Historic and Built Environment
CS15 Urban Design

Saved Wrekin Local Plan Policies

UD2 Design Criteria
EH7 Contaminated Land
EH14 Land Stability
H6 Windfall Sites in Telford & Newport

H22 Community Facilities
H23 Affordable Housing
LR6 Developers Contributions to Outdoor Recreational Open Space Provision within New Residential Developments
OL3 Green Network
OL4 Development in the Green Network
OL5 Extensions and Redevelopment in the Green Network
OL11 Woodland and Trees
OL12 Open land and Landscape-Contributions from New Development

CONSULTATION RESPONSES:

Oakengates Town Council agrees that the site should be developed, but objects to these plans on the following grounds;

- Station Field properties are now overlooked by two storey houses. Also loss of light.
- The new retaining wall has allowed new properties to come even closer to Station Fields.
- Serious concerns over water run-off onto Station Fields.
- Increased traffic density at the junction with Charlton St, Vicar St, Dukes Hill and Holyhead Rd. This is made worse by the development of the Pear Tree.

The Council's Drainage Engineer supports the proposal subject to conditions B62 in respect of surface water drainage, B64 soakaway tests and B65 advising that soakaways should be more than 5m away from boundaries and buildings. Additionally as the site is over 1ha in size a full Flood Risk Assessment (FRA) is required in line with the requirements of NPPF, to ensure that the site can be adequately drained. Furthermore, as the site contains both greenfield and brownfield development the appropriate run off rates must be achieved.

The Council's Geotechnical Engineer has advised that though the developer has gone some way to proving shallow mining does not affect the site, an appropriate depth has not been reached in the original report and therefore condition B50 shallow mining is required. Mineshafts affect the site, however an appropriate stand off has been demonstrated within this application. Some small areas of land fill exist on the site and large amounts of fill material. Therefore conditions B57 and C22 gas mitigation measures are required.

The Council's Ecologist has no objections in principle subject to conditions in respect of the retention of habitat features, a planting scheme and the erection of nest boxes, and informatives in respect of nesting birds (vegetation) and a management plan.

The Council's Tree Officer has no objection in principle subject to the following conditions. B120 Details of enclosure, with regard to the boundary/retaining wall and the possible mitigation strategy if any roots are encountered, if any trees are retained. B121 Landscaping Design, above & below ground services utilities. Given the large amount of trees adjacent to road, paths and houses root barriers should figure in the design, ducted

services for ease of future maintenance etc. B122 Tree Survey, Retention/Removal Plan, buffer distances between retained trees & construction exclusion zones, location of HERAS fencing. B125 Details of Earthworks, B126 & B128 Landscape Management & Maintenance Plan, C70 No burning, C71 Soil Levels, C72 Material Storage and C76 Landscaping Implementation hard & soft.

The Council's Highway Engineer has no objections to the proposal subject to a S.106 contribution for various highway/footpath improvements. He notes that a pedestrian link is planned onto the Public Rights of Way network running to the north. As a result some remedial improvements will be required to mitigate its increased use. The local footpath infrastructure between the site and Bridge Street to the north also requires dropped crossing improvements to ensure the sustainability of the site is fully maximised and ensuring safe routes to Oakengates. Accordingly, a S.106 contribution of £10,000 to fund these improvements is required. These monies will be required upon the commencement of development, indexed and any unspent monies after 5 years will be refunded to the applicant. In addition full details of the means of access, including;

- the layout,
- construction,
- visibility splays of 2.4m x 33m
- and a suitable off site traffic management scheme to achieve vehicular speeds on Charlton Street/Church Street in line with these visibility splays has been submitted to and approved by the Local Planning Authority.
- The agreed details will need to be fully implemented before the development is commenced.
- Other conditions in respect of B32 - Road Design, B42 - Parking/Turning/Loading and B44 – Parking are required and informative I11 in respect of a S.184 Highways Licence are deemed necessary.

The Council's Capital Planning Officer has requested a contribution of £69,828 towards education facilities.

The Council's Outdoor Recreation Officer has requested a contribution of £600 per 2 bed property (or above) towards the upgrading of the nearest community use play / recreation facilities (which would serve the development area).

Sport England has no objections.

Shropshire Council has advised that the southern boundary of the proposed development site is crossed by the course of the former Ketley Canal and the eastern part of the site lies over an area of 19th-century mining remains. Archaeological remains relating to the canal and mine works may therefore be impacted on by the proposed development.

Following the notification of 40 surrounding properties and the display of site notice, 12 letters of objection have been received. The comments made are summarised below:

- I believe this development will dramatically and detrimentally impact on the basic 'right to light' at my property and sunlight, over looking, over bearing, loss of privacy, noise nuisance, disturbance,
- Insufficient parking, inappropriate layout and density,
- We have a wonderful array of wildlife and birds frequenting the shrubbery on the bank behind our houses, this will be lost to us if the bank is to be landscaped.
- Potential landslip as the shrubbery has the effect of holding together the mud and soil in heavy rainfall, if this is removed; I have no doubt half of the bank will eventually end up in mine and my neighbours gardens.
- This development will see my house overlooked by more than one property, which will dramatically reduce the value of my house.
- I am happy that Maddocks Social Club wants to re-develop, I am sure it will be of great benefit to the local community. But I would like to see the plans amended so that my property, finances and most importantly my light, are not compromised by it.
- The proposed planting scheme is hawthorn which will maintain this when it is established as it will soon encroach on my property and with small children it is not safe and takes away the lovely raspberry plants which so many people and wildlife alike enjoy to harvest.
- The close proximity of the social club as noise levels will be dramatically increased due to the speaker system/band stand being much closer. The tunnel effect also being a concern from the main entrance past the club and retaining wall + fence will mean the vehicle noise will be greatly increased as will the volume of traffic which will surely have a negative effect on the quality of mine and my families lives.
- Issues regarding vehicular access and egress.
- The major site investigation took place in 1991 I feel that using a report that is 21 years old for a development of this nature should not be allowed. I feel that a new site investigation should take place using the latest technology in ground investigation.
- Danger from asbestos when dismantling the club
- Danger from flooding,
- Impact upon the archaeology on the site.

PLANNING CONSIDERATIONS:

This is an outline application with all matters reserved; therefore, although the Agent has provided detailed drawings and a Design & Access statement, the drawings are indicative only to demonstrate that the site is adequate to accommodate 30 dwellings. Accordingly, consideration in respect of the principle of residential development on the site and the demolition and replacement of the existing sports facilities is all that is currently required.

The agent advises that the fabric of the existing building is unsatisfactory and unsustainable and due to club finances may cease to exist within the next year or so. Furthermore, the existing 2 bowling greens are not fully utilised and do not have the required irrigation facility. Furthermore, the one green is not used often as the levels are not ideal.

The agent advises that the only solution to the long term retention of the established community and sports facility at Maddocks Sports & Social Club is the generation of income for replacement of the existing facilities by a purpose designed building constructed to modern standards. The most effective way that the club to create income for the new club development is by the sale of the excess land for residential development.

Principle of Development

NPPF gives Government advice on new housing developments, amongst other issues it states that housing applications should be considered in the context of the presumption in favour of sustainable development. The mix, type size and tenure of housing should reflect local demand.

Policy H6 states that housing development will be permitted on land between 0.4 and 1 hectare in Telford when the site is located less than 400m from a District Centre. In addition, the site should be adequately drained, accessed and parking provided; where there are land stability and contamination issues, the Council is satisfied that the developer has taken adequate remedial action; the proposal does not have an adverse impact on the local environment, especially in its relationship with adjacent land uses and the proposal shows a high quality of design.

Policy CS1 states that housing development will seek to provide every household in the Borough with an affordable, decent and appropriate home. Policy CS5 requires all new residential development to be situated in highly accessible locations, creating vibrant, safe and attractive places, with designs which respect and respond to the locality.

The location is within the built up area of Telford and lies less than 400m from Oakengates District Centre, employment opportunities, various amenities and public transport facilities, and therefore, considered a sustainable location. It is therefore considered that the proposed development is acceptable in principle and compliant with policy H6 of the Wrekin Local Plan, policies CS1 & CS5 of the Core Strategy and national guidance contained within NPPF.

Design, appearance and amenity

National guidance contained in NPPF, asserts that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute to making places better for people. Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment. Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing,

form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

The appearance of the proposed dwellings will be considered via the Reserved Matters application. However, it is considered that the indicative layout has satisfactorily demonstrated that the site is sufficient to accommodate 30 units with adequate off street parking, private amenity space, separation distances and bin storage. There will be no significant adverse impact upon the residential amenity of the neighbouring properties despite differences in ground levels. The proposal is therefore considered compliant with policy UD2 of the Wrekin Local Plan, policy CS15 of the Core Strategy and national guidance contained in NPPF.

Loss of a bowling green, development in the Green Network and loss of trees

With the exception of the eastern edge of the site, the entire area is within the Green Network. The main issues in regard to Green Network are the loss of one of the bowling greens and the development of surrounding green network for the housing. Government guidance in NPPF states that to deliver the social and recreational facilities decisions should ensure that established facilities are permitted to modernise in a way that is sustainable, and retained for the benefit of the community, and to ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

As the site falls within the Green Network, policies OL3 to OL5 of the Wrekin Local Plan apply. Policy OL3 states that the council will protect the Green Network in order to achieve the six aims set out in paragraph 8.2.12 of the plan. Many of these aims relate to the visual and structural qualities of spaces as part of the overall network. This site is relatively isolated so the potential for it to link with other spaces is quite limited. One of the aims is 'to provide an appropriate supply of open land to meet the diverse recreational needs of an expanding population, combining the more formal parkland and recreation areas with the wider landscaped areas valuable for informal recreation'. As this site contains both formal (bowling greens) and informal (the surrounding natural and semi natural green space) areas, it has a role in achieving this aim.

Policy OL4 states that development may be permitted in the Green Network where there are exceptional circumstances (predominantly open land uses), where the development contributes or is complimentary to the aims of the Green Network (see above) or where community and environmental benefits are an integral part of the proposal. The loss of a bowling green would be detrimental but the replacement with a higher quality bowling green together with a new club house offers an overall betterment of facilities and is therefore compliant with policy OL12 which highlights that where a facility is lost a suitable replacement of equal or greater quality and accessibility must be provided. Thus, the proposal will provide a community benefit to the numerous bowls playing in the area and enhanced clubhouse facilities available for hire.

Policy CS11 of the Core Strategy is policy in regard to open space. This states that areas of open space both formal (e.g. the bowling greens) and informal (e.g. the surrounding green space) are to be protected and enhanced and that development will only be permitted if it can be demonstrated that there will be significant community and environmental benefits delivered by the proposal and that the land does not contribute to the open space standards set to meet the requirements of the local population. With this in mind both Sport England and the Council's Parks and Open Space Officer support the application as it will result in an improvement to the current facilities, as well as securing the long term future of the club.

Policy OL11 advises that the Council will seek to retain and enhance the contribution that trees and woodland make to the landscape character of the District. With this in mind the Council's Arborist has visited the site and recommends that the majority of self set Sycamore, Goat Willow & Ash trees on the northern boundary are removed. These trees are self set, overcrowded and malformed. With regard to the retained trees on site a Tree retention & Protection Plan is deemed necessary.

The proposal indicates that 6 houses are to be constructed on the slope of the site. The area to the north will then be planted with Alder, Ash & Oak a Soil Survey will be required as this in turn will dictate foundation depth as per NHBC guidelines, this will ensure that there will be no subsidence in the future due to the trees, as they are often blamed but are usually just contributing factors.

With regard to the proposed planting choice there is concern given that Ash, Oak and Alder can all exceed 30 metres in height. This may be poor species choice for the existing properties on Station Fields given that the proposal is due south of these homes and considerably higher. Accordingly, conditions in this respect will be imposed.

S106 Contributions

Policies LR4 and LR6 require developers to contribute to the provision of recreational open space and policy H22 requires contributions towards community facilities. Based on the proposed scale of development, the above policies require the developer to contribute £69,828 towards education facilities in the vicinity and £600 per dwelling (£18,000) towards recreational facilities in the local area.

This application proposes the provision of 30 housing units. The Council's policy requires affordable housing provision of up to 38%. This would equate to 11 dwellings on the proposed scheme. The application does not currently propose any affordable housing provision. It is explained in the Design & Access that the purpose of the application for residential accommodation is to provide funding for a new club house, as the club is currently running at a loss and the facilities are in need of updating and upgrading.

Whilst it is appreciated that these facilities will be of great benefit to the community and are supported by the Town Council, there does not appear to

be any evidence submitted with the application to justify the entire housing provision being open market housing. The need for the club house needs to be balanced with the need for affordable housing in the area. The Strategic Housing Market Assessment shows that the sub-market area in which Oakengates is situated has a net need for 165 new affordable properties per annum in order to meet the backlog of need. This is the third highest in the Borough. The Strategic Housing Unit therefore can only support this application subject to the provision of affordable housing, the mix and tenure will need to be agreed.

Highway safety

The club have purchased additional land adjacent the existing entrance to the club and the proposed layout is considered to be an improvement to the existing access and the applicant has discussed the access with the Council's Highway Engineer prior to submitting the application. Accordingly, the proposal will not adversely impact upon highway safety. The local footpath infrastructure between the site and Bridge Street to the north requires dropped crossing improvements to ensure the sustainability of the site is fully maximised and ensuring safe routes to Oakengates. Accordingly, a s106 contribution of £10,000 to fund these improvements is required. The proposed development is deemed compliant with policy UD2 of the WLP, policy CS15 of the Core Strategy and national guidance contained NPPF.

The agent has confirmed that the required s106 contributions are acceptable and is aware that contributions are required by the Council's adopted policies and no material considerations have been presented to suggest that the contributions should be waived. Moreover, it will be the eventual developer of the housing element of the site which will be required to pay the monies required not the sports club.

Other Matters

The Council's Drainage Engineer and Geotechnical Engineer support subject to conditions.

The Council's Ecologist has advised that no evidence of bats or birds was observed during the internal inspection of the building, and no activity surveys were carried out as it was considered that there was little potential for the building to support bats. The report considers that the site is of limited ecological value, with the newly emerging woodland in the south east corner and the scrub on the north facing bank being of moderate ecological value. Therefore, conditions which require the retention of habitat features, a planting scheme and the erection of nest boxes, and informatives in respect of nesting birds (vegetation) and a management plan will be imposed. Accordingly, the proposal is compliant with policy CS12 of the Core Strategy and national guidance contained within NPPF.

Following the submission of additional historic data regarding the site the County Archaeologist is now satisfied that the proposed development does not impinge on the former canal, as shown on the 1885 and 1903 plans. Thus, no further provision need be made for this part of the development area.

Nevertheless, the 1902 (2nd edition) 25" Ordnance Survey map of the area shows that the eastern part of the development area lies over the spoil tips of a former mine, with a shaft located 10m beyond and mine buildings 25m beyond the eastern site boundary. A programme of archaeological work is therefore required which will establish (via the desk based assessment) whether these spoil tips represent the maximum extent of these mining remains in the late 19th / early 20th century, and what further provision (for example, an archaeological watching brief on groundworks in this part of the development site) might be required. Accordingly, a condition will be imposed in this respect.

Conclusion

The site is sustainably located and its redevelopment will not be incompatible with the long term aims of the Green Network and will ensure the long term future of the sports and social club. The indicative layout satisfactorily demonstrates that the site and the scale and design of the dwellings with associated parking, amenity space and landscaping is acceptable and in keeping with the character and appearance of the area. The development of the site will not have a significant detrimental impact on the residential amenities of adjoining or proposed dwellings. The proposed new access can be accommodated without detriment to highway safety. The redevelopment of a new club house and bowling green will provide enhanced facilities which are sustainable and fit for purpose. Appropriate conditions will ensure the stability and possible archaeology on the site are not adversely affected. Financial contributions towards recreation will help support the amenities of nearby recreational facilities, education provision and highway improvements and much needed affordable housing provided. Accordingly, the proposal is considered acceptable and compliant with both local and national policy and guidance and hence recommended for approval with conditions.

RECOMMENDATION: Subject to the developer entering in to a Section 106 Agreement to provide 38% affordable housing of a mix and tenure to be confirmed by the Council's Strategic Housing Officer, financial contributions of £18,000 for recreational facilities in the local area, £69,828 towards education facilities in the vicinity and £10,000 towards highway improvements then **GRANT PLANNING PERMISSION** following conditions:

- 60.B01 Standard outline all matters reserved
- 61.B03 General details required
- 62.B11 Samples of materials
- 63.B19 Details of new access
- 64.B30 Access
- 65.B32 Road Design
- 66.B42 Parking/Turning/Loading
- 67.B44 Parking
- 68.B50 Shallow mine working
- 69.B57 Land contamination
- 70.B62 Surface water drainage
- 71.B64 Soak away tests

- 72. B65 Soakaways more than 5m away.
- 73. B67 Programme of archaeological work (desk based study)
- 74. B74 Brownfield run off rates
- 75. B75 Greenfield run off rates
- 76. B121 Landscape Design
- 77. B120 Details of enclosure
- 78. B122 Tree Survey, Retention/ Removal Plan, buffer distances between retained trees & construction exclusion zones, location of HERAS fencing
- 79. B125 Details of Earthworks/Soil Survey,
- 80. B126 Landscape Management
- 81. B128 Maintenance Plan
- 23. C22 Gas mitigation
- 24. C38 Development in accordance with approved plans
- 36. C43 Flood Risk Assessment
- 37. C70 No burning,
- 38. C71 Soil Levels,
- 39. C72 Material Storage
- 40. C76 Landscaping Implementation hard & soft.
- 41. C095 retention of habitat features
- 42. C101 Bat and bird boxes
- 43. I06 Section 106
- 44. I11 contact highways
- 45. I25m nesting birds (vegetation)
- 46. I custom management plan (Japanese Knotweed, Cherry Laurel, scrub)
- 34. I40 Conditions

- 35. I41 Reasons for approval.

Reasons For Decision

The site is sustainably located and its redevelopment will not be incompatible with the long term aims of the Green Network and will ensure the long term future of the sports and social club. The indicative layout satisfactorily demonstrates that the site and the scale and design of the dwellings with associated parking, amenity space and landscaping is acceptable and in keeping with the character and appearance of the area. The development of the site will not have a significant detrimental impact on the residential amenities of adjoining or proposed dwellings. The proposed new access can be accommodated without detriment to highway safety. The redevelopment of a new club house and bowling green will provide enhanced facilities which are sustainable and fit for purpose. Appropriate conditions will ensure the stability and possible archaeology on the site are not adversely affected. Financial contributions towards recreation will help support the amenities of nearby recreational facilities, education provision and highway improvements and much needed affordable housing provided. Accordingly, the proposal is considered acceptable and compliant with both local and national policy and guidance and hence recommended for approval with conditions.

TWC/2012/0261 Land off, Wrekin Course, Wellington Road, Wellington, Telford, Shropshire

Construction of a new carpark with 40 spaces and hardstanding to site a mobile cafe (Amended plans received)

APPLICANT

Mr Peter Holt

RECEIVED

30/05/2012

PARISH

Little Wenlock

WARD

Wrockwardine

THIS APPLICATION WAS PRESENTED TO MEMBERS OF PLANS BOARD ON THE 20TH JUNE AND DEFFERED FOR A SITE VISIT

Prior to the Plans Board meeting on 20th June, officers received confirmation from Highways that there were no objections to the proposal subject to a condition that the requisite visibility splays are implemented prior to first use.

Following the Plans Board meeting, the Applicant has sought to address some of the issues that were discussed and provide clarification:

- No funding is currently available for the project, though the planning stage has been fully funded by a private donation. A provisional application to the Huntingdon Lane Mining fund has been made but this has not yet been formalised as the outcome of the planning decision is awaited to 'activate' this funding application. If the funding application is unsuccessful, other avenues of funding would be investigated.
- No development will happen unless there *is* a commitment in place for the running and upkeep of the facility in the long term. All of the planning of this project has been volunteer lead. The landowner has offered the land free to the community for 3 years and following that time at a market value rent.
- Councillors suggested moving the site to the old rifle range further down The Wrekin Course. This is incompatible with the aims of the project. It is not to provide a car park solely for those who wish to summit the Wrekin, but it is purposefully designed to link effectively with the trails within the Ercall and Short Woods as well as to the coal mining restoration site. This was done for many reasons as well as for minimizing impact on the main Wrekin Hill and The Wrekin Course. Also many visitors may wish to visit the site and use the catering provision and return back to Wellington etc. without venturing onto the Wrekin Hill. An excellent and much needed tourism provision managing the impact of visitors to the Wrekin in the most sustainable way possible.
- The visibility splays will greatly improve the junction and two local landowners have verbally agreed that the removal of parking from the highway will improve the permeability of the area to the necessary movement of farm vehicles, fire appliances, and the emergency services.

One further letter of objection has been received from a neighbouring property. This states they have observed the pattern of road use at most hours on most days for several years; and considers that the existing parking arrangements have evolved over time, recognising the need to manage the public amenity and facilities by those with power. The present arrangements are illogical and dangerous. Only half a dozen cars can legally be parked on the same side of the road as the access to the track the occupants wish to use, resulting in every one else crossing the busy road. Proposed application will provide parking on same side and a clear path; thus improving safety. However there are concerns with the adjacent junction, and poor visibility; Wildlife issues, including the migrating toad. Considers the application is a fragmented approach to a huge problem. Highway incidents have occurred through loss of control, and believe one day a loss of life will occur. People also break down the iron fences around the former reservoir and park on the road, adding to congestion and policing of the area. Rural character will be harmed by the development, lack of toilet facilities for visitors. Considers it is for the LA to consider the problem as a whole, and through public consultation address the situation.

In response to these comments, it is recognised that the application has a positive impact on highway safety, and there are concerns with regard to wildlife. However on balance as previously expressed, the proposed highway safety benefits outweigh the concerns regarding wildlife, which can be appropriately conditioned, to ensure the impact is neutral on both wildlife and ensuring the rural character is retained.

A letter of support has been submitted by the British Driving Society and Horse Society, stating cars parked on the narrow lanes are a hazard for horse riders, especially those with a horse and trap. They add that the objections from the Parish Council and wildlife and environmental groups are surprising given the site is an agricultural field and could be ploughed up if the owner so wished. The proposed car park and other facilities will be an improvement to the vehicles cluttering the lanes and more convenient for the disabled.

The proposal is unchanged from the previous Plans Board meeting. Officers consider the proposal accords with planning policy and will provide improved parking arrangements and a safer pedestrian route to The Wrekin. Accordingly the officer recommendation remains for approval subject to S106 and conditions as listed below.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the Applicant entering into a S106 agreement to provide £5000 towards a Traffic Regulation Order and the following conditions:

1. A04 Time limit
2. B121 Landscaping scheme
3. B123 Tree survey
4. B126 Landscape Management
5. B128 Landscape Maintenance Plan
6. B132 Trees No Dig Method

7. Bcustom No works to mature Oak tree until survey undertaken to establish whether bat roost
8. Bcustom Method of surface water management
9. Bcustom Details of management of site and catering van to be submitted
10. C14 Visibility splays
11. C38 Development in accordance with plans
12. C89 Tree safety work
- Ccustom All mitigation and enhancement measures of ecology survey to be implemented

REASON FOR APPROVAL:

The principle of creating a new car park with catering van is considered acceptable and will not have a detrimental impact on the adjoining Area of Outstanding Natural Beauty and Site of Special Scientific Interest or the designation of the land as a Wildlife Site. The proposal will replace existing parking on the highway and will provide safer pedestrian routes to the track access to The Wrekin.

The original Plans Board report is attached below for information.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Need, Impact on adjacent Area of Outstanding Natural Beauty/Site of Special Scientific Interest, Impact on Wildlife Site, Scale and Design, Landscaping, Highway Safety.

THE PROPOSAL: The application seeks planning permission to construct a 40 space car parking area and hardstanding to site a mobile catering van, with provision of a footpath link leading to the track up to The Wrekin.

The application is proposed to provide additional off-road parking and a pedestrian link to The Wrekin which avoids the need to walk along the highway and the associated dangers to pedestrians.

SITE AND SURROUNDINGS:

The application site comprises an area of 0.37 hectares and is a large open field, currently used as grazing land and known as the 'Donkey Field' and positioned to the northeast of the Wrekin. It is a corner site, with highways to the north and east. The field is bounded by hedgerows to the north and east adjacent to the highways. The site slopes up towards the southern boundary, leading to an area of woodland at the base of The Wrekin.

The application site is designated as a Wildlife Site, and The Wrekin is designated as an Area of Outstanding Natural Beauty and a Site of Special Scientific Interest and comprises Ancient Woodland, a Local Nature Reserve and Scheduled Ancient Monuments. There is a reservoir to the east of the site on the opposite side of the highway.

There is an existing car parking area to the southeast of the application site, beyond the track leading up to summit of The Wrekin. It is hardsurfaced and in relatively poor condition with a number of potholes. There is limited soft landscaping and it is bounded from the road by large boulders and with a rockface to the rear. The majority of vehicles are parked along the highway adjacent to the reservoir opposite the application site, which is closer to the track to The Wrekin than the existing car park. The Ercall is located to the east of the existing car park, with Wellington approx 2.5km to the northeast of the application site.

PLANNING HISTORY:

None

PLANNING POLICY CONTEXT:

National Planning Guidance

National Planning Policy Framework

Saved Wrekin Local Plan Policies

UD2 Design Criteria

OL2 Designated Areas

LDF Core Strategy

CS7 Rural Area

CS12 Natural Environment

CS15 Urban Design

CONSULTATION RESPONSES:

Little Wenlock Parish Council objects to the proposal on the following grounds

- Green field site in a rural area being turned into a tarmac car park
- Site is in an environmentally sensitive area
- Loss of valuable flora and fauna
- Site is close to an AONB and SSSI site
- The pressure on parking only exists at weekends and Bank Holidays etc
- Alternative sites (former car parks) Wrekin Straight and another on Ercall Lane could be used at peak times
- Alternative solution - park and ride system at peak times running from car parks in Wellington
- Should be encouraging less traffic at the foot of the Wrekin
- Future planning creep with proposed further parking, allotments and toilets as stated in the application
- Many car owners already do not park in the free Forest Glen car park but park on the road, they are not likely to park in a car park further away
- There is no guarantee that they will be able to secure the site at night
- There is no guarantee that they will find a caterer who is willing to remain on the site all day and to carry out the opening and closing of the site

- The more people going up The Wrekin, the more environmental damage there will be and further erosion to the site of the hill fort

Wellington Town Council: no objection

Highways:

Following amendments to the plans to incorporate the area of land to the north into the red line site area and clarification regarding visibility splays from the site, there are no objections subject to the Applicant entering into a S106 agreement to provide £5000 towards a Traffic Regulation Order and associated enforcement measures to eliminate the on road parking on Wellington Road.

Drainage:

Support subject to condition that details on a suitable method of surface water management are submitted and approved prior to commencement to ensure satisfactory drainage of the site and avoid flooding.

Geotechs: no comment

Arboricultural:

No objection subject to conditions B121 and B123 regarding landscaping design, B126 and B128 regarding landscape management and maintenance plan, B132 no-dig method of construction within root protection areas and C89 (custom) regarding tree safety work. The tree survey provided with the application only covers tree within the application site. There are a number of large hanging branches within the canopies of trees along the proposed route. If it is recommended that tree is to be felled the remaining stump could be carved to make an interesting entrance to the Wrekin.

Ecology:

Objects to the application and makes the following comments:

- The proposed development site falls within a Local Wildlife Site, and if permission is granted this will degrade the edge of the wildlife site and also the adjacent SSSI and AONB.
- The Ecological and protected species survey found evidence of badger activity in or close to the proposed development site, but concluded that there would be no significant impact on badgers. No evidence of any other protected or priority species were found on the site, but a mature oak tree has the potential to support roosting bats, and the site remains suitable for nesting birds, foraging bats, amphibians, hedgehogs and invertebrates.
- No works can take place to this tree until it is known whether a bat roost is present, otherwise an offence may be committed under the Habitats Regulations. Planning permission cannot be granted until the fate of this tree is established; either the development scheme will have to be altered to avoid siting the path near the tree (and avoiding any tree works), or bat surveys are required.

Sustainability:
No comment

Shropshire Wildlife Trust:
Objects on the following grounds:

- Proximity to a SSSI and the AONB
- Location on a County Wildlife Site
Extent of future development options - the proposal may encourage additional visitors, eventually add to the traffic issues and possibly set a precedent for further development.
- Strategic fit – proposal does not accord with majority view that visitor management should seek to reduce traffic and ensure a more sustainable access solution

Should Telford and Wrekin be minded to approve the application, the following conditions should be imposed:

- All the mitigation and enhancement measures of the Ecological and Protected Species Survey. There should be a greater emphasis on tree planting, possibly up to 70 % of the existing field area along with a commitment to long term management
- The footpath is positioned at a greater distance from the mature oak tree so avoiding ecological impacts and health & safety concerns
- A clearly defined limit to any additional development, events or activity within the area.

Shropshire Hills AONB Partnership:
Objects to the proposal on the following grounds:

- Development would be on a greenfield site immediately adjacent to an AONB
- Rationale is unsound and not supported by local groups, such as Wrekin Forest Partnership
- A range of alternatives have been considered in the AONB Partnership report 'Wrekin Forest Sustainable Transport & Access Study', and there are ongoing discussions, but not at the stage for implementation
- Wrekin Forest Partnership voted against developing Donkey Field as a car park
- Parking in urban fringe locations often become focal point for anti-social behaviour, with landscaping exacerbating problem
- Onus on catering providers to ensure car park locked at night
- Catering provision will increase visitor numbers and therefore traffic
- Cannot compare site with Haughmond Hill
- Car parking provision without plan for ongoing management is not appropriate
- Poor consultation and outstanding flaws in proposal

Ten letters of representation have been submitted, including 2 letters from members of Wellington Civic Society, with the following objections:

Impact on character/visual impact

- Development will be harmful to AONB
- Impact on view and character of The Wrekin – visually detrimental, including for those people taking the path around The Wrekin

Sustainability/Alternative solutions

- Wellington Civic Society wishes to encourage more people not cars to visit The Wrekin
- Application lacks analysis of current car parking capacity, how existing space could be better used, demand for parking at different times of day, week and year
- Other options should be investigated if there is a need for additional parking
- Wellington Regeneration Partnership would like to see park and ride from Wellington car parks instead
- Parking is only occasionally a problem- Park and ride would be best solution
- Site not identified as solution by local authority or relevant agencies
- Forcing visitors who currently come very frequently, into an (eventually charged) carpark discourages them from enjoying healthy exercise
- Adverse impact on local economy of Wellington, which promotes 'Walkers are Welcome', as few visitors to the Wrekin would pass through Wellington

Highways issues

- Narrow nature of Wrekin Course – unsafe access due to poor visibility of traffic approaching over brow of hill/bend, and vehicle movements would be chaotic
- Car park would encourage an increase in traffic
- Junction between Wrekin course and the M54/Forest Glen road will become a problem
- Need to encourage greater use of existing car park before creating new provision
- There has never been a motor accident involving minor or major injury at the site

Viability of proposal

- Catering van unacceptable – increase in litter/waste – what provision made? Will it eventually become permanent built café?
- Legal requirement to provide sanitation facilities at the outset of the catering facility's operation?
- Responsibility on operators of catering van for security is unviable
- More details on days and hours that catering van will be available need to be provided, to establish availability of car park
- Cost of maintaining site's security is required

- Are funding arrangements available to continue free use of car park after 3 year rent-free period? What means are proposed to discourage roadside parking? Who will enforce against roadside parking?
- Further planning creep – development and special events, if permitted
- Evidence of need for allotments?
- It is noted on the application that the field has poor fertility. It would hardly then make good allotments. Also likelihood of vandalism unless whole site was security fenced which would add to the ugliness of the development

Ecological impacts

- Adverse impact on vast numbers of frogs and toads migrating in the spring and autumn to and from the reservoir
- Adjacent to historic bluebell woods and large population of badgers
- Drainage issues – tarmacing area will cause future problems of water lying in winter
- Impact of increasing visitor numbers on the whole of the ecology of The Wrekin – details of how this can be mitigated must be provided

PLANNING CONSIDERATIONS:

The application comprises the creation of a new car parking area with associated vehicular access off Wrekin Course to provide improved parking provision and safe pedestrian access to the foot of The Wrekin. The Applicant states the project is community-led and will use funding from the Huntington Lane Mining Community Trust Fund to provide the parking area and pedestrian access for able-bodied and disabled people, along with parking spaces for larger vehicles such as minibuses and horse trailers.

The proposal would utilise the existing gated access as an entrance into the site, with a new exit point, both on Wrekin Course. The car park would comprise 40 standard spaces and 2 extra long spaces. Provision within the site will be made for benches and picnic tables. A mobile catering van will be located on site; the catering providers will be responsible for locking the site at night. The car park has been designed to replicate parking areas at Haughmond Hill near Shrewsbury, with the development softened and screened by trees and landscaping.

The plans also show indicative layout for allotments, overspill parking area and public conveniences; however this does not form part of the current application but may form part of future proposals.

It is noted that there are concerns that the car parking area will increase traffic movements adjacent to The Wrekin; however the site is a very popular and well-used attraction in the Borough. In principle, the intention to improve parking arrangements and ensure greater pedestrian safety for walkers accessing the track to The Wrekin is supported. Officers acknowledge existing parking arrangements are not ideal. The existing car park is in a poor state of repair and appears to be underused compared to the parking on the highway. There is currently no safe pedestrian route to access the track. The

Applicant has advised that alternative solutions have been discussed; however, no formal solutions have been put forward other than this proposal.

The adjoining land is designated an Area of Outstanding Natural Beauty and a Site of Special Scientific Interest. Both at a national and local level, planning policy sets out that these areas must be conserved and protected. The site is not located within this designated area and the only part of the site that adjoins it is the footpath leading to the track access to the Wrekin. It is deemed that the proposal will not have an adverse impact on the adjoining site which is of national importance. Whilst the car parking area will be visible on the approach to the site; the proposal has been designed to include a significant level of landscaping, thus the development will not be overly prominent and the existing hedgerows and proposed tree planting will help to screen the development from the highways and surrounding areas. The majority of the parking area and footpaths are to be constructed in materials to blend in with the area, with only the access road to be tarmaced. In terms of the scale and design of the development, the scheme constitutes a modest area of the field, and the layout and surfacing, with proposed landscaping are considered appropriate. The majority of the field will remain open and unchanged.

It is considered that the proposal will not have a detrimental impact on the Wildlife Site. The site is currently grassland/grazing land, and is quite an exposed site with limited trees. The Ecological and protected species survey outlines that the proposed development will have little impact on the habitat of wildlife; however it is considered that the addition of native trees and hedgerows will enhance the area. Any areas of hedgerow removed to provide improved highway visibility can be replanted. The scheme will result in an increase in tree planting which could provide benefits to local wildlife. Appropriate conditions can be imposed to ensure that the impact on existing trees is controlled. Therefore the proposal accords with planning policy.

The proposal will help to remove car parking from the highway which will improve highway safety. It is also considered that the parking of vehicles in the designated car park will enhance the character and appearance of the area through the removal of parking on the road. In order to address highway requirements, amended plans have been submitted to extend the red line site area to the north and improve visibility splays from the site and on to Wellington Road. The Applicant has agreed to enter into a S106 agreement to provide £5000 towards a Traffic Regulation Order and measures such as painting of double yellow lines on the road to enable the Local Authority to remove the existing parking on the highway.

The catering van would be an ancillary part of the car park and it is intended that this would be removed each evening and the site secured. The principle of having a facility providing refreshments is long established with the former Forest Glen at the existing car park, and the existing café on the track up to the Wrekin. A number of concerns have been raised about how the facility will be managed and the responsibility on the catering provider to lock the car park at the end of the day. Officers consider the principle of the catering van

is acceptable but that the Applicant needs to clarify how this will be managed. This can be dealt with by condition. There are currently no plans to charge for car parking, and the existing car park adjacent to The Wrekin is free of charge.

In conclusion, having regard to the objections raised and planning guidance, officers consider that on balance, the principle of creating a new car park with catering van to replicate the form of the Haughmond Hill car park is acceptable and will not have a detrimental impact on the adjoining Area of Outstanding Natural Beauty and Site of Special Scientific Interest or the designation of the land as a Wildlife Site. The proposal will replace existing parking on the highway and will provide safer pedestrian routes to the track access to The Wrekin. The proposal is considered acceptable subject to conditions and planning obligations.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the Applicant entering into a S106 agreement to provide £5000 towards a Traffic Regulation Order and the following conditions:

1. A04 Time limit
2. B121 Landscaping scheme
3. B123 Tree survey
4. B126 Landscape Management
5. B128 Landscape Maintenance Plan
6. B132 Trees No Dig Method
7. Bcustom No works to mature Oak tree until survey undertaken to establish whether bat roost
8. Bcustom Method of surface water management
9. Bcustom Details of management of site and catering van to be submitted
10. C38 Development in accordance with plans
11. C89 Tree safety work
12. Ccustom All mitigation and enhancement measures of ecology survey to be implemented

REASON FOR APPROVAL:

The principle of creating a new car park with catering van is considered acceptable and will not have a detrimental impact on the adjoining Area of Outstanding Natural Beauty and Site of Special Scientific Interest or the designation of the land as a Wildlife Site. The proposal will replace existing parking on the highway and will provide safer pedestrian routes to the track access to The Wrekin.

TWC/2012/0362 4 Little Meadow Close, Admaston, Telford, Shropshire, TF5 0DN

Erection of a 2no. storey side extension and garage conversion

APPLICANT

Mr Ali Mahomed

RECEIVED

04/05/2012

PARISH

Wrockwardine

WARD

Wrockwardine

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Parking, scale and impact on amenity

THE PROPOSAL: This application seeks consent to extend a two-storey detached, hipped roof dwelling with a two storey side extension, conversion and alterations of garage to a study and extension to porch. The extension will provide the dwelling with a bedroom and ensuite at ground floor and bedroom and ensuite at first floor.

Consent is sought to enclose and extend the existing canopy area to create a porch. It would measure by 0.8m by 4.25m. The porch will be extended to meet with the width of the main entrance door by construction of a flat roof, two roof lights and glass screening.

The two-storey side extension will measure 4.6m wide and 6.8m deep. It will measure 5.2m to the eaves and 8.16m to the existing ridgeline.

The conversion of the garage into the study will include the replacement of an existing garage door with a second entrance door.

THE SITE AND SURROUNDINGS

This property is a 1990's detached dwelling, located within the urban area of Telford. Little Meadow Close is accessed off Meadow Dale Drive in Admaston. The area is predominantly residential surrounded with houses of a similar style and scale.

The application property is orientated in its position so that its front elevation faces south west, whereas the neighbouring bungalow (number 6) faces directly North West.

The two-storey dwelling provides a front driveway, a double garage to the side and parking provision for 5 cars as well as a conservatory at the rear. External materials consist of red facing bricks, concrete roof tiles and white upvc windows.

CONSULTATION RESPONSES

Wrockwardine Parish Council: object: We consider that the impact of this extension would be particularly injurious to the immediate neighbouring property and there are concerns that the loss of a garage combined with the

fact that the applicant is using the property to carry on a business from this property with the potential of visiting clients along with the number of occupants who will have the potential to be car owners will inevitably lead to increased on street parking. This property was originally designed as a five bed roomed property making it the largest of its type on this small development. The proposals would greatly increase its visual impact to the detriment of the development as a whole.

Although not a planning consideration, the Borough Council needs to be aware that there is a covenant on this property which prevents it being used for commercial purposes. Any enforcement of this covenant would not be a matter of the planning authority but we believe that the planning authority should not grant any permission which would invite litigation.

Geotechs

Ecology: No objection subject to Informatives

11 Neighbours have objected on the following grounds:

- Property being used as a business
- On street parking
- Existing covenant on the property that prevents it being used as a commercial property
- Overdevelopment
- Highway danger
- 3 families live in the house instead of 1 contrary to the covenant
- Out keeping
- Lack of site notice/consultation

PLANNING HISTORY

C96/0025, residential development , granted under New Towns Act 25th March 1997.

POLICY CONTEXT;

National Policy

Planning Policy Framework

Core Strategy:

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS

This application relates to the erection of a two storey side extension, porch extension and the conversion of garage into a study.

It is considered that the size of the overall two-storey side extension is not disproportionate in relation to the existing dwelling nor is it out of scale with the existing plot. Although houses located within Little Meadow Close have not extended in a similar way, officers do not consider the proposed extension

would visually harm the street scene. In regards to the porch extension officers have considered the flat roof element and deem such a design could be improved, but not sufficient to warrant a refusal. Having said that the proposed extensions will be built using matching materials, plans show that the extension has incorporated existing features such a hipped roof, cills and lintels in accordance with policies UD2 and CS15. In addition officers must emphasise that majority of the porch area (3sq.m) could be built under permitted development which would not require the need for planning permission.

The north elevation will feature a side facing window; however views into the rear of number 6 will be avoided by 1.8m high existing boundary treatment. To ensure no overlooking is created the LPA recommend the decision is conditioned with a no additional windows condition.

By reason of the sites orientation and layout as well as a 12m separation distance between number 4 and principle windows that serve number 6, the extension is not believed to be overbearing. Officers note that the extension may create a loss of light when the sun reaches its southern point, however officers do not consider the loss to be significant. To the rear of number 6 situates a conservatory, officers are aware that the conservatory may experience a modest loss of light however having said this, the room is not a principle room that can be protected. The Council acknowledge the conservatory links with the existing dining and living room, although this room is served by three principle north facing windows and therefore receives a sufficient degree of natural daylight.

The LPA have acknowledged that the extension may affect the amount of light entering properties located in north east. However the LPA consider the loss would occur early to late evening for a short period of time prior to the sun setting. Therefore officers deem the loss to be modest that would not have an adverse affect on occupier's right to light.

Further to above, it is worth pointing out that the property retains its full permitted development rights. Therefore, the applicant could erect a single or two-storey rear extension and create the same number of bedrooms without the need for planning consent, albeit not adjacent the road or forward of the front of the house. By virtue of the existing ground levels and limited control over the appearance of a PD extension, the LPA believe a extension built under PD could appear more prominent and harmful to the extension than is being proposed.

Given the PD fall back position, on balance the application is considered acceptable. The design of the overall development is considered to be acceptable, being in-keeping with the existing property and the neighbouring dwellings. Officers have considered neighbouring objections in regards to parking however the dwelling will continue to provide 3 spaces on the drive and 1 in the garage therefore officers do not consider the development will have a detrimental impact on existing parking provisions. The LPA note that this dwelling will become a 7 bedroom house however must also stress that

Parking Standards contained in the Wrekin Plan were not saved. However having said this, those standards required 3 parking spaces to be allocated for a four bedroom house or more. Therefore officers do not consider this reason would justify a refusal.

Officers acknowledge neighbouring concerns with cars parking on the street however this is a civil matter which cannot have any bearing when making a planning decision. Neighbours have also said that they suspect a business is being run from 4 Little Meadow; the agent has stated that the applicant is an accountant who intends to use the study as an office. The study would allow the applicant to continue to work from home more comfortably. In light of this use there does not appear to be any evidence to suggest that this use is a use that would require planning permission, however an enforcement officer will be asked to investigate further.

Neighbours state that prior to occupation of the dwellings at Little Meadow the signing of a covenant was required. Although the covenant is a legal agreement, it is one that is separate to a planning that cannot be given any material weight when considering a planning application. Therefore the Council advise those concerned seek legal advice in order to conclude this matter.

Neighbours have raised concerns with the Council's failure to put up a site notice and consult all properties within Little Meadow Close. In light of these comments the LPA emphasise that the LPA consulted adjoining neighbours completely in accordance with Part 2 of The Town and Country Planning (Development Management Procedure) (England) Order 2010.

The proposed extensions are acceptable. The design is relatively simple and in-keeping with the character of the property and adjacent dwellings. The proposed materials will match existing and therefore the character of the dwelling and immediate area will not be significantly affected. Furthermore, the extension will not lead to any significant loss of privacy or light and as it is proportionate in size to the existing dwelling, there will not be any significant overbearing impact. However in light of neighbouring concerns the decision will be conditional to ensure the property is used solely ancillary to the dwelling and not for commercial or business purposes.

For the above reasons, it is considered that this application is acceptable and it is recommended for approval subject to conditions.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

- A04 Time Limit
- B011 Samples of materials
- C38 Development in accordance with plans
- D03 Restriction use of garage
- D09 No additional windows in North facing elevation
- I40 Conditions

I41 Grant of planning permission
RACUSTOM

REASON FOR APPROVAL:

The proposed extensions are acceptable. The design is relatively simple and in-keeping with the character of the property and adjacent dwellings. The proposed materials will match existing and therefore the character of the dwelling and immediate area will not be significantly affected. Furthermore, the extension will not lead to any significant loss of privacy or light and as it is proportionate in size to the existing dwelling, there will not be any significant overbearing impact.

TWC/2012/0391 Unit 6, Telford Bridge Retail Park, Old Park, Telford,
Shropshire, TF3 4PB
Installation of a mezzanine floor

APPLICANT

Akaria Investments Limited

RECEIVED

03/05/2012

PARISH

Lawley and Overdale

WARD

Lawley and Overdale

OBJECTIONS RECEIVED: No

MAIN ISSUES: Retail impact on town centre, Access and parking.

THE PROPOSAL: The application seeks planning permission for the erection of a mezzanine floor which would increase the floor area of Unit 6 on Telford Bridge Retail Park. The proposal involves the removal of an existing mezzanine and provides a replacement measuring 365sq which would result in an increase of 312sq.m. The final proposal floor area would be 1,104sq.m.

The additional floor space will enable Hobbycraft to display and stock its full range of products to avoid customer dissatisfaction, wasted trips to the store, the need for repeat visits by customer and the requirement for additional service deliveries. It will provide the retail environment expected by its customers providing sufficient space for the display of bulkier items, better quality product displays and more comfortable circulation space.

No other changes are proposed as part of this application and no changes to the existing access points to the site or store. The mezzanine will be constructed of Steel primary and secondary beams with chipboard decking.

Hobbycraft provide a wide range of materials and equipment used for weddings, needlework, card making, fine art materials and framing as well as selling complete kits for models, knitting, etc.

THE SITE AND SURROUNDINGS:

The application site is located within the Bridge Retail Park, on the edge of the town centre. The unit itself is currently occupied by Bed Shed Clearance Store which is to vacate the unit. The unit currently provides a ground floor of 739sq,m with a 53sq.m mezzanine, whereby the mezzanine comprises back of house staff. The site lies adjacent to Pound Stretcher and Argos. The Retail Park comprises of several retail units and a restaurant. The units include Halfords, B&Q, Mothercare, Harvey's, Carpet Right, Next Home, Dreams and .

A number of units on the Bridge Retail Park and the adjacent Forge Retail Park have existing mezzanines providing additional storage and retail floorspace. Car parking is shared with other units.

CONSULTATION RESPONSES:

Lawley and Overdale Parish Council: no objection

The Council's Highways Engineer states no highway objection subject to the Applicant entering into a Section 106 agreement to pay a contribution towards the Central Telford Area Action Plan of the value of £10.422 to be paid prior to the commencement of operation of the mezzanine. The CTAAP Contribution Strategy was adopted by Cabinet on 23rd February 2010.

This has been calculated using 6 new 2 way vehicular trips on the adjacent highway network as a result of this development alone, as per the information given in the applicants Transport Statement Para. 3.13. Each new trip is valued at £10,422 as per the principles given in the CTAAP document which have been successfully applied, approved and agreed by the applicants of previous planning applications for similar mezzanines at the Retail Park such as TWC/2010/0432.

1 Neighbour has commented and stated no objections

PLANNING HISTORY:

2004, siting of 1no. Pylon Sign 2no. Gateway signs and 13no. flag signs, split advertisement consent 10th December 2004

2002, re-cladding of existing units, removal of existing canopy and erection of 8 new signage features, granted 20th November 2002.

2002, display of 2 double sided externally illuminated banner signs, withdrawn 19th January 2004.

2000, demolition of unit 11 and erection of 3 new retail units with associated reconfiguration of car park and landscaping area, granted 22nd March 2001.

POLICY CONTEXT:

National Planning Policy:

National Planning Policy Framework

Local Development Framework:

CS4 Central Telford

CS15 Urban Design

Wrekin Local Plan

UD2 Urban Design Criteria

S1 Hierarchy of Service Centres

Central Telford Area Action Plan

Policy CT23 Developer Contributions for Delivering Infrastructure

Policy CT8 Box Road

Policy CT9 Other Highway Network Improvements

PLANNING CONSIDERATIONS:

The proposal seeks consent for an additional 312 sq.m mezzanine floor at Unit 6 Telford Bridge Retail Park. The Planning & Retail Statement asserts that the additional floor space and associated refurbishment will increase

employment, maintain trade within Telford, improve retail provision for customers, and meet predicted strong growth in art and craft goods market.

The application site (Unit 6) could be increased by up to 200sqm without planning permission as permitted under the GPDO taking the existing floor area to 992sqm. This proposal adds another 112sqm on to the permitted development allowance totalling 1,104sq.m.

With regard to the principle of the new mezzanine and additional floorspace, the following policies are considered most relevant. The proposal accords with the retail hierarchy set out in Policy S1 of the Wrekin Local Plan which identifies The Forge Retail Park as Level 1, along with Telford Town Centre, Telford Bridge and Wrekin Retail Park within the hierarchy of centres where development will be focussed.

With regard to local planning policy, Policy CS4 of the Core Strategy outlines Central Telford for major retail development to meet the needs of the borough and the sub-region, and seeks to secure Central Telford and enhance it as the core of the service centre hierarchy by recognising its role as a place of significant development as well as a strategic town centre. This policy is somewhat general and therefore advises that more detailed policies are contained in the Central Telford Area Action Plan (CTAAP).

The other policies which are considered relevant in the consideration of the application are CS15 of the Core Strategy and UD2 of the Wrekin Local Plan. 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. 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.

The CTAAP Development Plan Document is the Council's development vision for the town centre and provides a detailed planning framework for its future development. It also includes adjacent areas of Telford, including Old Park which comprises the out-of-centre retail parks. The Area Action Plan considered the retail parks outside of the town centre boundary and are considered as out of centre locations in the context of the NPPF. To ensure the vitality of the town centre is maintained with the focus of retail and leisure use in this location, policy OP5 of the document states the Council will not support future expansion of the retail parks for additional retail or leisure uses.

The NPPF states Local Planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. It states that local authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and if only suitable sites are not available. Should out of centre sites be considered it advises that the proposals need to demonstrate they meet the appropriate test.. A sequential test can be satisfied providing all more central options are either developed out or shown not to be suitable, available or

viable; and there would be no adverse impact on the vitality and viability of the Town Centre and District and Local centres within the Borough.

The applicants have not undertaken a full retail impact assessment because the NPPF does not require impact assessments to be carried out for retail proposals less than 2,500sqm unless locally set thresholds are less. There are no alternative thresholds relating to Telford therefore the sequential test has been submitted to demonstrate that the most suitable location has been sought.

With the impact on retail in mind it is important to note that Hobbycraft does not offer a depth of product range for an average everyday customer; it is more of a “*specialist*” store that would attract those interested in art and crafts. The submitted planning statement highlights evidence which suggests that the store would help to develop experimentation into a serious hobby which then would support other specialist arts and crafts shops.

Supporting information has been submitted with the application in this regard. The supporting information outlines sites within Telford Centre and edge of centre sites identified in a study by retail consultants Blue Sky Planning. They have considered each in turn and have concluded that given the size of unit required for Hobbycraft and constraints on each of the sites, the existing unit on Telford Bridge Retail Park with links to the main shopping centre is most suitable.

Within the supporting information, the applicant has recognised that the Red Oak Car Park site is large enough to accommodate the Hobby craft unit however concluded that the site is not suitable for the proposed development as it is more suitable to accommodate an anchor store. The information indicates that there are currently 18 vacant units within Telford Town Centre. These vacant units range in size from 40-770 sq.m. Therefore it is clear that all of the vacancies within the centre are far too small to be considered as alternatives to the application premises. Even the largest vacancy in the centre, the former Peacocks store in Telford Shopping Centre, only offers 70% of Hobbycrafts required floorspace.

The supporting information also makes reference to ongoing redevelopment and extension to the Telford Shopping Centre. The applicant considers that this is a large scale project of key significance for Telford Town Centre whereby key anchor stores are being signed up to the development prior to development commencing. It is most likely that the anchor stores will be in the form of department stores. With this in mind it is both the applicants and the LPA’s view that Hobbycraft would not qualify as an anchor store that would underpin such a high profile development.

In addition to this the applicants have acknowledged that the existing Asda store in the Centre will become vacant on its relocation to the Southwater/Civic Centre site. The future of the floorspace is unknown; it comprises circa 7,000 sqm or floorspace which is too large for Hobbycraft which would require sub-division.

In light of the information contained within the sequential assessment which has considered existing opportunities, proposed developments and development plan allocations, the LPA considers that there are no sites that are available, suitable or viable within Telford Shopping Centre for Hobbycraft.

Policy CT8 and CT9 of the CTAPP document asserts that development proposals in Central Telford will support the phased implementation of the Area Action Plan Transport Strategy, including improvements to the 'Box Road' and construction of the Greyhound Link. In this regard, the Highways Engineer has requested the developer pay a contribution of £10,422 towards the highway infrastructure in relation to the Central Telford Area Action Plan, in order to address the impact of proposed new trips the development will generate, which the developer is prepared to pay.

In light of the above officers consider the proposed is a small increase in the floor space above the permitted development allowance and would not significantly impact on the viability and vitality of the town centre. The proposed mezzanine is similar to those approved at other units including the recent approval at Next on Telford Bridge which was subject to Section 106 for highway infrastructure contributions. It is considered that the proposal would not undermine the policy objectives of the Core Strategy by virtue of the scale and nature of development as well as the specialist type of store in this location.

The proposed development will deliver positive impacts by sustainably re-using an existing accessible retail building to meet the needs of a business to provide a service and generate local employment. Accordingly, the officers consider that the proposed development should be allowed as there will be positive impacts of the application and no material potential negative impacts.

The applicant has stated that they would be prepared to agree to following conditions if planning is granted. A condition limiting the range of goods to be sold from the mezzanine to the retail sale of Arts & Crafts and hobby products and equipment including cake decoration and sweet making and associated products.

Thus, on balance, and with regard to the financial contributions for improvements to the highway infrastructure, the proposed addition of a new mezzanine at unit 6 is considered acceptable subject to condition.

RECOMMENDATION: Subject to the Applicants entering into a Section 106 Agreement relating to financial contributions towards strategic highway infrastructure to be delegated to the Manager of Development Management to **GRANT PLANNING PERMISSION** subject to the following conditions:

A04 Time

C38 In accordance with plans

DCUSTOM

The approved mezzanine shall be used for the sale of arts & crafts and hobby

products and equipment including cake decoration and sweet making and associated products and for no other purpose including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To ensure that the development is consistent with the retail policies of the Wrekin Local Plan and to preserve the vitality and viability of Telford Shopping Centre

REASON FOR APPROVAL:

The proposal is considered acceptable by virtue of its scale and nature of development, as it would maintain viability of the existing business and would not be detrimental to the vitality of the town centre and the principles of CTAAP through the highway contributions.

TWC/2012/0408 Land off Meadow Road, Marshbrook Way, Muxton, Telford, Shropshire,
Erection of 12no. dwellings (Reserved Matters application)

APPLICANT

Bromford Housing Group

RECEIVED

24/05/2012

PARISH

Lilleshall, Donnington and Muxton

WARD

Muxton

CLLR A LAWRENCE HAS REQUESTED PLANS BOARD CONSIDER THIS APPLICATION

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES:

Design, access, landscaping and trees, impact on neighbouring properties amenities.

THE PROPOSAL:

Reserved matters application for the erection of 12 dwellings on site, with matters of access, appearance, landscaping, layout and scale for consideration.

SITE AND SURROUNDINGS:

The proposed site outlined for development is predominantly an area of scrubland that is situated in a predominantly residential area. The site measures approximately 0.4 hectares. To the north west of the site residential properties are situated, the rear gardens of these properties border the site. Scrubland is located to the north west of the site, and a large road verge is situated to the south west of the site. Marshbrook Way acts as the site's southern boundary. The site lies approximately 35m from the junction of Donnington Wood Way and Marshbrook Way. Donnington Wood Way is considered a major transport corridor for the area.

Donnington Local Centre is located approximately 0.75km to the south west of the site, and Telford Town Centre is 4km to the south of the site.

The site is relatively flat, with a gentle slope of approx 1m falling from south to north.

PLANNING HISTORY:

W2005/0767 Outline planning permission for residential development - Approved Sept 2007

TWC/2010/0496 Application to vary condition no. 2 of planning permission W2005/0961 for residential development (outline) to read Application for approval of the reserved matters shall be made to the local planning authority before the expiration of five years from the date of this permission - Approved November 2010

PLANNING POLICY CONTEXT:
National Planning Guidance
National Planning Policy Framework

Saved Wrekin Local Plan Policies

UD2 Design Criteria

H6 Windfall sites in Telford & Newport

H22 Community facilities

H23 Affordable housing

OL6 Open land

OL11 Woodlands and Trees

LR4 Outdoor recreational open space

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

LDF Core Strategy

CS1 Homes

CS15 Urban Design

CONSULTATION RESPONSES:

Lilleshall, Donnington and Muxton Parish Council:

Drainage:

No objection subject to conditions for information to support drainage strategy and details of ownership and maintenance of attenuation feature.

Geotechs:

Support the application subject to the findings of the ground investigation being adhered to.

Sustainability:

No comment

Planning Ecology:

The conclusions of the ecological assessment that the site is of low ecological value and the development will not adversely impact on any protected or priority species is acceptable. The site consists of semi-improved grassland, patchy scrub, a few immature trees, a section of mature hedgerow and a defunct hedgerow.

There is a pond on the other side of Marshbrook Way, but the road acts as a barrier to dispersal and, as the report states, 'in the unlikely event that a breeding population of great crested newts were present within this pond, it is highly unlikely that they would occur on the site during the terrestrial phase of their lifecycle.'

The trees are immature and offer no bat roosting potential. Foraging and commuting potential is also limited as there is little connectivity to more

suitable habitats. The report considers that the site has the potential to support only very low numbers of common bird species, 'due to the sparse nature of the vegetation and high disturbance levels'. The potential for reptiles and invertebrates to be present is also limited.

The report recommends the following mitigation and enhancements:

- undertake tree clearance outside bird nesting season
- erection of 2 bat boxes/bricks on the buildings
- erection of 3 house martin and 3 sparrow nest boxes on the buildings
- include a range of native tree, hedgerow and scrub species of local provenance in the landscaping scheme
- install hedgehog boxes
- promote the retention of ground water in and near the site by use of porous surfacing where possible, the incorporation of bog gardens ponds and soakaways and the use of appropriately sourced mulches on planted borders and beds
- promote the inclusion of green roofs
- include areas of low maintenance meadow planting, wetland and pond features

The landscaping design scheme looks to include native hedgerow species but not native shrubs. There are a lot of fruit- and berry-producing shrubs, but a higher proportion of native species would be better.

Notwithstanding the above queries, I recommend the following conditions and Informatives:

Erection of nest boxes
Nesting Birds (vegetation)
Trenches
Green roofs
Lighting

Parks and Open Space: Awaited

Highways: The following comments are based on the revised site plan (drw.no.1024-07L). Please be advised that I have no objections in principle to the proposals subject to the following.

- 1) Road/footway construction details
- 2) Provision of parking turning areas

Some highway construction details have been submitted. The suitability of the construction would follow through a detailed technical audit during the S38 process. The principles are accepted but the specific details such as construction depths etc. may be subject to minor amendments in connection with the adoption of the road. I still require details of the street lighting and services. This could impact on the extent of the highway to be adopted in front of Plots 7-9 and the Applicant should be remain aware of this before disposing of any individual Plots.

The Applicant has included the footway link to Marshbrook Way. This is outside the Application red edged boundary but was always understood to form part of these proposals. It is my understanding that the land is owned by the Council and the proposals will include the enhancement of this area. I have conditioned the works as I believe the Council is in agreement with them. This footway would be adopted and street lit.

Similarly the Applicant has kindly indicated a footpath link towards Copperfield Drive on the line of an old permissive route. I have included these works in the condition and it would be the intention to create a PROW on this alignment in the future. I understand the Applicant has no objection to this.

Arboricultural: The woodland to the east of the proposal site is within the ownership of Telford & Wrekin Council. The majority of the woodland consists of a number of Crack Willow trees of varying age range from young to mature. The applicants have undertaken a Tree Survey from which the recommendations are that the Willow trees be pollarded. The applicants are proposing to construct four properties adjacent to the woodland. Therefore we would request that they undertake the works as suggested in the tree survey as a pre-commencement to the development. TWC would then manage the trees as pollards for the foreseeable future.

The gardens of three of the properties appear to be under the canopy of a number of trees within the woodland which in turn once the houses are occupied will lead to further enquiries regarding the safety of the trees, overhanging/encroaching branches, root issues as the trees will be removing nutrients and water from any of the bedding plants within the gardens and sunlight issues.

Consequently if consent is afforded to the application we would expect to see the following condition imposed;

B130 Tree Protective Fencing, as shown on the Marshbrook Way Construction Site Plan.

B139 the aforementioned tree works should be undertaken at the developers cost prior to the commencement of the development.

Standard Tree Conditions; No burning, Soil Levels & Material Storage.

Shropshire Fire Service: No objection subject to Informatives

There have been two letters of objection regarding issues of access along Meadow Road and the number of properties being served of this access. Other issues relate to the tenure of the properties under construction, and security issues along the boundaries with existing properties.

PLANNING CONSIDERATIONS:

Principle of Development

The principle of residential development on this site was established at the outline stage, at that stage the issue of the capacity of the site was considered and the consent was limited to a maximum of 12 dwellings, with a restriction below 3 storeys in height. This reserved matters application accords with the principles agreed at the outline stage.

Layout and Access

The proposed layout has two access points, one off Marshbrook Way, which is a private drive for five vehicles. The other access is off Meadow Road, and seeks to extend the existing cul-de-sac to serve the additional seven dwellings and includes a turning head feature to benefit existing and proposed properties and manoeuvres by large service vehicles, i.e. refuse trucks. The proposal also includes a new footpath link from Meadow Road to Marshbrook Way to increase permeability of the area and benefit walking routes for school etc. The proposed parking provision and increased permeability which reinforces the existing street patterns and maximising potential pedestrian movements whilst creating a safe and secure environment, accords with the policy UD2 of the Wrekin Local Plan, CS15 of the Core Strategy and guidance on good design in NPPF

The siting of the dwellings and layout has been designed to ensure a strong frontage to Marshbrook Way, with corner turning properties to overlook the adjacent open spaces, to give a level of natural surveillance and improve security of the wider site. The building line fronting Marshbrook Way, set behind a private drive is reflecting of the character of development elsewhere along Marshbrook Way. Furthermore, the properties have been sited to give a focal point to Meadow Road, whilst acknowledging the relationship to existing properties and having in excess of 11m separation between new and existing properties and to ensure no direct overlooking of existing properties private amenity space. It is therefore considered by officer that the development accords with policy UD2 as it respects and responds positively to the two distinct adjacent character areas that surround the development to enhance the quality of the local environment

The car parking provision is 2 spaces per dwelling, which is considered acceptable for the mix of dwellings proposed. The parking is a mix of on plot and private driveway parking and there should be no adverse impact on existing streets in terms of parking.

The proposed development also includes the creation of an eco garden and or allotments for use by the wider community and includes the erection of an eco pod temporary structure for use in association with this land. It has been sited to the north east of the site adjacent to the existing woodland and will generate a much needed community facility.

Design, scale and appearance

The proposal is predominantly two storey dwellings, with a single, two and a half storey dwelling to act as a focal building on Marshbrook Way the

development has been broken into blocks of short terraces and semi detached properties and corner turning properties to respond to the adjacent development and provide variation to roof lines and add visual interest to the proposal.

The dwelling types include traditional Shropshire vernacular with window cill and header details, vertical emphasis to the buildings and is in keeping with the character and appearance of the surrounding area.

Officers consider that the development offers a high quality design with architectural detail which reflects the surrounding character and produces a sense of place, in accordance with policy UD2 of the Wrekin Local Plan, CS15 of the core strategy and good design guidance in NPPF.

Housing Mix

Policy CS1 of the Core Strategy states that 'housing development will seek to provide every household in the borough with an affordable, decent and appropriate home. The type, size and tenure will meet local need and be delivered in a way that creates locally inclusive sustainable communities'.

The proposed development includes a mix of 2, 3 and 4 bedrooed properties, with 6 plots designated as shared ownership and the remainder to have social rent tenure. This mix is consistent with the advice given by the Strategic Housing Officer and is to satisfy the housing demands and needs in this locality, and therefore accords with policy CS1.

Ecology, trees and landscaping

The proposed development maintains adequate distance separation to the adjacent tree belt to the east of the site to not affect the health of these and ensure the long term visual amenity is provided. The supporting report does however recommend the pollarding of some streets to remove overhanging branches, which will impact on the garden area of some of the proposed dwellings. Officers consider that this is reasonable and necessary and recommend a condition to ensure that these works are undertaken; other conditions are also recommended to be imposed to ensure the retention of the neighbouring trees. Officers consider that the proposal as mitigated by the proposed conditions accords with policy OL11 of the Wrekin Local Plan, and guidance in NPPF.

The site consists of semi- improved grassland, patchy scrub, a few immature trees, a section of mature hedgerow and a defunct hedgerow, so the site is of low ecological value and the development will not adversely impact on any protected or priority species. The supporting ecological report does make numerous recommendations, such as erection of nesting boxes for birds, bats and hedgehogs, creation of wetlands environments, use of green roofs and meadow planting. Due to the constrained nature of the site and viability and maintenance issues with providing a 100% affordable housing scheme, options such as green roofs and wetlands are not practical and achievable.

Officers therefore recommend biodiversity enhancements of nest boxes for birds, bats and hedgehogs in increased number than those recommended in the supporting ecology report. It is therefore considered that the proposed development accords with policy CS12 of the Core Strategy and guidance on biodiversity within NPPF.

Within the site a landscaping scheme has been submitted which includes a landscape buffer to the existing dwellings in Meadow Road which have side boundaries adjacent to the development, this planting will be robust to ensure no issues of security, but not of a height no greater than 1m to ensure no adverse impact to the adjacent properties.

The landscaping does include the creation of the Eco garden, to promote a health lifestyle for local residents and deliver wider community benefits. The eco pod is a single storey hexagonal building with store, sink and toilet facilities linked to the allotments. This facility is to be managed by Bromford Housing.

Officers consider that the landscaping scheme is appropriate and reinforces the character and appearance of the surrounding area to provide a safe and attractive development in accordance with policy UD2 of the Wrekin Local Plan, policy CS15 of the core strategy and guidance in NPPF.

Drainage

The outline consent considered and agreed the principle of drainage for the site. The details of this application incorporates a full SUDS drainage system, which has been supported by the Councils Drainage Engineer although further information is required with regards to calculations to support the proposed drainage solution and future maintenance and adoption details. Officers consider that these issues can be suitably addressed through conditions on the planning consent, and therefore the development accords with guidance within NPPF.

Conclusions

The proposed development has an appropriate design and layout, which reinforces the existing street patterns, and increase permeability with new footpaths and linkages. The dwellings are of appropriate fenestration and details to create good design and give natural surveillance to existing route. The siting is sensitive to existing neighbouring properties and incorporates sufficient separation distances to ensure no issues of overlooking or loss of privacy.

The landscaping is appropriate to support the overall design, whilst the layout responds to the constraints of protecting the adjacent mature woodland and incorporates ecological enhancement.

RECOMMENDATION: to GRANT PLANNING PERMISSION subject to the following conditions

1. A02 Time limit
2. B11 Samples of materials including sample panel
3. B033 Notwithstanding the submitted details, details of road and footpath construction needed
4. C020 Turning head and parking provision
5. CCustom Development in accordance with Site Investigation report
6. CCustom Drainage Calculations
7. CCustom Drainage ownership and maintenance details
8. C70 Trees - No burning
9. C71 Trees - Soil levels
10. C72 Trees – materials storage
11. C74 Trees protective fencing
12. CCustom Trees pre-commencement pruning
13. CCustom Erection of nest boxes
14. C38 Development in accordance with deposited plans

INFORMATIVES

S106

Nesting Birds (vegetation)

Trenches

Green roofs

Lighting

Outline planning conditions discharged

Shropshire Fire Service

Reasons for grant of reserved matters

REASON FOR APPROVAL:

The proposed development has an appropriate design and layout, which reinforces the existing street patterns, and increase permeability with new footpaths and linkages. The dwellings are of appropriate fenestration and details to create good design and give natural surveillance to existing route. The siting is sensitive to existing neighbouring properties and incorporates sufficient separation distances to ensure no issues of overlooking or loss of privacy.

The landscaping is appropriate to support the overall design, whilst the layout responds to the constraints of protecting the adjacent mature woodland and incorporates ecological enhancement.

TWC/2012/0420 80 Wombridge Road, Wrockwardine Wood, Telford,
Shropshire, TF2 6QG
Change of use from garage to dog grooming business (retrospective)

APPLICANT

Mrs Helen Wilcox

RECEIVED

22/05/2012

PARISH

Oakengates

WARD

Wrockwardine Wood and Trench

**WROCKWARDINE WOOD & TRENCH PARISH COUNCIL HAS
REQUESTED THIS APPLICATION BE DETERMINED BY PLANS BOARD**

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Impact on residential amenities, highway matters relating to car parking, Noise, business operating from a residential area.

THE PROPOSAL:

This full planning application seeks permission for the retention of a previous change of use of a domestic garage (Use class C3) to a dog grooming business (Sui Generis). A 1 year temporary permission was granted on 5th March 2008 however the business has continued to operate ever since. This application was submitted following the applicant receiving advice from the Council's Enforcement Officer and a permanent permission is now being sought.

The dog grooming business operates from a single detached garage which is located in the rear garden of No.80 Wombridge Road, Wrockwardine Wood. The flat roof structure constructed from masonry measures 2.8m x 5.2m x 2.4m in height and is finished in brickwork, felted roof and white upvc windows and doors and sits alongside the neighbouring boundary No.78.

The business is a relatively small scale operation operating from 0930 hours to 1630 hours daily with a single person operating the business and only one animal being groomed at any one time. There is sufficient on site parking for up to three vehicles and there is also off site parking available should it be needed at the end of the cul-de-sac which could be used for visitors, without having a detrimental impact to other highway users.

SITE AND SURROUNDINGS:

The application site, No.80 Wombridge Road, is situated towards the end of a cul-de-sac which forms part of a larger, well established residential estate. The property is a semi-detached, two storey dwelling finished in pale facing bricks, tile rendering, concrete interlocking roof tiles and white upvc windows and doors.

The property sits on a sizeable plot with spacious gardens to both front and rear enclosed by a mix of concrete block walling and 1.8m high close boarded

timber fencing. To the side of the property is a long concrete driveway which provides on site parking for up to three vehicles and leads to the detached garage which is located in the rear garden, close to the neighbouring boundary with No.78. It is this flat roof structure, constructed from masonry, which forms the application site.

Neighbouring properties are of similar age but differ in size and design, being predominantly semi-detached properties or semi-detached dormer bungalows.

This part of Wombridge Road, being at the head of the cul-de-sac, is rather quiet with no apparent parking problems. Indeed the properties have generous on site parking and off site parking is also available at the end of the road should this be required, near to the pedestrian footbridge which crosses the A442 linking to the rest of Wombridge Road.

PLANNING HISTORY:

W2008/0025 - Change of use of domestic garage (C3 use) to dog grooming business (sui generis) - 1 year temporary permission granted (05/03/2008)

PLANNING POLICY CONTEXT:

Local Development Framework – Core Strategy
CS2 Jobs
CS15 Urban Design

Wrekin Local Plan
UD2 Design Criteria

National Planning Policy Frameworks (NPPF)

CONSULTATION RESPONSES:

Oakengates Town Council: No consultation response received

Highways: No Objections

Geotechs: Add Informative - I17 (Minerals Area)

A site notice and 15 direct neighbour letters have publicised this application.

7 anonymous objection letters have been received raising concerns regarding:

- Car Parking problems – Residents/family/friends experiencing difficulties finding car parking spaces, general increase in volumes of traffic.
- Noise – coming from vehicles, car radios, car doors being shut, dogs barking
- Unsuitable business for a residential area – a unit on an industrial estate would be better suited

- De-valuation of properties/less desirable
- Dog fouling – footpaths, alleyways and adjacent fields

4 letters of support have been received from No's 61, 65 and 82 Wombridge Road:

- No previous experience of traffic problems/driveways being blocked or difficulty in finding car parking spaces
- No previous experience of any significant undue noises associated with the business
- Business is low-key and discreet

In addition; a petition in favour of the business has been received which has been signed by 15 people from 12 of the immediate neighbouring properties.

PLANNING CONSIDERATIONS:

This full planning application seeks permission for the retention of a previous change of use of a domestic garage (Use class C3) to a dog grooming business (Sui Generis). A 1 year temporary permission was granted on 5th March 2008 however the business has continued to operate ever since. This application was submitted following the applicant receiving advice from the Council's Enforcement Officer and a permanent permission is now being sought.

The dog grooming business operates from a single detached garage which is located in the rear garden of No.80 Wombridge Road, Wrockwardine Wood, alongside the neighbouring boundary with No.78. The flat roof structure constructed from masonry measures 2.8m x 5.2m x 2.4m in height providing approximately 14.5sq.m of floor space and is finished in brickwork, felted roofing and white upvc windows and doors.

The business is a relatively small scale operation operating from a small premise between 0930 hours to 1630 hours daily, with a single person operating and only one animal being groomed at any one time. The business is appointment based only and the comings and goings of customers are therefore monitored. There is sufficient parking both on site and off site for visitors without having a detrimental impact to other highway users.

The originally approved application granted the change of use for a 1 year period in order to assess the impact the business had on the immediate environment. Despite the business continuing to operate without planning permission since March 2009 for over 3 years, during this time neither the Planning Department nor Environmental Health have received any complaints relating to the business up until this new application was submitted. This would therefore suggest that the business has not had an adverse impact on residential amenity during the past four years. Whilst anonymous letters have

been received objecting to this application, a petition has also been submitted in favour of the application with 12 of the immediate neighbouring properties having signed the form. This would again suggest that the majority of nearby neighbours have no objections to the business continuing to operate.

The Planning Case Officer has visited the site on several occasions during the processing of this application and on each occasion, it has been noted that there had not been any sign of highway related problems. Indeed it is considered that there is more than adequate on site and off site parking provisions without causing obstruction to highway users. Furthermore, the Council's Highways Officer has not raised any objections to this application. In addition, Officers noted that there had not been any significant noise coming from the vicinity of the site and as the business only serves one customer at a time, it is unlikely for there to be any undue noise being created from the business and any noise which is created as a result of the business would not be significantly greater than any other property in this area.

Officers have taken the anonymous objection letters into consideration but are satisfied that the business does not have a significantly adverse impact on the residential amenities of neighbouring properties. Furthermore, there are 15 neighbouring properties situated in the immediate area, towards the end of this cul-de-sac, all of which have been consulted on this application. Officer note that 12 of these properties have supported the application by signing the petition.

Policy CS2 of the LDF Core Strategy states that "*provision should be made to meet the needs of existing businesses*" and whilst this business is relatively modest the principle should still be applied.

The applicant has also expressed an interest to accommodate work experience students, who would like to receive such experience. Whilst officers do not object to this provision, a condition will be applied to ensure that only 1 student is offered work experience at any one time and are not to be employed by the business, in order to assist monitor the business and its potential expansion. Similarly, a condition will be attached reiterating the condition applied on the previous temporary approval, stating that the permission is for the benefit of the applicant only and when the applicant ceases the use, the building will be reinstated to its former use as a domestic garage.

The Local Planning Authority considers that the continued operations of the business will not significantly affect the amenities of nearby residential properties or the immediate area. There is sufficient on site and off site parking towards the end of the cul-de-sac without causing disruption to users of the highway. Due to the relatively small nature of the business and the restrictions it has for expansion, there will not be any significant undue noise and this established residential area will not be significantly affected. During the past four years since the business was established, neither the Planning Department nor Environmental Health have received any complaints relating

to the business and therefore it is recommended that full, permanent permission is granted.

RECOMMENDATION : GRANT PLANNING PERMISSION subject to the following conditions:

1. C38 Development in accordance with submitted plans
2. D11 Hours of work: 0930 – 1630 Monday to Saturday
No work on Sundays / Bank Holidays
3. Custom Personal Permission – restricted to applicant only
4. Custom Work experience – restricted to 1 student at any one time

TWC/2012/0471 Telford Town Park, Telford, Shropshire, TF3 4AQ
Enhancement landscaping works, installation of new play equipment and
installation of new lighting around the Telford Town Park Visitor Centre

APPLICANT

Telford & Wrekin Council

RECEIVED

31/05/2012

PARISH

Great Dawley

WARD

Malinslee

OBJECTIONS RECEIVED: NO

MAIN ISSUES: Principle of development and the Green Network, impact on
character and appearance on area, and ecology.

PROPOSAL:

Proposal is for a landscaping scheme incorporating lighting and play
equipment in association with the new visitor centre in Telford Town Park.

The proposal includes the following elements:

- New fencing and gates to the rear of the visitor centre.
- A phased lighting scheme, phase one is to link the visitor centre with
the staff car park adjacent to Withy Pool, the second phase will link the
building to the top of Dark Lane and Arena area (linking to existing
lighting) and the new teenage activity zone.
- Erection of two small retaining walls north of Withy Pool
- A new equipped play area, set around the existing chapel building, and
- Erection of a new storage container to the rear of the visitor centre.

The proposed works also include resurfacing and new planting, but these
elements do not require planning permission.

SITE AND SURROUNDINGS:

The application site is within the Telford Town Park, which is 170 hectares of
park land with a mix of woodland, grass land, water bodies, gardens and play
facilities.

The site is the newly erected Visitors' Centre and existing chapel building.
Withy pool is located to the south, Spout Pool and the play facilities are to the
north and the arena are located to the east. To the west lies the new teenage
zone.

The Silkin Way as a formal right of way is adjacent to the site, and there are a
number of other foot and cycle ways through the park. There is car parking
provision to the south off Dark Lane, and to the north in the Town Centre and
adjacent to Telford International Centre.

PLANNING HISTORY:

TWC/2010/00349 - Proposed single storey visitor centre (Use Class Sui Generis) – Approved 26th August 2010.

TWC/2011/0016 - Proposed single storey visitor centre (Use Class Sui Generis) – 17th February 2011

PLANNING POLICY:

National Planning Policy
National Planning Policy Framework (NPPF)

Core Strategy
CS4 Central Telford
CS10 Community Facility
CS11 Open Space
CS15 Urban Design

LDF Central Telford Area Action Plan (CTAAP)
CT6a Leisure, Culture and Tourism
CT17 Public realm
CT21 Protection of Green Spaces

Wrekin Local Plan
OL3 Green network
OL4 Development in the green network
OL5 Extensions and redevelopment in the green network
OL6 Open Land
UD2 Design Criteria
LR1 Provision of community facilities

CONSULTATION REPONSES:

Great Dawley Parish Council: No objections

Sustainability: No comments

Ecology: Consideration has been given to minimising the impact of the lighting on foraging and commuting bats. The lights will be operated on a timer to ensure that lights are not left on when not required. I don't believe that this level of lighting will adversely impact on the LNR or local bat populations. There are no roosts in the immediate area, and there is plenty of good quality foraging habitat elsewhere in the Park.

The additional planting that will be carried out as part of the Masterplan for the area, e.g. flower meadows, shrubs and ornamental species will enhance the area for wildlife.

Given the presence of amphibians in the vicinity of the application, and the presence of reptiles and amphibians further inside the Park, I recommend an informative.

Parks and Open Space: Awaited

Shropshire Wildlife Trust: Awaited

KEY ISSUES AND PLANNING CONSIDERATIONS:

Green Network and Principle of Development

The green network is an interlinked system of green spaces, which are afforded significant protection under the local plan and provide informal and formal recreational facilities along with ecological and visual impact benefits. Saved policies OL3, OL4 and OL5 of the Wrekin Local Plan and Policy CT21 of CTAAP protect the land from development which is not predominantly open or is not for a community or ecological benefit. The proposal is a mix of facilities for community benefit, including the lighting and equipped play area and give a high quality public realm to the new visitor centre to enhance the role of the Town Park, as valuable sports, recreation, open space, ecology and leisure asset, and will offer a complementary services to the function of the green network in this location and is therefore consider to accord with 'saved' policies OL3 OL4 and OL5 of the Wrekin Local Plan, and policies CT6a and CT21 of the CTAAP.

Impact on character and appearance of area

The proposed development is linked to the Town Centre regeneration scheme 'Southwater' and improvements with the Town Park. To manage the changes in facilities, the applicants have undertaken a masterplan which follows a vision 'To enhance and sustain the primary routes between Telford Town Park and Southwater providing opportunities for relaxation, inspiration, exploration and adventure; incorporating sustainable landscape principles that reflect the natural, green, species rich environment of the Park and the exemplar architecture and high quality public realm landscaping of Southwater.'

This proposal forms part of this masterplan by creating a landscaped environment around the new visitor centre and links to existing park features and the new Southwater development to the north. It will include a new lighting scheme to improve safety for this pedestrian/cycle route in hours of darkness for staff and visitors. The design of the lighting columns and bollards are robust, but still attractive and sympathetic to the parkland setting and have the ability to minimise the impact on bats and the wider natural environment. The design of the proposed lighting scheme is considered to comply with policy UD2 of the Wrekin Local Plan and policy CT17 if CTAAP. Furthermore, the proposal will create a safe and accessible environment, with high quality public space and encourage active and continual use of this public area in accordance with guidance in NPPF.

As part of the Southwater development and following removal of the previous visitor centre at Spout Farm, the areas of equipped play and sand play have been reduced. This proposal includes a new equipped play area which is fully inclusive and accessible by both full and less able bodied children, to be a fully inclusive facility. There is a separation from the existing play facility and it is set adjacent to the visitors centre to prioritise use by less able bodied children and links to facilities at the visitor centre.

Officers consider that the siting of the proposed equipped play is appropriate and helps promote accessibility and social inclusion in accordance with policy CS9. Furthermore, it enhances the community facilities within the Town Park in accordance with policy CS10 of the core strategy. In addition the design is appropriate and makes a positive contribution to the open space, whilst retaining the chapel and is therefore in accordance with policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

The proposal also includes the erection of a storage facility to the rear of the visitor centre, for the storage of equipment i.e. wheelchairs and bikes which will be available for hire from the centre for use within the park. It is therefore necessary for administrative purposes to locate the building close to the visitor centre. The design is utilitarian to be robust in this remote location however, it is to have timber cladding which matches the visitor centre to enhance the appearance, give cohesion and reflect the site context. Accordingly, the proposed storage shed is considered to comply with policy UD2 of the Wrekin Local Plan and CS15 of the core strategy.

The proposal also include an amendment to the proposed fencing to enclose the rear of the visitor centre, previously this was to be a log style form of enclosure utilising reclaimed materials from the wider park. Having reviewed the timber stocks, they were deemed unsuitable to construct to the height and design required. The proposal is for the retention of mesh style fencing that allows views into the building to improve security, and of sufficient height to deter access; this style of fencing has been used on the adjacent MUGA. Officers consider that the design of the fencing is acceptable and appropriate design and height within this setting and complies with policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

Two small retaining walls are proposed to the north of Withy Pool to widen the footpath area and set the fencing back to alleviate pressure on this key route and give access to core play areas and visitor centre. The proposed development will improve access in accordance with policy CS9 of the Core Strategy and UD2 of the Wrekin Local Plan.

Ecology

The applicants have a 10 year flora and fauna managements plan for the park, which incorporates recommendations for a programme of works relating to habitat creation, management and protection, along with training, education and monitoring. This plan has been in implementation for one year and new habitats have been created and other habitats enhanced in this period.

Officers consider that this site wide level of management and works is effective to mitigate any potential impacts on ecology arising from this development and ensure linkages to habitats are retained and it is considered to comply with policy CT19 of CTAAP and guidance in NPPF in terms of biodiversity and ecology, as it exploits opportunities to incorporate biodiversity in and around the development.

Conclusion:

The proposal includes various elements which seek to improve the quality of the public realm in the vicinity of the new Visitor Centre. The design of the individual elements and collectively is good and will positively enhance the existing building creating a high quality environment, which will be functional, helps to create a sense of place and responds to the local character, whilst creating a safe and accessible environment which is integral to other buildings and functions of the park in this vicinity. Furthermore, the proposal seeks to contribute and enhance the wider natural environment and minimise impacts on biodiversity. The development is considered to accord with guidance in NPPF and policies in the Core Strategy and Wrekin Local Plan.

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

1. A04 - Time Limit
2. B05 – Details of materials
3. C38 – Development in accordance with deposited plans

Informatives:

- I25 – Reptiles and Amphibians
- I40 – Conditions
- I41 – Reasons for Grant of Planning Permission

Reason for Approval

The proposal includes various elements which seek to improve the quality of the public realm in the vicinity of the new Visitor centre. The design of the individual elements and collectively is good and will positively enhance the existing building creating a high quality environment, which will be functional, helps to create a sense of place and responds to the local character, whilst creating a safe and accessible environment. Furthermore, the proposal seeks to contribute and enhance the wider natural environment and minimise impacts on biodiversity.

W2008/0473 Former Dale End Garage, Dale Road, Coalbrookdale, Telford, Shropshire.

Erection of 10no. dwellings; comprising 6no. two bedroom apartments, and 4no dwellings, with associated works and access ***AMENDED

DESCRIPTION AND PLANS***

APPLICANT

Morris Property

RECEIVED

10/04/2008

PARISH

The Gorge

WARD

Ironbridge Gorge

THIS APPLICATION WAS DEFFERED BY MEMBERS OF PLANS BOARD ON THE 11TH JUNE 2008 and 2ND JULY 2008 TO RESOLVE THE ISSUES WITH REGARD TO FLOODING AND THE ENVIRONMENT AGENCY. THE APPLICATION WAS SUBSEQUENTLY PRESENTED TO MEMBERS ON THE 20TH JUNE 2012 AND DEFFERED FOR SITE VISIT.

OBJECTIONS: Yes.

MAIN ISSUES: Impact on the World Heritage Site, impact on adjacent Grade II Listed Building, sustainability, archaeology, contamination, flooding and access.

PROPOSAL:

The application was originally submitted for the erection of 12 properties spread between two semi-detached dwellings, a residential block and a series of three dwellings on the corner of Dale End and the Wharfage. However following substantial discussions over the course of the application the proposals have been reduced, to the erection of 10no. dwellings; comprising 6no. two bedroom apartments, and 4no dwellings, with associated works and access.

The development forms two storey cottages to the south of the site, located on the corner of Dale End and the Wharfage. This then rises to a row of two half and three storey block fronting Dale End. These units will be raised approximately 2.6m above the level of the highway; subsequently a raised pedestrian access is required, bounded by a 2.6m wall and railings.

The proposed design includes inglenook chimneys, plain tile roof, stone cills, brick arches over windows and steel railings around raised pedestrian accesses.

Whilst the site ownership includes an existing workshop to the north of the site, however this remains outside of the site edged red, retaining an area of parking. This existing access will provide access and parking to two of the apartments; the remaining parking will be provided to the south of this row of terrace units, accessed from Dale Road, central to the two blocks of proposed development. All units front dale end, and 1 unit turns the corner facing the Wharfage. A communal amenity area is found to the east of the site adjacent

to the Coalbrook.

SITE AND SURROUNDINGS:

The site has historically been used as a garage and petrol filling station that has remained vacant for a number of years. A two storey building is found to the north of the site, and the main petrol forecourt to the south of the site has been removed, leaving an area of hardstanding. There is no historic boundary to the site; however a temporary fence has been erected around the site for security purposes.

Residential properties of Innwood and Homestead are located adjacent to the northern boundary of the site, and partially overlook the northern tip of the site. A concrete retaining wall divides these two curtilages along part of the eastern boundary. Severn Garage (an operational motor repair centre) is found immediately east of the site, in addition to Yew Tree Cottage to the south east, a Grade II Listed building that overlooks the garage and petrol station frontages.

The Coalbrook runs along the eastern boundary of the site. The Coalbrook runs through a culvert under the center of the site and Dale Road and opening at the corner junction of Dale Road and the Wharfage; a further culvert runs under the Wharfage and again opens allowing a joining point from the Coalbrook to the River Severn. Flood mitigation measures have been installed in the wall that surrounds the Coalbrook at its junction with Dale Road and the Wharfage, in the form of open arches and railings.

The site is located on the junction of Dale Road and the Wharfage, and forms an important gateway site into the Gorge and the World Heritage Site. The Original Merrythought works face the development from the southern side of the Wharfage, public car parks are located either side of this complex. A development of residential dwellings front the development site from the opposite side of Dale End; there vary in height from 1 ½ storey's to three storey's, with raised frontages to the highway, erected in the late 1990's. This development is located to the back of the footpath, bounded by a 1m wall and steps ascending to front entrances.

HISTORY:

W2006/1509: 14 Dwellings - Refused on design and flooding reasons

W2007/1305: Withdrawn

PLANNING POLICY:

Telford & Wrekin Core Strategy

CS1: Homes

CS5: District and Local Centre's in Telford

CS14: Cultural, Historic and Built Environment

CS15: Urban Design

Wrekin Local Plan

UD2: Design Criteria

H6: Windfall Sites in Telford and Newport

HE2: Demolition in Conservation Area
HE3: New Development in Conservation Areas
SG1: World Heritage Site National Planning Guidance

National Planning Policy Framework

NB During the course of this development the application has been assessed against:

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

PPG15: Planning and the Historic Environment (later superseded by PPS5)

PPG16: Archaeology and Planning

PPS25: Development and Flood Risk

CONSULTATION RESPONSES:

There have been two rounds of consultation one in 2008 on first submission, and lately in 2012 following the resolution to technical matters.

Parish Council: Originally objected to the scheme on the grounds of potential flooding, failure to adequately consider archaeological matters and inappropriate use of a warehouse form of architecture which is out of keeping with the character of the area. Comment has also been made that double yellow lines should be provided along Wellington Road (Dale End Road) to prevent congestion. Following reconsultation Green Cards the application and continues to object on the grounds of:

- Few documents to view on the website;
- raises concerns over contamination, no risk assessment and concerns regarding petrol tanks still underground; need to ensure safety of residents and neighbouring uses including the school;
- existing pumping station is at capacity
- insufficient carparking
- need for traffic management in the area due existing congestion inflamed by school drop off/pick ups
- site is within a flood zone; site will continue to flood and no provision for safe parking or vehicles
- building regulations have changed since original scheme; need to ensure safe build
- no flood report or stability report

Built Heritage & Conservation: Originally involved in design evolution 2008; change in personnel offers no comments to this scheme.

Drainage: Originally objected due to location within floodzone, and technical ability to mitigate against flooding. Following receipt of final drainage scheme, drainage continues the objection due to the sites location; however, now satisfied with the content of the Flood Risk Assessment (FRA) and the sizing of the attenuation feature, but formal conditions still awaited.

Geotechs: Originally requested details (supporting drawings and calculations) regarding the proposed retaining structures proposed that there are no supporting drawings or calculations for. However during course of application process and amended layout, considers some additional information is still required however should be simple to overcome with regard to retaining structures.

Highways Engineer: Originally no objection to the scheme subject to the footpath bounding the site being a minimum of 2.0m in width; However now raises concerns that the parking provision has been reduced from 14 spaces to 10, and considers one space per unit is too low due to high on street parking, whilst it is appreciated the site lies in close proximity to Ironbridge centre, a number of public car parks and is on a regular bus route (76/77). Continues to condition widening of public footpath to 2m.

Pollution Control Engineer: In 2008 and 2012, No objections subject to a condition regarding land contamination investigation and remediation scheme.

Ecology: Originally requested that as the site is occupied by disused buildings, a wildlife survey be undertaken; now no raises no objections subject to enhancements.

Leisure and Recreation: No objection to the scheme subject to a contribution of £600 per 2 bed property (or above) towards offsite recreation space.

English Heritage: Originally comments were raised in respect of the design of the scheme and archaeological impact. In respect of the first of these points, English Heritage confirmed that the redesigned scheme addresses their concerns on the earlier proposals and subject to the details of the proposal, they welcome the application. With regard to the archaeological context of the scheme, English Heritage has stated that subject to the application being in accordance with the guidelines in PPG16, they have no objection to the scheme. EH maintain there previous comments in that there are no objections to the proposal subject to the quality of detailed design which is crucial on this extremely sensitive site, in addition to conditioning archaeology.

Environment Agency: Originally comments received in respect of two matters, contamination and flooding. In respect of the first of these, the Environment Agency has been in consultation with consultants acting on behalf of the applicants and the Council's Scientific Officer due to the presence of the former petrol filling station on the site. After discussion, the Environment Agency have acknowledged that the scheme could be brought forward subject to five conditions covering the need for a contaminated land site investigation, submission of a verification report into remediation of the site, control measures should unanticipated contamination be found during construction works, control for surface water drainage and restrictions on the use of piling foundations. In respect of flooding however, the Environment Agency maintained an objection to the scheme on the grounds that it has not been shown that the dwellings sit above peak flood levels should the Coalbrook Dale and the River Severn both be in peak flood.

Following extensive consultation with the EA since 2008, amendments to the submission and further evidence/details, the EA states the site lies within Floodzone 3 which is a high risk zone, and para 101 of the NPPF requires decision makers to steer new development to areas of lowest possibility of flooding using a sequential test. 'Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required (see Paragraph 102 of the NPPF); However the EA also recognise that the site falls within the WHS and the Councils desire to regenerate this area; subsequently, the EA raises no objections subject to conditions regarding finished floor levels, safe pedestrian access, FRA recommendations, easement widths, structural assessment of culvert, and contamination control.

County Archaeologist: Originally confirmed that subject to the findings of an evaluation of the site undertaken in 2006, there are no objections to the scheme on these grounds. Following reconsultation no objection subject to a scheme of investigation.

Severn Trent Water: in 2008 and 2012, No objection subject to a condition requiring submission of drainage details including sustainable drainage principals.

Local Representations:

In 2008, four neighbour representations were made. These comments relate mainly to the design of the residential units which are seen as being out of keeping with the character of the area and detrimental impact on neighbouring properties, particularly Yew Tree Cottage. A proposed alternative arrangement has been submitted by one of the neighbours. Additional comments relate to insufficient parking provision and impact from flooding. Suggestion is also made that the proposed development should consist of a more mixed use form introducing retail into the site.

In 2012, following reconsultation, three representations from two parties have been received. One letter raises no objections but considers that there is an opportunity for a comprehensive scheme for the overall area which is an important 'Gateway' site to Ironbridge Gorge. The other raises concerns on the grounds of:

- Building of 3 storeys of living accommodation is excessive, given that the accommodation has been raised by in excess of 2.4 metres from above the pavement. Development should be restricted to two storeys of living accommodation. We believe that the proposed development would create precedents in a Conservation Area.
- The boundary fence shown between Innwood and the Development is unacceptable, as it would create a 3 metre high boundary along two sides the property.
- The Developers own the Workshop shown on the site plans, but have not currently included it in the proposed development. We consider

that planning approval should not be granted without including the Workshop within the Planning Application.

PLANNING CONSIDERATIONS

The site is located on previously developed land within close proximity to the centre of Ironbridge; the development of this site would therefore be in accordance with Policy CS5 of the Wrekin local plan, supporting the mix of sustainable development within the local centre. The site was originally identified by the Council as a potential development area along with the adjoining land on the opposite side of Dale End in the adopted Local Plan, through policy SG6 (policy not saved). This allocation also includes a small parcel of land to the east of the site which is in the ownership of a third party and is situated behind no. 34 Wharfage. The Council consequently developed a design brief for the site sought to promote a comprehensive development scheme for the whole area. It is accepted that should a scheme come forward which will allow the subsequent development of the remaining parcel of land in an acceptable format; an independent scheme on this site could be considered for approval. The policy was not saved as it was considered that the policy was sufficiently addressed by national planning guidance for the historic environment, archeology, and flooding, in addition to other saved policies within the Wrekin Local Plan; this includes policy HE3 New development in Conservation Areas, which seeks to preserve and enhance the character of the area.

This site is strategically important not only in the context of Coalbrookdale but also the wider World Heritage Site. Due to its location the site can readily be seen by people entering the Gorge from the west or north; in addition the site will be one of the last key views of Ironbridge that people take away with them as they leave the area. As existing the site in its abandoned state, at such a significant location is harmful to the World Heritage Site. Accordingly, the site needs to be developed in some form; it has to address a multitude of viewpoints, and any architecture should complement the neighbouring buildings, ensuring that the development does not clash with the other design styles in the area but yet has its own identity and adds to the wide variety of buildings in the area.

Flooding and Drainage

Before this application is considered in detail, consideration is given to the aspects of principle that may preclude development. The property is located within Flood Zone 3a: a high risk zone for flooding, where the indicative annual probability of flooding is 1 in 100 years or less from river sources (i.e. it has a 1% or greater chance of flooding in any given year). The site is also known to have been affected by flooding from the River Severn and the Coal Brook, on occasions both have an impact simultaneously. Consequently national policy requests a risk based sequential test is applied in allocating land for development, to demonstrate there are no reasonably available sites in areas with a lower probability of flooding, giving preference to those in flood zone 1. Policy also seeks to reduce the overall level of flood risk in the area through the layout and form of development and the appropriate application of sustainable drainage techniques; in addition to creating space for flooding to

occur by restoring functional floodplain and flood flow pathways and by identifying, allocation and safeguarding open space for flood storage.

However there is an exception test, which can be applied where restrictive national designations such as the WHS prevent the availability of unconstrained sites in lower risk areas. In such cases it must be demonstrated that:

- a. the development provides wider sustainability benefits to the community that outweigh flood risk;
- b. the development should be on previously developed land; and
- c. a FRA must demonstrate that the development will be safe without increase flood risk elsewhere, and where possible reduce flood risk overall.

The exception test should only be applied after a sequential test has been applied, and not to justify development in flood zones 3a or 3b. In this case, development had previously been identified for this site under policy designation SG6; whilst the policy had not been saved, development within the WHS is limited due to a number of factors these include protection of buildings through statutory listings, a number of local listings, important frontages and variety of buildings which add to the character of the designated WHS; designated wildlife sites, green network designations, important archaeological sites, Sites of Special Scientific Interest, and ancient woodlands; consequently land that can be considered for development is highly limited. In the small number of areas where the principle of development is accepted ground constraints including geotechnical issues relating to stability, gradients of sites and flooding impeded potential schemes viability. In this case, however the site is a strategic site within the designated WHS, put forward with two other sites under policy SG6. One of these sites has been developed (Reynolds Wharf), this site has partially been developed (opposite side of Dale Road) and the other remains under discussions (Waterloo Road) due to various issues relating to quantity of development, stability and viability. Furthermore due to the abandoned state of the site not only in a sensitive location, but also a gateway to the WHS, it causes significant harm to the WHS and Conservation Area, to the detriment of the character and visual amenities, but ultimately has implications on Tourism and the respective local economy. Accordingly the site meets part a of the exception test; the site also meets part b as it is previously developed land.

Significant modeling has been undertaken by the developer in demonstrating an appropriate mitigation method for any potential floods. In the first instance consideration has been made to design approaches, to minimise any risk to personal safety and property that might arise. The normal practice with such sites would entail the development of raised ground floor levels to the properties to ensure that any residential accommodation was situated above the flood level. In this instance however it is felt that due to the location of the site on a gateway point leading into the World Heritage Site, the issue of flooding needs to be carefully weighed up against the impact that any engineering approach would have on the aesthetic character of the site

bearing in mind the character and appearance of other properties within the Gorge.

During the course of the application the development has been amended, this includes the loss of two plots to the east of the site, ensuring appropriate easement and access to the Coalbrook; in addition this addresses concerns regarding stability being erected on the top of this bank.

It is understood that to ensure that any development is clear of any potential flood damage, the finished floor level will have to be significantly higher than the existing ground level. The proposed final design seeks a finished floor level approximately 2.62m above the level of the existing highway; this is compliant with the EA's specifications. The final drainage details also includes:

- an additional drainage route for flood water across the site to the River Severn;
- less impermeable areas than formerly and runoff from the site will be reduced by 30% through the use of underground attenuation tanks.
- Any overflow from the Coalbrook to the west of the site will therefore drain into the existing brick culvert, reducing the volume of flood water that would otherwise have drained into the road during previous flood conditions.
- In addition large gratings on the site will directly drain to the culvert, not only capturing water overflowing across the site from the Coalbrook, but also provide an additional drainage route for flood water in Dale End and this reduce the severity of flooding of existing properties.

Both the EA and the LA's Drainage Engineers have agreed to these final design details, and as such is now considered that the site can be appropriately mitigate from flooding, providing a safe development that will not increase the risk of flooding elsewhere. Subsequently it is considered that the site now meets the requirements of the exception test subject to suitable conditions.

Design & Residential Amenity

Of principle concern is the issue of design and the appearance of the proposed structures on the World Heritage Site. The site although small is heavily constrained and this is reflected in the original consultation that was undertaken. Whilst the first two submissions were criticised for their impact on the World Heritage Site and the immediate area, the applicants have taken on board the comments made by Council Officers and English Heritage. The design has also taken on board comments made by MADE, (Midlands architecture and the designed environment) an independent panel that supports and promotes excellence in place making in the West Midlands. This panel did not consider that there was a need for buildings to face the road or have their entrances close to the pavement level. To this end, the revised scheme is now felt to successfully address many of the initial concerns. The development is structured around two blocks that bound the Wharfage and Dale Road. This arrangement closely reflects existing

developments in the Gorge which comprise of tightly knit dwellings clustered together. In particular, the corner grouping of three dwellings achieves the difficult task of turning the corner and allowing an active frontage to be presented to people approaching the site from either direction. With this submission, the applicants have given considerable attention to the fine details relation not only to the buildings but also the hard landscaping for example the walls and fencing around the site. Such details are drawn from other cues within the locality which results in the scheme blending in.

As with any development scheme, attention is given to the impact of the development on the adjoining properties in terms of privacy and amenity. In this instance, it is felt that the scale of development being proposed would not impinge on the adjoining listed building known as Yew Tree Cottage. An argument has been put forward that Yew Tree Cottage should be clearly visible to people entering the Gorge along the Wharfage. Whilst there is some merit to this view, the gradual opening up of the vista towards the Listed Building is also felt to be acceptable and does not diminish its status.

Concerns have been raised from the neighbouring property to the north east of the site in terms of impact on residential amenity; this includes the issue of the three storey buildings; it is considered that whilst the buildings are tall it is considered that the buildings fit with the variety of dwellings and nature of buildings within this part of the WHS, continuing the wharfage style development and that there should not be a significant detrimental impact on the adjacent amenities by virtue of overlooking or loss of light to either residential amenities behind the site or facing this development on Dale Road. Concerns have also been raised with regard to the amended boundary treatment between the curtilage of the adjacent dwelling and the development site; the applicant has agreed to leave the existing boundary treatment at this location and amended plans have been requested or can be dealt with through condition, however a balanced view should be taken to the raised ground to the rear of the building, and the need for some form of planting to reduce overlooking along this boundary.

Access and Parking

In terms of parking provision, the Gorge has limited parking and in part it is characterised by the tight urban fabric of the area and the absence of large parking bays or garage facilities. The earlier proposal for 12 units included 14 spaces; the latest amendments have reduced the number of dwellings to 10 with associated 10 spaces. It is considered there is a need to balance the character and visual appropriateness with the need for parking, taking account of the highly sustainable area, and the need to create a development which is on a gateway location within the WHS, the proposal should not be dominated by parking, as areas are designed as open due to the implications of flood risk. Given that a public car park exists within a short distance of this site, close proximity to Ironbridge centre and the location to the bus route, it is accepted that the parking provision on site is acceptable. The access and egress arrangements are also felt to be appropriate.

Archaeology

The site is potentially one with considerable archaeological significance due to the site being the lower forge ironworks. The findings of the evaluation carried out in 2006 confirmed the survival of such remains. Further information had been submitted early in the process to address the archaeologist concerns, and accordingly it is considered the proposed site can be adequately developed subject to conditions.

Land Contamination

The proposed site is also affected by more recent previous uses, relating to a petrol filling station. Tank clearance and validation testing has been carried out during the course of the application (2009), whilst the testing is accepted, further details are required by the EA in order to assess potential contamination and pollution risks in the soil. However it is accepted that the site can be remediated, but the extent of which is unknown, consequently it is considered this can be adequately controlled through condition.

Slope Stability

With regard to Slope stability, issues have been raised through the course of the application, in particular the construction of units in close proximity to the banks of the Coalbrook. Due to issues with drainage and the EA, such structures have been removed, and consequently no longer a concern; however there are proposed retaining structures on the site, including one on Dale Road and some to the rear of the properties along the elevated walkways; Such information has been requested and remains outstanding. It is the LPA's stance to request such information prior to determination, and currently remains outstanding however it is considered simple to achieve. Consequently it is considered that the proposal will not adversely affect land stability subject to further information.

In conclusion it is considered that as the proposed development is located on a prominent gateway location within the designated World Heritage Site and the site as existing in its declining state causes significant harm to the historic environment, and the character of the area, and consequently considered that some form of development should come forward within the site. Whilst the site is within an area vulnerable to flooding, it is considered that sequentially few sites exist within the WHS due to other constraints, and as such the exception test is relevant. It has been adequately demonstrated that the site can be designed to mitigate against the risks of flooding in addition to providing safe routes of exists during any flood. The proposed design is heavily influenced by the need for high finished floor levels, however on balance it is considered that the proposed design will add to the eclectic mix of buildings within the WHS, in particular around this area of the centre of Ironbridge. The proposed development will not have an adverse impact on highway safety and provides adequate parking provision within this highly sustainable area. The proposed development will not cause a significant detrimental impact to the surrounding residential amenities, nor the visual amenities of the area. The site can also be adequately mitigated from ground instability and appropriately remediated from its former uses.

RECOMMENDATION: to GRANT delegated authority to the Development Management Manager to approve the application subject to further information relating to retaining structures on site, any further drainage conditions, and a S106 for contribution of £600 per unit towards the provision of off site Leisure and recreation facilities, in addition to the following conditions:

A4	Time limit – Full planning
B11	Sample materials
B12	Sample brick panel
B21	detail of windows and doors etc
B46	on site construction
B47	mud on road
Bcustom	details of Footway provided
B61	foul and surface water drainage
BCustom	Flood management plan
BCustom	details regarding land contamination
Bcustom	archaeological details
B120	details of enclosure
B121	landscaping design
C12	parking
C38	development in accordance with plans
C36	easement widths
C43	carried out in accordance with FRA
CCustom	Finished floor levels
C69	finish to reflect historic features
C109	Ecology enhancements
D01	removal of pd

The proposed development will be located on a prominent gateway location within the designated World Heritage Site; as existing the site in its declining state causes significant harm to the historic environment, and the character of the area, and consequently considered that some form of development should come forward within the site. Whilst the site is within an area vulnerable to flooding, it is considered that sequentially few sites exist within the WHS due to other constraints, and as such the exception test is relevant. It has been adequately demonstrated that the site can be designed to mitigate against the risks of flooding in addition to providing safe routes of exists during any flood. The proposed design is heavily influenced by the need for high finished floor levels, however on balance it is considered that the proposed design will add to the eclectic mix of buildings within the WHS, in particular around this area of the centre of Ironbridge. The proposed development will not have an adverse impact on highway safety and provides adequate parking provision within this highly sustainable area. The proposed development will not cause a significant detrimental impact to the surrounding residential amenities, nor the visual amenities of the area. The site can also be adequately mitigated from ground instability and appropriately remediated from its former uses.

