

TELFORD & WREKIN COUNCIL

PLANS BOARD

22nd February 2012

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TWC/2010/0111 Former Ibstock Brickworks, Brick Kiln Bank, Lightmoor, Telford, Shropshire, TF7 5LH
Renewal of extant Planning Permission W2005/1050 for residential development (outline)

APPLICANT

RECEIVED

12/04/2010

PARISH

Dawley Hamlets, The Gorge

WARD

Horsehay and Lightmoor, Ironbridge Gorge

OBJECTIONS RECEIVED: YES

MAIN ISSUES:

Policy, Design, Industrial Heritage and Wildlife.

THE PROPOSAL:

Extension of time under s73 for the erection of approximately 100 dwellings associated works and access.

BACKGROUND:

The applicant sought outline permission for two separate applications on the same site for a residential care home and residential development under planning application reference numbers W2005/0222 and W2005/0226 respectively. These applications were withdrawn in April 2005 due to lack of information.

Pursuant to the abovementioned application being withdrawn, two further applications under reference numbers W2005/1049 and W2005/1050 were submitted and considered together by Plans Board on 9th August 2006 and subsequently by members at Strategic Plans Board on 14th September 2006. Further to protracted discussions on planning obligations the applications came back before Plans Board members on 21st March 2007 and Strategic Development Board on 29th March 2007. Both permissions were issued on 30th April 2007.

W2005/1049 for a residential care home has been implemented and is now operational with access through the residential site.

W2008/1300 is a retrospective application for a gas governor, sub station and pumping station, to serve the care home and residential development and is located at the access point to the site.

The purpose of this report is to seek members' agreement to an extension in time for the residential development proposal under outline planning permission W2005/1050.

PLANNING HISTORY:

W2005/0226 – Proposed residential development including formation of access and associated engineering works (outline) withdrawn 25th April 2005.

W2005/1050 – Residential development including formation of access and associated engineering works (outline) decision issued 30th April 2007.

SITE & SURROUNDINGS:

The site is approximately 2.5 hectares in area, is currently derelict and was formerly known as Ibstock brickworks. The site is bound to the north by the A4169 and to the south by Brick Kiln Bank and the railway line that serves Ironbridge power station.

Overall land falls from west to east and north to south, but is broadly level for each of the application sites. A deep water culvert known as the "Dawley Sough" runs north to south across the eastern part of the site.

The application site did have a concrete hard standing and incorporated numerous structures including a well recognised chimney (see pictures appended) that visually dominated the site, as well as brick retaining walls, hoppers and other less important derelict structures from the previous use. Since the application last came to board the nearly all of these features have been razed to the ground.

The immediate site surroundings are mainly woodland, dense vegetation, with the closest residences located on Brick Kiln Bank on the southern boundary of the site and 500 metres further south is the residential estate of Woodside.

To the east of the is a three storey residential care home, car park and grounds that was originally brought to Plans Board under planning reference W2005/1049 with the application that is now before you. To the west of the site is an area of woodland and a designated wildlife site.

The site has two former access points, one directly off the A4169 and the other off Brick Kiln Bank. This classified road serves approximately ten dwellings and has been closed off as a through route to the residential area of Woodside.

PLANNING POLICY CONTEXT:

LDF Core Strategy:

CS1 Homes

CS3 Telford

CS12 Natural Environment

CS13 Environmental Resources

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

Saved Wrekin Local Plan Policies:

EH7 Contaminated Land
EH8 Remedial Action on Contaminated Land
EH14 Land Stability
UD2 Design Criteria
UD3 Urban Design Assessments
UD4 Public Art
UD6 Major Transport Corridors and Gateways into Telford
H22 Community Facilities
H23 Affordable Housing
T4 Development Principles
T22 Planning Obligations
LR6 Developer Contributions to Outdoor Recreational Open Space within
New Residential Developments

National Planning Guidance:
PPS1 Delivering Sustainable Development
PPS3 Housing
PPS4 Planning for the Historic Environment
PPS9 Biodiversity and Geological Conservation
PPG13 Transport
PPG14 Development on Unstable Land
PPS23 Planning and Pollution Control
PPG24 Planning and Noise
PPS25 Development and Flood Risk

On the proposals map for the Wrekin Local Plan 1995 -2006, the site falls within the Telford Urban Area Boundary, is classified as white land as it was previously developed (brownfield) and is adjacent to green network and a wildlife site.

CONSULTATION REPSONSES:

Dawley Parish Council has made no comments.

The Gorge Parish Council objects to this application. The access off Brick Kiln Bank is unsuitable for the amount of traffic the development will generate. The B4169 along this stretch currently has the national speed limit of 60mph despite being promised a lower speed limit when the care home was built. The Parish Council commented on the original application that a roundabout should be installed to take traffic from Lightmoor Road and the care home and housing development.

Shropshire Fire Service has no objections subject to standard informative.

The Environment Agency has made no comments.

The Council's Drainage Engineer has made no comments.

The Council's Geotechnical Engineer has no objections subject to condition regarding slope stability.

The Council's Contaminated Land Officer supports the application subject to a condition.

The Council's Highway Engineer supports the application.

Shropshire Wildlife Trust has made no comments.

The Council's Ecology Officer has no objections further to the recent reassurances provided by the applicant regarding protected species mitigation measures.

There have been no comments received from Shropshire Council's Archaeology Department.

One e-mail from a local resident has been received and objects regarding highway safety issues of speeding traffic on Brick Kiln Bank and access from the A4169. In addition there are concerns regarding drainage capacity in the locality.

PLANNING CONSIDERATIONS:

This application is for an extension of time under s73 for the erection of approximately 100 dwellings associated works and access. The proposal is for redevelopment of a previously developed site to residential use in accordance with national guidance contained in PPS3: Housing.

The site is previously developed land situated within the Telford Urban Area Boundary and is classified as white land. Your officers believe this is a logical development of a brownfield site, especially given the undesirable extant use of the site for employment in this locality.

The whole site is currently isolated and is not well served by public transport, the nearest regular bus service is some 500 metres to the south on Woodside Avenue. However with improved pedestrian linkages to Woodside Avenue, through the provision of a quality footpath and street lighting as part of the proposal (to be secured by way of planning obligation), the site is considered to be an important future strategic stepping stone between Lightmoor and Woodside that will improve connectivity between communities.

As with all applications for an extension of time, if in the vicinity of protected species further evidence is required to update the original supporting documentation. The applicant has recently provided the requisite assurances and evidence that has now satisfied the Council's Ecology Officer.

The demolition of the chimney stack in late 2008 was contrary to a requirement for its retention. Planning permission for the Residential Development had been granted on the premise that the chimney was retained as a feature and to remind people of the rich industrial heritage of the site, unless agreed in writing with the LPA. The applicant did make a request for

the demolition on the grounds that it was not structurally sound, however, as no evidence was provided to support this assertion so this request was denied. The developer demolished the chimney in any event. Since its demolition of the chimney the Council has been in dialogue with the applicant regarding its loss, particularly as several representations were made regarding its loss. In light of the retrospective evidence provided to the LPA of the made ground on-site as well as the providing £25,000 toward on-site public art, your officers believe that a suitable compromise has now been found to move forward.

Planning Policy Statement 1 notes that good design is indivisible from good planning and PPS3 states Local Planning Authorities should promote good design in new housing developments in order to create attractive, high-quality living environments in which people will choose to live.

Design principles have been established in the form of an indicative plan, that broadly show how the residential development will be laid out, dependent on the results of further geotechnical information. Further density and detailed design issues, including elevations would be ironed out at reserved matters stage.

Access and highway concerns from local residents and by proxy through Parish Councils are considered by the Highways Engineers to be unfounded. Brick Kiln Bank is a public highway and has more than sufficient capacity to cope with the proposed increase in traffic. Given this has been proven by the agent, it is not reasonable or commensurate for the LPA to request a traffic island at the old access off the A4169. In addition this proposal for a traffic island would not be practical due to the land-take and the level differences involved.

The applicants have agreed to enter into an s106 for the whole site for Highway & Drainage Works, Affordable Housing, Education and Recreation contributions on the residential site.

The planning obligations previously agreed in an s106 agreement dated 29th March 2007 can be summarised as follows:

1. £1000 per dwelling toward Education
2. £500 per dwelling toward Recreation
3. £7000 toward the Public Right of Way network
4. £20,000 toward Highway improvements
5. 25% Affordable Housing

In conclusion, given the period of time that has passed since the original permission the requirement for the applicant to provide evidence of mitigation works they have carried out that is intended to safeguard protected species was paramount. In the applicant providing the requisite assurances and evidence this matter is no dealt with. In addition the applicant has agreed to pay a planning contribution toward public art for the loss of a landmark building. Having given due regard to local objections, as well as the extant

use of the site, Council officers consider that on balance the principle of this previously used land for residential development is still considered acceptable subject to the conditions and planning obligations in the original permission plus £25,000 for the loss of the locally important chimney.

RECOMMENDATION:

GRANT OUTLINE PERMISSION subject to the signing of an s106 Agreement to provide planning contributions as previous plus an additional £25,000 toward public art and appropriate conditions on the original permission.

REASON FOR APPROVAL:

The principle of development was accepted under W2005/1050. Further to additional ecology information being provided and a planning contribution for the loss of the chimney Council Officers now consider it appropriate to grant planning permission for residential development on this sustainable brownfield site subject to planning obligations and appropriate conditions.

TWC/2010/0620 Doseley Works, Doseley, Telford, Shropshire, TF4 3BX
Extension of time period under s73 of W2007/1252 - Erection of 58no.
dwellings, construction of a new estate road, vehicular and pedestrian
accesses and alterations to existing

APPLICANT

RECEIVED

11/10/2010

PARISH

Dawley Hamlets

WARD

Horsehay and Lightmoor

OBJECTIONS RECEIVED: No

MAIN ISSUES:

Affordable Housing

THE PROPOSAL:

Request for deed of variation to alter the affordable housing obligations by
dwelling type and tenure.

PURPOSE OF REPORT:

The purpose of this report is to request members to agree to a variation of an
existing Section 106 agreement linked to this full planning permission
TWC/2010/0620 to change the requirement from 8 no. social rented and 6 no.
shared ownership dwellings to 9 no. social rented and 5 no. shared ownership
dwellings respectively. The overall provision of just under 25% affordable
housing provision would remain unchanged but the mix of dwelling types will
also be altered as set out in the main body of the report below.

BACKGROUND:

Full planning permission W2007/1252 for residential development was
granted by members at Plans Board on 21st November 2007 with permission
issued in December 2007. Given the slow down in the housing market, the
permission was extended under TWC/2010/0620 under delegated authority
and issued on 9th August 2011. Development has now commenced on the
site.

The current S106 agreement that is in place requires:

1. Improvements to widen footpath with Frame Lane to 2m
2. Provision of new bus stop to Quality Partnership Route Standards
3. Sum of £75,400 towards public transport service improvements
4. Sum of £68,980 to education provision
5. Sum of £29,000 towards open space recreation
6. Provision of 8 social rented properties and 6 shared equity properties on site

The applicants have agreed to transfer the affordable housing to Bromford.
Whilst there has been little problem with the social rented housing, Bromford,
along with many other registered providers, are having problems in finding

buyers for shared ownership flats, especially where they are part of a mixed tenure block. Flats have become the least mortgageable of new build properties and lenders require higher deposits for this property type. This undermines their delivery as affordable housing. The applicants now wish to modify the tenure of one of the 'shared ownership units' only to a 'social rented' tenure.

The developer still intends to provide 14 no. affordable housing units as agreed in the signed Section 106, however, the dwelling mix will alter as laid out below.

PLANNING HISTORY:

W2007/1252 – Full planning permission for the Erection of 58 no. dwellings, construction of a new estate road, vehicular and pedestrian accesses and alterations to existing accesses - 7th December 2007.

TWC/2010/0620 – Extension of time under s73 for the Erection of 58 no. dwellings, construction of a new estate road, vehicular and pedestrian accesses and alterations to existing accesses – 9th August 2011.

SITE & SURROUNDINGS:

This site forms the northern most part of the existing Breedon Aggregates concrete pipe works complex.

Historically the wider site used for the construction of concrete pipes but is currently only of limited use, pre-dominantly for storage of products and the parking of vehicles.

The site is mostly level hard standing and is bounded by a large number of trees to the main development area. Vehicular access is from two points, from St Lukes Road for light vehicular traffic and through the Lightmoor development for Heavy Goods Vehicles. There is also a pedestrian access via a set of steps up onto Frame Lane.

To the north the site is bounded by Frame Lane beyond which a small area of industrial development. To the east, the site is a post and wire fence which is now in a poor state of repair. Beyond this is a small lake formed during excavation work on the pipe works site. To the south west there is an agricultural field beyond which is the ongoing Lightmoor development. The closest residential dwellings are situated along Frame Lane or to the north east off Suffolk Way. Both of these areas are over 80m way from the development area and buffered from the development by the belt of trees that surround the site.

PLANNING POLICY CONTEXT:

Wrekin Local Plan:

H23 Affordable Housing

LDF Core Strategy:

CS1 Homes

National Policy:
 PPS1: Delivering Sustainable Development
 PPS3: Housing (amended June 2011)

CONSULTATION REPSONSES:

The Council’s Housing Policy and Enabling Officer has no objections to the proposed revision in light of the current economic and local market conditions. A mix of tenures will still meet identified affordable housing needs.

The Council’s Housing Delivery Officer has no objections as it has no affect on the overall level of affordable housing being provided.

PLANNING CONSIDERATIONS:

Members are aware of the current recession and difficulties facing a great number of residents, businesses and Local Authorities not only in the Borough but the whole country, yet the Council must still try and deliver houses including affordable housing. The overall number of affordable housing units remains at 14 no. to be provided on the development.

Bromford will take on the entire affordable element of the new development. They will have no problems in finding tenants for the social rented housing. However, in the current economic climate, and for the foreseeable future, Bromford do not anticipate that there will be any demand for sales of the shared ownership flats. The applicants are therefore looking for greater flexibility and scope and propose to alter the mix and tenure of dwellings as follows:

The current obligation is to deliver the following property type by tenure:

Property Type	Rented	Shared Ownership
2 Bed Flat	3	3
2 Bed House	2	1
3 Bed House	3	2
Total	8	6

The following revised obligation is now proposed:

Property Type	Rented	Shared Ownership
2 Bed Flat	6	
2 Bed House	1	2
3 Bed House	2	3

Total	9	5
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The applicants note that this proposal is financially neutral to Barratt / David Wilson but is acceptable to Bromford and would enable the delivery of much needed affordable dwellings in the Borough.

The Council's housing officers agree with the applicant's assessment of the current downturn in the economy and support the request. If this variation to the original S106 agreement is permitted it will ensure that homes will not stand empty until economic climate improves and mortgages are more readily available.

The timing of the receipt of this request for this variation (on the day the extension in time was approved) was unfortunate but after due consideration your officers do not feel the haste of this variation request is material by way of detriment to what had previously been agreed. Moreover, your officers are of the opinion that an appropriate mix of affordable dwellings and tenure types should be deliverable and as such recommend this minor variation to the approved affordable dwelling and tenure types now before you.

RECOMMENDATION:

GRANT PERMISSION to vary the existing S106 agreement to amend the tenure type from 8 no. to 9 no. social rented units and from 6 no. to 5 no. shared ownership units respectively in line with the dwelling mix as set out in the main body of the report above.

REASON FOR APPROVAL:

To provide an appropriate and deliverable mix of affordable dwellings and tenure types on this residential development.

TWC/2010/0688 Land Adjacent to, 53 Maslan Crescent, Tibberton,
Shropshire, TF10 8PB
Erection of a detached four bedroom dwelling ***** Amended plans
received*****

APPLICANT

Gavin Major

RECEIVED

22/07/2010

PARISH

Tibberton and Cherrington

WARD

Edgmond

THIS APPLICATION WAS DEFERRED AT PLANS BOARD ON 1st June 2011
TO ALLOW THE AGENT TO REDUCE TO FOOTPRINT OF THE
PROPOSED DWELLING.

Amended drawings have now been received further reducing the footprint of
the proposed dwelling and thus increasing the separation distance between
the gable walls of the new dwelling and the common boundaries either side.
To the left (closest to the sports ground) the gap has been increased from
0.5m to 0.75m, and to the right, no.53 Maslan Crescent (north) the gap is
1.0m.

Members are respectfully reminded that the proposed dwelling had already
been reduced in size (footprint) and reduced in height to correspond with the
ridge height of the adjacent dwellings in Maslan Crescent.

Outline planning permission for a 3 bedroomed dwelling on the site has
previously been approved by the Planning Inspector in 2009, and therefore
the principle of a dwelling on the site has already been established. The
dimensions shown on the indicative block plan approved by the Planning
Inspector are a footprint measuring 6.5 x 9.0m and a ridge height of
approximately 7.5m. The Inspector's decision to grant planning permission is
a material consideration when assessing this application. A Copy of the
Inspector's decision is attached for information.

The proposed dwelling as amended now has a footprint of 6.23 x 8.32m
(having an internal arrangement comprising 4 bedrooms; 2 of which are
double and 2 which are single), and it is smaller than the 3 bedroomed
dwelling which was previously approved by the Planning Inspector. The ridge
height will be 7.81m above damp proof course level (DPC) to correspond with
the neighbouring dwellings.

Following a further round of public consultation two letters of objection have
been received. The issues raised are:

- The land concerned is a small space on which to erect a four bedroom
property.
- The road adjacent is a road leading to the school, tennis court/playing
field parking and garages at the rear of Maslan Crescent.
- It will lead to congestion areas during the building stage and
thereafter.

- Refuse planning permission for a four bedroom property.
- The overall size and height of the proposed dwelling is *still* too large for the size of the plot.
- The proposed dwelling is not in keeping with any other property on the crescent. The current properties are semis and bungalows
- The close proximity of the nursery, infant and junior school already causes traffic problems on Maslan Crescent. The Wrekin council has already identified this and has erected bollards and signs on the pavements to help ensure child safety. In fact, the school is *still* trying to maintain good relations with local residents and police, regarding traffic problems. The addition of another property, with access for two vehicles will exacerbate the situation.
- The original application was rejected by Telford and Wrekin on the grounds of numbers; I fail to see how this has changed and how the council can possibly say that this is now acceptable.
- Although there has been a 'token gesture' in the reduction in size of the property, the overall appearance is negligible and doesn't address any of the issues already raised, regarding child safety and the fact that the building will be totally out of character with the rest of Maslan Crescent.

The Parish Council remains unanimously opposed and its previous objections listed in the original report below still stand. Councillors can find little change from the previous design and still regard it as too large for the plot. It is the Council's understanding that the original application for outline permission (TWC/2008/1054), passed on appeal, was only for a 3 bedroom property.

Comments raised by neighbours and the Parish Council are noted. However, as discussed previously the principle of a larger dwelling than what is now proposed has already been approved in by the Planning Inspector. Accordingly, there is no change to the recommendation to grant planning permission subject to conditions.

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

1. A04 Time limit.
2. B11 samples of materials.
3. B12 sample brick panel.
4. B121 soft landscaping.
5. B46 on-site construction.
6. B47 mud on road.
7. B61 foul and surface water.
8. B64 soakaways.
9. C12 car parking.
10. C38 in accordance with approved plans.
11. I32 Fire Authority.
12. I40 conditions.
13. I41 reasons for grant.

REASON FOR APPROVAL:

The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the streetscene, residential amenity or the setting of the adjacent sports facility. Furthermore, sufficient private amenity space and off street parking is provided. The site was a brownfield and in a sustainable location, as advocated by PPS3, and will not harm the underlying objectives of the Council's housing location policy.

THIS APPLICATION WAS DEFERRED ON 13th APRIL 2011 TO ALLOW MEMBERS TO CARRY OUT A SITE VISIT.

An additional sixteen representations have been received, including emails and individual letters, duplicate letters signed by different residents, three letters from one neighbour and two from another. The issues raised are:

- The proposed dwelling is not in keeping with any other property on the crescent. The current properties are semis and bungalows.
- The house should be a small affordable type or a bungalow,
- Tibberton has recently lost its local shop and other amenities are under threat and there is little need to build additional properties in the area.
- The developer having only paid £25K, for this plot wishes to make as much money as possible not having to consider the ramifications of what he is proposing.
- Affected neighbours have not been approached by the developer.

Accordingly, there is no change to the recommendation to grant planning permission subject to conditions.

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

- 14.A04 Time limit.
- 15.B06 samples of materials.
- 16.B07 sample brick panel.
- 17.B14 soft landscaping.
- 18.B23 on-site construction.
- 19.B24 mud on road.
- 20.B33 foul and surface water.
- 21.B35 soakaways.
- 22.C19 car parking.
- 23.C38 in accordance with approved plans.
- 24.I32 Fire Authority.
- 25.I40 conditions.

26.141 reasons for grant.

REASON FOR APPROVAL:

The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the streetscene, residential amenity or the setting of the adjacent sports facility. Furthermore, sufficient private amenity space and off street parking is provided. The site was a brownfield and in a sustainable location, as advocated by PPS3, and will not harm the underlying objectives of the Council's housing location policy.



ORIGINAL REPORT

TIBBERTON AND CHERRINGTON PARISH COUNCIL HAVE REQUESTED THAT THIS APPLICATION IS DETERMINED BY MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES:

Whether the proposal would meet the Council's housing location policy, the effect the proposal would have upon the character and appearance of the area, whether the proposed dwelling is likely to remove the adjoining sports facility, highway safety and residential amenity.

THE PROPOSAL:

This is a full application for the erection of a four bedroomed detached dwelling on a former garage site located adjacent 53 Maslan Crescent.

Following officer concerns about the size, scale and height of the proposed dwelling, and the fact that No.13 Maslan Crescent has been extended, which was not shown on the location/block plan the scheme has been amended. The ridge height of the building has been lowered to match the adjacent properties, and no.13's extension added which has enabled measurements to be taken to check that the separation distances between the proposed and existing dwellings are sufficient to ensure that there were no issues in respect of loss of amenity. Neighbours have been reconsulted as a result of the amendments.

SITE AND SURROUNDINGS:

The site occupies a corner location and comprises a former garage court with 6 garage lock-ups adjacent to No.53 Maslan Crescent, a two-storey semi-detached property in an established housing development. The site is enclosed with timber panel fencing to sides and rear, and wire mesh fencing to front. Estate roads are located to the east and south of the site, with access to garaging, Tibberton primary school, sports pavilion, tennis courts and sports ground beyond. It is wholly located within the village of Tibberton, which is one of the 3 rural settlements identified for new housing.

The adjoining sports ground has a multi-functional role, and is a well used recreation ground, benefiting the adjoining Tibberton Primary school, local village cricket clubs, who play regular matches on the sports ground, and football teams. The cricket pitch is laid out in a central position on the sports ground. The majority of dwellings in Maslan Crescent are some 20 metres from the edge of the sports School and garages, with a shorter distance between No.53 Maslan Crescent and No.52 opposite of some 14 metres, with end gables facing the sports field.

PLANNING HISTORY:

Outline Planning application W2008/1054 was refused in September 2008.

By way of background the LPA considered that the number of houses committed within the rural area to meet the rural housing requirements had already exceeded the 170 dwellings set out in CS1 to meet local need to 2016.

Furthermore, the LPA considered that the proximity of the site to the existing Community sports facility/ playing field could have lead be a potential conflict Between the interests of occupants of the proposed dwelling and the existing use of the playing field. As a result the Agent submitted a scheme comprising safety netting which could be erected as required and removed after the sports activities on the pitch have finished, located along the boundary of the site adjacent to the sports pavilion and playing field. This would have been the responsibility of the occupant of the proposed dwelling - it would therefore be difficult to control.

The application was therefore refused as it was

1. Considered contrary to policy CS1 and guidance contained within PPS3 as it exceeded the rural housing numbers and the rural area.
2. The development was considered incompatible with the adjacent sports field and the proposed ball stop fencing was inappropriate and was deemed contrary to policies CS10 and CS15 of the CS and policy UD2 of the WLP and national guidance contained within PPS1 and PPS3, and therefore refused.

However, the LPA considered that the development site would be a similar size to the established properties in Maslan Crescent and could accommodate a dwelling of similar footprint to the adjoining semi-detached properties with adequate access and amenity space, without significantly adversely impacting on the neighbour's residential amenity.

The applicant subsequently appealed the LPA's decision and the Inspector allowed the appeal and granted outline planning permission.

Planning application W2010/0096 for the erection of a four bedroomed was withdrawn on 16.03.10. The LPA did not support the proposal as it was deemed an over-development of the site and failed to respect the scale, size, building line and character of the existing dwellings and the streetscene.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 – Delivering Sustainable Development.

PPS3 – Housing.

PPS7 Sustainable Development in Rural Areas.

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria,

Policy H9 – Location of New Housing,

Policy H10 – Scale of Development.

LDF Core Strategy

Policy CS1 – Homes,

Policy CS7 – Rural Area,

Policy CS10 - Community Facilities,

Policy CS15 - Urban Design.

CONSULTATION RESPONSES:

Tibberton and Cherrington Parish Council:

Initially raised objections in respect of the application prior to the amended drawings, the issues raised were:

- That this is a straightforward re-submission of Application W2010/0096 that was withdrawn in March 2010.
- The Members of the Parish Council were unanimously opposed to this design then and they remain so now.
- They believe that the proposed property is too large for the site, with an inadequate curtilage at the front and rear. They also believe that its large 'footprint' in relation to the size of plot makes it out of character with the rest of the neighbourhood.
- They are concerned that the proposed driveway will not allow for vehicles to be turned. Therefore, unless vehicles are reversed onto the property they will have to be reversed off. This would create a potential hazard for young children attending both Tibberton School and the Pre-School. It should be noted that this is on the designated 'Walk to School' route.

They also raise two further matters relating in to this site:

- The roadway on the eastern side is the only point of vehicular access to the school and pre-school buildings and it is essential that it is kept clear.

- Whatever design is eventually agreed for the site, the Councillors believe that a necessary planning condition must be that no vehicles are parked in this roadway or building materials left there.
- When granting the Appeal in favour of Outline Permission, the Inspector made light of the likelihood of cricket balls reaching the property from the neighbouring playing field. However, those with local knowledge assert that it is not an uncommon occurrence as the site lies within the natural 'mid-on' hitting arc for right-handed batsmen at the further-end of the wicket.
- As the field is owned and maintained by T&W, the Borough will need to consider seriously what measures are appropriate to protect the property and its occupiers as well as its own liability.

The case officer has met with Parish Councillors, a school governor and the owner of no.13 Maslan Crescent and discussed the amended scheme on site. No further comments had been received at the time of writing this report and any

further representations in respect of the amended drawings will be reported to Members at Plans Board.

Shropshire Fire Authority:

Have no objections and suggest Informatives in respect of Access for Emergency Fire Service Vehicles and Sprinkler Systems

Drainage Engineer: supports the proposal and recommends conditions in respect of drainage and soakaways.

Highways Engineer: Supports the proposal.

Twenty one direct neighbour letters have publicised the application. Two representations have been received and the issues raised are:

- The overall size and height of the proposed dwelling is too large for the size of the plot.
- The proposed dwelling is not in keeping with any other property on the crescent. The current properties are semis and bungalows
- The proposed dwelling does not constitute an in fill, as it is on a corner.
- The close proximity of the nursery, infant and junior school already causes traffic problems. The Wrekin council has already identified this and has erected bollards on the pavements to help ensure child safety. In fact, the school is trying to maintain good relations with local residents regarding traffic problems and as such a meeting is being held December 1st 2010 at the school. The volume of traffic to and from the school does cause problems. The addition of another property, with access for two vehicles will exacerbate the situation.
- In the Local Context - Forms and Materials, a mention is made of a nearby property having a "side and rear extension". This refers to 13 Maslan Crescent, our property. The location plan which accompanies this application is not the latest detail and does not accurately reflect our property. Therefore, the proximity of the proposed dwelling to

number 13 is much closer than currently shown. A privacy issue still exists with the first floor windows of the proposed dwelling, having a direct view into the bedroom and large kitchen window.

- In the application under "Neighbour and Community Consultation" the answer to this question is "No". Therefore, how is it possible to ascertain that "we have consulted neighbours, who generally feel the appearance of a detached dwelling on this site will be better than the previous view of derelict garages". Neighbours have not been consulted and indeed would much rather have the garages on the plot. These garages were not derelict and provided security for resident's vehicles, and were in use until the council announced that the land was being sold and gave notice to tenants.
- The proposed dwelling does not constitute infill and will not harmonise with the existing dwellings. From the plans provided, they do not appear to reflect what is actually on the ground. If the rear of the property is built in line with the rear of 53, a detached dwelling of these dimensions, can not be accommodated in such a tiny plot, let alone providing parking spaces for two vehicles at the front. Are they vehicles without doors, because there will be no space to open them.
- With the plot being immediately adjacent to the village cricket pitch the first cricket ball to land in the garden or break a window could signal the end of village cricket.
- balls land in the garden, break tiles on the house roof and break panes of glass in the greenhouse
- We like the concept of village cricket and have a good rapport with the cricketers who always make good any damage and pay for any breakage.
- What assurances could you put into place to safeguard the cricket for the future against the possibility of the above happening?
- Loss of garage plot all for a paltry few thousand pounds for this ground, most of which has probably been swallowed up in legal and administrative costs and with no benefit to ourselves,
- By a reduction in the community charge, the whole exercise to have been a complete waste of time and money.

PLANNING CONSIDERATIONS:

Amended drawings have been received which have reduced the ridge height to 7.81m (as annotated on the drawing) so that it is comparable with the neighbouring dwellings and a slightly reduced the footprint to provide a 1.0m gap around the right (northern) boundary of the site.

Outline planning permission for a dwelling on the site has previously been approved by the Planning Inspector and therefore the principle of a dwelling on the site has already been established. The Inspector's decision to grant planning permission is a material consideration when assessing this application.

The Inspector considered that there were three main issues:

Whether the proposal would meet the Council's housing location policy

The Inspector opined that the site was Brownfield and in a sustainable location, and in one of the three service settlements where the majority of rural development is to be focussed, as advocated by PPS3 and Council policy CS7. The Inspector therefore concluded that just one additional dwelling would not harm the underlying objectives of the Council's housing location policy, in particular CS1 and CS7.

The effect the proposal would have upon the character and appearance of the area, in particular regard to the future need for ball-stop fencing

The Inspector noted that the existing dwellings adjoin the sports facility and do not have ball stop fencing. Although the existing dwellings are further away from the playing field she did not consider the difference in distance was material in this instance. In addition the pavilion and 3m high fence would provide an effective physical barrier. This application does not include the ball stop fencing element as the Inspector considered it unnecessary.

The design of the dwelling has been amended to respect the character and appearance of the existing dwelling in Maslan Crescent. The ridge height has been lowered to respect the neighbouring properties and the detailing on the gable end detailing matches that found on the estate. The imposition of a condition will require a brick sample panel to be built on site for inspection to ensure that the best match possible with the existing dwellings is achieved. Accordingly, the proposal complies with policy UD3 of the WLP and Policy CS15 of the CS.

Whether the proposed dwelling is likely to remove the adjoining sports facility.

The Inspector also commented that it is common for dwellings to back on to recreation grounds and parks and was not convinced that an additional dwelling would put pressure upon the Council to remove the facility. Accordingly, the proposal is compliant with policy CS10 of the CS.

Other matters

The Inspector noted comments from third parties in respect to highway safety and residential amenity and concluded that the addition of one dwelling would not be harmful to highway safety and that a dwelling could be designed so that residential amenity was not compromised.

Sufficient on-site parking and manoeuvring space is provided to enable vehicles to enter and leave the site in a forward gear. This situation is superior to the situation with the existing houses in Maslan Crescent some of which have no off-street parking and few have on-site manoeuvring space. The Council's Highway Engineer supports the proposal and it is considered that a single dwelling house will generate fewer vehicular movements than the previous use of the site which contained six garages. Hence, there will be a positive impact upon highway safety and the proposal is compliant with policy UD2 of the WLP and CS15 of the CS. Nonetheless, a condition will require details of where the operatives will park their vehicles during construction and the loading and unloading and storage of materials to ensure that the free passage of traffic and any disruption is kept to a minimum.

The footprint of the proposed dwelling is slightly larger than the indicative layout shown for the approved outline application and it is now a four bedroomed dwelling rather than a three bedroomed one. However, the room sizes are modest with two bedrooms being double and two singles. Moreover, the plot and footprint is comparable to the existing 2, 3 & 4 bedroomed dwellings. Therefore, the size of the dwelling is considered appropriate for the site and locality.

The separation distance between the proposed window of bedroom 3 the common boundary with no.13 is 10.2m. The window looks towards the rear of the garden and the large timber outbuilding belonging to no.13 Maslan Crescent. The window will be 21m when measured diagonally to the two storey side extension built at no.13. The minimum distance required in order to protect residential privacy is usually 21m when measured perpendicular. Given that the proposed dwelling will not directly face windows of no.13 and there is adequate separation distance it is considered that there will be no significant adverse impact upon the residential amenity on no.13 by way of over-looking or loss of privacy. Accordingly, the proposal is compliant with policy UD2 of the WLP and CS15 of the CS.

Whilst the comments raised by neighbours are noted, as stated earlier the principle of residential development on the site has already been approved on appeal by the Secretary of State. If Members are minded to refuse this application, their decision would be contrary to the Secretary of State's decision, and could be considered perverse and as such any subsequent appeal could lead to costs being awarded against the Council.

Accordingly, it is considered that the proposal complies with both local and national policies and a precedent for the development of the site has already been approved. The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the street scene, residential amenity or the setting of the adjacent sports facility. Furthermore, sufficient private amenity space and off street parking is provided. The site was a brownfield and in a sustainable location, as advocated by PPS3, and will not harm the underlying objectives of the Council's housing location policy.

Therefore, it is recommended that the proposal is approved with conditions.

RECOMMENDATION:

To GRANT PLANNING PERMISSION subject to the following conditions:

27. A04 Time limit.
28. B06 samples of materials.
29. B07 sample brick panel.
30. B14 soft landscaping.
31. B23 on-site construction.
32. B24 mud on road.
33. B33 foul and surface water.
34. B35 soakaways.
35. C19 car parking.

- 36. C38 in accordance with approved plans.
- 37. I32 Fire Authority.
- 38. I40 conditions.
- 39. I41 reasons for grant.

REASON FOR APPROVAL:

The proposal is considered appropriate in terms of siting, design and scale, and as such there will be no adverse impact within the street scene, residential amenity or the setting of the adjacent sports facility. Furthermore, sufficient private amenity space and off street parking is provided. The site was a brownfield and in a sustainable location, as advocated by PPS3, and will not harm the underlying objectives of the Council's housing location policy.

TWC/2011/0642 The Croft, Sunnyside Road, Ketley Bank, Telford,
Shropshire, TF2 0AA
Erection of one detached dwelling

APPLICANT

Mr Colin Kelleher

RECEIVED

01/08/2011

PARISH

Oakengates

WARD

Ketley and Oakengates

THE PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION
SHOULD BE CONSIDERED BY THE COUNCIL'S PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Principle of development, Design, Layout, Access

THE PROPOSAL:

This full application relates to the erection of a detached house on land adjoining The Croft, Sunnyside Road, Ketley Bank.

The proposed two storey house comprises a kitchen/breakfast room, lounge, and attached garage on the ground floor, and four bedrooms, two en-suites, and a bathroom on the first floor. In front of the house and garage is a large driveway and turning area. External materials comprise traditional facing bricks and plain clay roof tiles.

SITE AND SURROUNDINGS:

The application site lies within the built-up area of Telford where new residential development will in principle be considered acceptable.

The site is relatively flat and lies on the western side of Sunnyside Road, approximately 100 metres south of the Holyhead Road/Sunnyside Road junction. To the west of the site is a large woodland area and to the north is the semi-detached house called The Croft. On the opposite side of the road is another residential dwelling and a further area of woodland. With so many trees in the vicinity of the site it has the 'feel' of being in a semi-rural location.

PLANNING HISTORY:

W2000/1042 - Change of use of an area of open space to private garden land and erection of chain link fence. Granted 1.2.01

PLANNING POLICY CONTEXT:

National Planning Guidance
PPS 1 – Delivering Sustainable Development

PPS3 – Housing
Draft National Planning Policy Framework

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

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

CONSULTATION RESPONSES:

Parish Council: The road is too narrow, sited on a bend, and with a bus route on it.

There has been no soakaway test submitted as part of this application.

Drainage:

No objection subject to conditions relating to foul and surface water drainage, and soakaways.

Geotechnical Engineer:

No objection subject to conditions relating to shallow mine workings and retaining walls, and an Informative relating to Contamination.

Highways:

No objection subject to conditions relating to parking/turning, visibility splays, driveway surfacing, and gates

Trees:

No objection

Ecology:

No objection subject to Wildlife Conditions and Informatives

One objection has been received from a local resident, the grounds of objection being as follows:-

- The applicant has felled trees on his land and also on land behind it
- He has moved his boundary fence onto land he does not own
- A new stone wall and wooden fence has been erected at the front of the site

PLANNING CONSIDERATIONS:

The site is shown as 'white land' on the Wrekin Local Plan where residential development is acceptable in principle. Historical maps show that there was a dwelling on this site up until the early 1970s.

It is considered that the site is large enough to accommodate a detached house, on-site parking, and adequate private amenity space, and that the size of the dwelling is commensurate with the size of the plot.

It is considered that the design and appearance of the proposed property would relate positively to its context by virtue of its size, scale, proportions, details, and materials, and would relate to and respect adjacent dwellings in the vicinity of the site. Since the application was submitted planning officers have sought improvements to the external design of the dwelling, and its appearance has now been somewhat improved by incorporating 'soldier' courses and projecting brick cills above and below the windows, and above the doors, and amended plans have been submitted.

The vehicular access has replaced one that previously served the dwelling that once stood on this site. The applicant sought advice from the Council's Highways Engineer as to the best place to locate the access, and it is considered that this position will be better and safer than the previous one, with good visibility in both directions for vehicles exiting the site.

The applicant has acknowledged that he did fell some trees on the adjoining land, which is owned by this Council. However, the Council's Arboricultural Officer has visited the site and has approved the removal of 14 young poplar trees and some hawthorn to the rear of the site. This work constituted good Arboricultural practice and was something that the tree officer has been hoping to carry out himself in the future. He also confirmed that there is enough secondary regeneration of British native species upon the forest floor to ensure that the next generation of trees will now be able to grow unhindered. The applicant has stated that he intends to plant a new hedge along the woodland edge to provide him with adequate privacy and security.

Before submitting the application the applicant had erected a two metre high close boarded fence at the front of the site. This fence is considered to be unacceptable because it appears highly visible in this prominent location, and does not relate to any other boundary features in the surrounding area. As such, it has a detrimental impact on the character and appearance of the site, and adversely affects the visual amenities of the surrounding area. The applicant has now agreed to replace this fence with low ornamental railings, supplemented by a hedge comprising native species, and wooden entrance gates.

The site is considered large enough to accommodate a new dwelling. The proposed dwelling would not adversely affect the character and appearance of the site or the surrounding area, or have a detrimental impact on the residential amenities presently enjoyed by the occupants of adjoining and existing development by virtue of any undue overlooking, loss of light, or any overbearing effect.

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

1. A04 Time limit
2. B06 Samples of materials
3. C38 Development in accordance with submitted plans
4. B14 Landscaping design
5. B23 On-site construction
6. B24 Mud on road
7. B26 Shallow mine workings
8. B31 Retaining walls
9. B33 Foul and surface water
10. B35 Soakaway test
11. C06 Window reveals
12. C20 Car parking
13. C21 Visibility splays
14. C23 Gates
15. C79 Erection of bird boxes
16. D03 Restricted use of garage
17. D11 Hours of working
18. Surfacing of driveway
19. Existing close boarded fence at front of site to be removed before the dwelling is first occupied

REASON FOR APPROVAL:

The site is shown as 'white land' on the Wrekin Local Plan where residential development is acceptable in principle. The site lies within a predominantly residential area within the built-up urban area of Trench.

The site is large enough to accommodate a detached house, and that the size of the dwelling is commensurate with the size of the plot. The design and appearance of the proposed property would relate positively to its context, and would relate to and respect adjacent dwellings in the vicinity of the site.

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

TWC/2011/0690 Gwenlass, Walcot, Shropshire, TF6 5ER
Demolition of existing dwelling and erection of a detached 6-bed dwelling, and detached triple garage with accommodation above. *****AMENDED PLANS RECEIVED*****

APPLICANT
N & B Redshaw

RECEIVED
18/08/2011

PARISH
Wrockwardine

WARD
Wrockwardine

OBJECTIONS RECEIVED: YES

PROPOSAL:

This application seeks planning permission to demolish the existing 3 bedroom property with a detached 6 bedroom dwelling and a detached triple garage with accommodation above.

The dwelling will be located in the centre of the site away from the adjacent neighboring properties. The property design has been amended to a traditional H shaped property being of traditional brick and tile construction. The proposed front elevation has two large gable apexes including windows at 2nd floor utilising the vast roof space. A feature porch and bay windows add interest to the front elevation. A small single storey element is proposed to the side.

A triple garage is proposed to the north east of the site, sitting somewhat over the existing dwelling. This has three dormer windows to the front elevation and an external stair case to the first floor accommodation to the side.

SITE AND SURROUNDINGS:

The application site comprises an existing modest cottage located on large corner plot covering more than 6,000m². The existing rendered dwelling is located to the far north east of the site, in close proximity to the Elms, whose boundary steps in westward behind the dwelling, allowing for a large two storey brick outbuilding to be situated immediately to the rear of Gwenlas. Subsequently there is no rear outlook to Gwenlas. The principle elevation overlooks the garden to the south, and a secondary elevation overlooks the highways. A small driveway with gated access separates the northern elevation of the dwelling with the highway. The site is relatively flat and contains a number of trees both within the site and along the boundaries.

A number of dwellings are located within close proximity to the dwelling, forming a cluster of units that have no repetitive architectural features, or pattern to the siting of each unit. The Elms situated to the east of the site is a two storey dwelling that has two gable apexes to the front elevation, with a large valley fronting the highway; the building is rendered pink and is dominated by the large bays and porch which run across the front of the dwelling, both the ridge height and eave heights are kept to a minimum. The more traditional property, Walcot House is located to the far north of the site,

separated by the highway. This dwelling is a modest Georgian property with low roof, detailed eaves, and glazing that has vertical emphasis; this is well screened from the highway. Duncot house is a large 80's style dwelling that has little architectural features. Elmsdene is located to the south west of the site, with principle elevations fronting the highway further south. This property is a traditional rendered building that has been extended over the years. The eave and ridge heights are quite tall utilising the roof space, with windows in the 2nd floor of the gable apex.

CONSULTATIONS

Standard consultation responses

Wrockwardine Parish Council:

No comment

Highways:

No comment.

Drainage:

Support subject to Conditions B61, B64 and B65

Arboricultural:

No comment

Ecology:

Required additional information regarding Great Crested Newts. The nearby ponds have been assessed for their suitability to support great crested newts. Have a number of issues with the report, but satisfied that the development is unlikely to have an impact on great crested newts, and therefore have no further objection to the development.

Neighbour consultation responses

Three letters of objection have been received with regard to the original scheme. These raised objections on the grounds of:

- proposed gage will have implications on the location of the proposed drive and house
- proposal will interrupt the view across the site from Walcot house
- new driveway will be in sight of Walcot house and will result in the loss of trees when there is an acceptable driveway in situ
- Proposal is very large. Garage above the dwelling, creating a further dwelling, therefore unnecessary
- Already loss of trees and shrubs on the site, proposal to remove more will have detrimental impact on the local environment
- Size of development seems quite substantial; proposal should not overlook Walcot House
- Concern over covenant on land
- A number of suggestions are also made by one of the neighbours.

Interested parties have been reconsulted with regard to the amended plans. To date 1 letter of objection has been received. This raises concerns on the grounds of:

- site of the proposed house
- location of the driveway
- size of the property
- Size and nature of the proposed garage, responsible for pushing the house into the centre of the site.
- effect on natural environment, through the loss of trees

RELEVANT HISTORY:

Nil

RELEVANT POLICIES:

National planning guidance:

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS7 Sustainable Development in Rural Areas

PPS9 Biodiversity and Geological Conservation

PPG13 Transport

National Planning Policy Framework

Core Strategy:

CS1 Homes

CS7 Rural Area

CS13 Environmental Resources

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS:

The application site is located within the rural area. Policy CS7 of the Core Strategy outlines the suitable settlements where development is appropriate, identifying three suitable settlements of High Ercall, Waters Upton and Tibberton. Outside of these areas development will be limited and within the open countryside strictly controlled.

Guidance in PPS7 advises replacement dwellings that are suitably located and of appropriate design and construction, or would improve the local environment can be acceptable. The Local Planning Authority should also outline in its own documents the circumstances where replacement buildings are acceptable and the scale of such replacements. The relevant Wrekin Local Plan policy H17 (Replacement Dwellings in the Rural Area) was not been saved; therefore there are few restrictions on the erection of replacement dwellings. However there must be regard to scale and design of the proposal and its relationship to adjoining properties, in terms of its compliance with national and local policies.

The site is not located within any of the name settlements defined in CS7 of the Core Strategy, furthermore the number of dwellings in the rural area has been exceeded for this plan period, therefore it is necessary that the proposal replaces the dwelling and does not result within two on the site. Whilst the local Authority prefers replacement dwellings on the footprint of the original building, ensuring that the character of the area is retained, and the building is demolished, the proposal is relatively constrained in this location, due to the context of the adjacent dwelling and the staggered boundary and adjacent outbuilding, allowing only two elevations to have windows. Subsequently the agent has argued the need to relocate the dwelling into a more appropriate location, taking account of the large site that property sits in. Amended plans have also been received adjusting the location of the garage to sit partly on the original dwellings footprint ensuring the dwelling is removed. This can also be controlled through the signing of a S106 agreement ensuring that the proposal does not result in an additional dwelling on the site. Consequently the principle and the proposed location of the dwelling is considered acceptable.

The proposal is extensively larger than the existing cottage which is a modest three-bedroom property with a low eaves and ridge height. However the nature of the surrounding area is somewhat mixed, with only a scattering of dwellings, all of different character and architectural merits. This proposal takes advantage of the new location and poses a tall building relatively central to the site. The design has been substantially amended to reflect a more traditional architecture, with a modern rear façade taking advantage of the views to the Wrekin. The front whilst tall is disguised by the appropriate brick to void ratios and gable apexes. As there is nothing within policy that restricts the size of the replacement dwelling and as such is considered acceptable at this location.

The proposed garage has been amended from a triple garage with separate living accommodation above to a home office. This would not result in an additional dwelling within the site, and again can be suitably controlled through a S106 agreement. The design of the garage is still large however it will be subservient to the proposed dwelling and the adjacent neighboring property, and its outbuildings.

The proposed dwelling or garage will not result in any loss of amenity to adjacent dwellings in terms of loss of light, distance separation or overlooking of either existing habitable rooms or amenity area.

The proposed trees to be removed are acceptable, however it is considered a replacement planting scheme should be conditioned, with the control of boundary screening further reducing the impact of the substantial sized property. The proposal will not have an adverse impact on the ecological value of the site, and can be enhanced through conditions.

The site can be adequately accessed with appropriate visibility splays. Drainage of the development can be dealt with by condition.

In conclusion, the proposed replacement dwelling with detached garage are considered acceptable in terms of the scale, design and form, in keeping with the area and will not adversely affect the street scene. The proposal will not have a detrimental impact on the residential amenities of adjoining properties nor highway safety. It is considered that the proposal accords with national and local planning policy.

RECOMMENDATION:

Grant delegated authority to the Head of Housing and Planning to **GRANT PLANNING CONSENT** subject to the applicant entering into a S106 legal agreement to ensure that the original dwelling is demolished and the garage is not used as a separate residential unit, and subject to the following conditions

1. A04 Time limit
2. B11 Samples of materials
3. B12 Sample panel
4. B19 Door and window details scale 1:10
5. B121 Landscape design
6. B61 Foul and surface water drainage
7. B74 Brownfield runoff rate
8. C14 Visibility splays
9. C38 Development in accordance with plans
- 10 C73 Retention of trees and hedgerows
- 11 Ccustom Erection of nest boxes
- 12 Ccustom Within one month of first occupation of the dwelling, dwelling demolished
- 13 D01 Removal of Permitted Development Rights
- 14 D02 Domestic garages: no business use
- 15 D04 Domestic garages: restriction on residential use in rural areas

Reasons for Decision:

The proposal to replace the existing dwelling with a new property and detached garage is considered acceptable in terms of the scale, design and form, in keeping with the area and will not adversely affect the street scene. The proposal will not have a detrimental impact on the residential amenities of adjoining properties nor highway safety. The proposed development can be adequately drained. The proposal will not adversely effect any fauna or fauna.

TWC/2011/0712 The Valley Hotel, Buildwas Road, Ironbridge, Telford, Shropshire, TF8 7DW
Erection of a 27 bedroom extension linked to main hotel, restaurant extension and a staff and workshop area

APPLICANT

P Casson

RECEIVED

23/08/2011

PARISH

The Gorge

WARD

Ironbridge Gorge

OBJECTIONS RECEIVED: YES

MAIN ISSUES:

Impact on a Listed Building and its setting, Development within the green network, intensification of use, access and parking, impact on residential amenities, and the adjacent park, economic growth

PROPOSAL:

Erection of a 27 bed extension linked to the main hotel, restaurant extension, and staffroom and workshop area

The proposed hotel extension will increase the provision from 44 rooms to 71; this will create a block to the west of the site. This extension is predominantly two storeys increasing to three storeys to the far west, stepping down with the gradient of the site. The extension is distinctively separated from the building being attached only at first floor, with a timber link to the main hotel, above the service yard vehicle entrance.

The restaurant extension proposed increases the ground area from 193m² to 265m² (37%) to the south of the building overlooking the formal gardens. This forms a single storey element protruding from the southern elevation in the form of an arch, creating a circular elevation that is sat on stilts over The Valley gardens. The proposal is constructed using timber and mirrored cladding with flat roof above.

The proposal also includes store and staffroom extensions are in two smaller elements located to the south of the building screened from the open areas of the site.

The proposal will increase the number of parking spaces from 71 to 82.

SITE AND SURROUNDINGS:

The Valley Hotel is a Grade II* Listed Building, situated within its own grounds to the west of Ironbridge. The site is also within the Severn Gorge Conservation area and Ironbridge World Heritage Site. It is a Georgian property which was extended in the Victorian period and has been further added to in recent years. The original building takes the form of a three storey red brick unit; the extension to the north of the site provides some two storey hotel accommodation with dormer windows, subdivided with the use of

render breaking up some of this bulk to give more of a gradual built appearance.

The hotel is located within the centre of the site; the ground levels descend dramatically from the northern to southern boundaries. The main entrance to the building faces southwards overlooking the River Severn and the main entrance to the Hotel is on the rear of the building facing Buildwas Road to the north. The reception area is single storey and set down in relation to the entrance to the site and car park. The car park engulfs the north and east of the hotel, and a staff car park to overflow car park is situated to the far west of the building, with a vehicle access point to the north from Buildwas Road. This access also provides access to 8 residential properties built along the north western boundary of the site 'The Courtyard', previously within the hotels curtilage.

A 1.5-2.0m boundary wall separates the site from Buildwas Road to the north and the properties to the east and north of the site. The height varies dependant on levels of the adjoining sites, however the wall increases to in excess of 2.5m around the entrance providing a feature entrance to the Grade II* Listed Building.

Formal gardens are located to the south of the site linking the building and its curtilage to Dale End Park; a private path connects the two uses and the connection of public paths running through the park. A number of mature trees engulf the western and southern boundary of the site.

CONSULTATIONS:

Standard consultation responses

Parish Council:

Whilst the Gorge Parish Council does not objects to the principle of the scheme and understands the rationale for a modern design approach the parish councils has some concerns.

The cladding in wood and mirrors: what is the expected lifetime of these materials used? the reason for the question being other buildings in the area using wood cladding become tatty looking very quickly the damp area under trees where these extensions are proposed will not be ideal for such material. There is a concern the mirrors reflect sunlight onto the neighbouring houses and cause a nuisance.

The flat green roofs are said to be low maintenance. There is concern that the roofs being near trees may become messy and unsightly making upkeep difficult.

Built Heritage Conservation:

No objection subject to conditions. Supports the idea of the extension due to need within Ironbridge; however the form is a complicated matter. The hotel has been heavily altered and extended at various times, which have various

forms so that the original character of the building is no longer defining; therefore happy with this different approach. The very modern pavilion style architecture with its emphasis on wooden and tinted glass is a style well suited to the location. The area is a slightly wooded area that runs down to the river with new housing between it and Buildwas Road. The impact of it therefore should not be too great viewed from the public realm of the World Heritage Site. The area of wooded space to the south west of the site would screen the build to a certain extent also from the footpaths of Dale End Park. The modern style is quite bold and stands as a contrast to the jumbled units of the main site.

The use of slightly mirrored glass will serve to reflect the greenery around it and therefore in theory should soften the impact. For this to be achieved special attention will have to be paid to the landscaping element, though limited information is submitted with the application so we may have to condition this to ensure that the surrounding land is designed to soften and screen the development.

Bold designs like this require high quality materials and finishes, they are bespoke and therefore materials and finishes must also be bespoke. There can be no post application watering down of either details or materials, a defining list of materials and preferably samples would be needed. Still necessary to condition all the external materials as a precautionary measure and to finalise the finer details of those materials. In addition condition the roof detailing –as no details of the “green roof” have been submitted. Similarly external services, existing window/door section condition.

Highways:

Object on the grounds of intensification at a substandard junction. The access to The Valley Hotel is situated on the Buildwas Road which is a B classified Road in Ironbridge. The development will cause an intensification in use of the sub standard access by vehicles exiting onto the Buildwas Road. The Highway Authority has had concerns regarding the visibility at this access historically and therefore a speed survey was recently commissioned to analyse the westbound and eastbound vehicular speeds in order to evaluate what ‘Y’ distance visibility splay should be provided at the existing access in line with Manual for Streets recommendations. The westbound and eastbound 85th percentile speeds recorded indicated 34 -35 mph for traffic travelling on the B4380 across the face of the access for the hotel. As a result of this exercise the ‘Y’ distance visibility splay should measure 50 metres in each direction, however existing Y distance visibility to the east is just 21.6 metres measured at a point 2 metres to the rear of the kerb line at the centre of the hotel access, and therefore this current arrangement is not acceptable to accommodate an intensification in vehicular use.

Whilst it is noted the agent has proposed to improve the visibility at the access, these proposals require the narrowing of the carriageway at this location. This is not acceptable as Buildwas Road is of B classification and needs to maintain sufficient width to allow the comfortable passing of two HGV type vehicles. These proposals would also only result in an increase in

visibility to 36.2 metres which is still some 14 metres short of the 50 metres required.

Drainage:

No objection subject to conditions – B33, B41c, and The site is located within flood zone 2, with some areas of the accommodation block could possibly be located in flood zone 3a, for this reason an FRA is required where the details and recommendations shall be agreed by the LPA and carried out in full.

Environmental Engineer:

Objects due to requirements for slope stability information; requesting further details of calculations and a slope stability declaration forms.

Ecology:

Originally objected due to need for an ecology survey. Survey conducted and questions posed. Now satisfied that the proposal is unlikely to affect protected species. Requests conditions relating to bird boxes, and number of Informatives.

Arboriculture:

No objections subject to conditions; considers the loss of trees necessary to facilitate the development, and others removed which are already affected by substantial soil level alterations from the car park alterations. Site does not give adequate space for mitigation planting to compensate for the extensive tree loss and suggests a scheme for additional planting within Dale End Park. Further details are required with regard to serve runs, and delivery vehicles under T2 (horse chestnut). A footpath is indicated running east to west – if this is illuminated then service run details are required. The path will be beneath trees not within hotel ownership and will require works on the grounds safety which should be accounted for within this development.

Parks and Open Spaces:

Object subject to conditions. Considers proposal encroaches on the Green Network. The proposed restaurant protrudes outwards overlooking the council owned Dale End Park and the River Severn. Strongly believe the design of this restaurant area is not in keeping with this historic landscape set within the World Heritage Site. The council manages the adjacent Dale End Park and are unsure of the effect the proposed level changes might have on both retained trees within the application and those in the park.

Sustainability:

Comment, a statement is required on how the development will create a valid and sustainable design solution. Minimum proposed standards of BREEAM “Very Good”, with a requirement to consider “Excellent” should be recommended. If the development occurs after April 2013 then the requirement should be ‘Excellent’.

Shropshire Archaeologist:

No comment

Telford & Shropshire Conferences (Telford & Wrekin Council):

Support, provides a sustainable development of the tourism product in Ironbridge. The development also underpins Telford's position as a major convention town by providing much needed additional quality hotel capacity and contributes to the sustainable growth of the town's tourism sector which currently attracts over 2.1million visitors with a £150million spend per annum.

Best Western Valley Hotel is one of Telford's longest established group hotels and has been in Ironbridge for 20 years. This new development would see an investment of £1m and increase employment by a further 6-10 posts. The development would also increase the number of overnight visitors and add value to the local economy

The Hotel is the largest accommodation provider in the World Heritage Site of Ironbridge with most accommodation between 2 - 6 bed B&B's and Self Catering. Outside of the boundary Q Hotels Telford Golf and Spa provides a resort hotel with 114 rooms complimenting the offer.

One Telford (Telford & Wrekin Council):

Supports – the same letter of support has also been received from this department.

Neighbour consultation responses:

Two responses have been received. These raise concerns on the grounds of:

- should the valley be permitted to increase the size of the facility
- is the proposal in terms of size and functional nature appropriate to effect the change will have on local infrastructure; as existing quantity of parking spaces maximised, and whilst infrequent long vehicles render it difficult for several cars to manoeuvre due to limited turning areas; service road needs to be kept clear for emergencies to adjacent residential development;
- insufficient parking for both the extended restaurant and the hotel accommodation during and after construction
- increase of traffic in the area
- heavy vehicles during construction period on inadequate roads
- traffic survey pays no regard to the courtyard properties
- Courtyard properties use the overflow car park for their own vehicles; not accounted for
- Bins associated with courtyard properties will need to be relocated, by roadside reducing visibility
- Loss of privacy to courtyard properties
- development not in keeping with the listed building or the conservation area, including materials
- view of restaurant would obscure hotel from Dale End Park
- concern over loss of protected trees
- following the loss of trees, boundary screening lost and proposed extension will be visible from Dale End Park
- effect on wildlife not considered

- adjacent residential amenity impacted through construction period; including impact to health through noise and dust pollution
- impact on tourism within area

RELEVANT HISTORY:

Various... since 2005:

W2005/0223 & 0235 – Erection of 8 dwellings – Approved

W2007/0053 – New Car park and servicing area – Approved

W2007/0398 & 0399 Replacement of existing single storey reception building with a two storey reception building- Refused

W2008/1320 & 1321, Replacement Of Existing Single Storey Reception Building With Two Storey Reception Building With Residents Lounge, Approved

W2009/0661, Proposed landscaping and external alterations to form new doorway at ground floor and replacement of timber garden fence with brick wall, Print Listed Building Approved

TWC/2011/0297 Listed Building, Erection of free standing gazebo, formation of a new tarmac area and construction of a new retaining wall - Approved

TWC/2011/0552 Erection of a gazebo (Full Planning), Approved

TWC/2011/0900 & 0990 Application to replace extant consent W2008/1320 & 1321 for the Replacement Of Existing Single Storey Reception Building With Two Storey Reception Building With Residents Lounge, Approved

RELEVANT POLICIES:

Core Strategy:

CS2 Jobs

CS5 District and Local Centres

CS12 Natural Environment

CS13 Environmental Resources

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

EH14 Land Stability

HE2 Demolition in Conservation areas

HE3 New Developments in Conservation Areas

HE15 demolition of Listed buildings

HE16 Alterations and Additions to Listed Buildings

National planning guidance:

PPS1 Delivering Sustainable Development

PPS4 Planning for sustainable economic growth

PPS5 Planning and the historic environment

PPS9 Biodiversity and Geological Conservation

PPG13 Transport

PPG14: Development on Unstable Land

PPG25 Development and Flood risk

Draft National Planning Policy Framework

PLANNING CONSIDERATIONS:

The site lies within the World Heritage Site and Severn Gorge Conservation Area. The south east corner of the site is also designated as Green Network. A small element of the proposal will be erected over the Green Network, allowing an overhang and the area will still be retained and landscaped underneath. This area will still be usable; it is considered that the designation of this land will not be harmed.

Design

This proposal is formed in two main elements, firstly a hotel extension to the far west, and a restaurant extension to the south. The proposed hotel accommodation will be erected over an area currently used for parking and scrubland, and will maintain access to the service yard. The natural slope of the site had been artificially built up to provide the existing parking area; this will be regarded to provide a natural slope. The proposed design takes a modern appearance, being part two and part three storey stepping down the site, utilising mirrored and timber cladding with some grey brick, and a flat sedum or other green roofing material. The lift shafts will project from this roof. Set back from the main hotel the proposal will also maintain and provide views from existing and proposed rooms and prevent overlooking between each other. This modern extension will be linked at first floor over the service yard vehicle entrance, attached to a traditional two storey staff room and workshop extension that also forms part of this application. This is a red brick, with a tiled pitched roof, sympathetic to the Listed Building, only visible to the south of the site. A simple single storey store room is proposed to the south of this. The proposed location of these will not adversely affect any amenities of hotel occupiers, or adjacent uses.

The proposed restaurant extension is attached to the principal elevation of the hotel, overlooking Dale End Park to the south. The proposal is a single storey convex extension, projecting over the garden as the ground levels descend, creating an undercroft area for covered seating. The proposed design whilst modern reflects the vertical emphasis of glazing to this façade, breaking up the elevation through the use of long metal and glass sliding doors, reinforcing the existing tall bedroom windows which overlook this extension. It is considered the proposed design is a creative solution to providing addition restaurant area, whilst retaining green network designation, and creates a lightweight extension reducing the impact of the proposal from the southern view from Dale End Park.

The Conservation Officer has been involved with the design of the proposal from the outset, and as such has raised no objection to this scheme. However the overall quality of the scheme will depend on suitable materials which have been provided during the course of the application and can be suitably conditioned. It is therefore considered that the proposed scheme will not harm the Listed building or its setting.

Access and Parking

The proposed hotel extension will be located on an area of hard standing, currently used as a staff / overflow car park. It is also evident from the consultation process, that the adjoining residential development which was built in the grounds of the Valley Hotel also uses this area for additional parking to suit their needs.

The application forms state as existing there area 46 spaces, however this number does not include the overflow area where the hotel extension is located, which provides approximately 25 informal spaces. The proposed development will result in the provision of 82 spaces, an increase of 11 spaces. Evidence of parking from existing situations is provided, demonstrating that at a wedding on a busy Saturday only 56 spaces were required, and it is therefore considered the increased accommodation will be adequately catered for by the provision of 82 spaces. Furthermore additional parking is available public car parks of Dale End and Merrythought which are within short (150- 320m respectively) walking distance to the site. Evidence suggests that there is little usage of the Dale End car park at night, with the availability of 47 spaces.

Neighbours of the Courtyard have raised concerns over the loss of parking for their own dwellings. This was on an information basis and no land has been transferred to any of these dwellings. Having reviewed the 2005 residential approval, officers confirm sufficient parking spaces were provided within 'The Courtyard' to serve this development, and did not require any further spaces within the hotels grounds. Subsequently it is considered that the proposal will not result in the loss of any neighbouring parking spaces. The proposal will also maintain the emergency access for this residential development.

Access to the site is provided through a puncture in the existing wall on Buildwas Road, a 30mph road that benefits from double yellow line restrictions around this access. Being aware of the Highways objection to the existing access a highways statement has been submitted in support of the application. This identifies that there have been four collisions over the stretch of Buildwas Road, over a three year period to May 2011, of which 3 were slight and 1 serious. All accidents related to vehicles on Buildwas Road and not the use of the existing access to the Valley Hotel, in fact three of these incidents were outside the Meadow more than 350m from the site, related to weather conditions and deposits on the carriageway.

The Councils Highways Engineer has objected to this scheme due to the intensification of the existing substandard junction, this objection has been maintained through previous applications including the 2005 application for the approved residential development within the site. The agent has considered possible solutions which would result in the loss of the wall to the front of the site, this would not however provide the necessary splays and would result in the loss of a feature wall which provides a focal point for the setting of the adjacent Listed Building which would be unacceptable; this option has continually been resisted Planning and Conservation Officers in considering previous applications. Another option proposed by the agent is to narrow the carriageway at this location, however this would be unsatisfactory

to highways as two HGV's would be unable to pass on this B classification road, and the visibility splay would still be short of the required standards specified in Manual for Streets. Taking account of this national guidance the hotel as existing would not be acceptable due to this access; and subsequently weight should be given to evidence of accidents at this location, taking the guidance on a case by case basis.

Whilst the proposal will inevitable increase movement at this access point, the nature of the site, and its surroundings have clearly demonstrated vehicles approach this section of the highway and this junction with care, and the proposed extension would not prejudice this movement, or restrict visibility splays further. Subsequently it is planning officers opinion that the proposal will not adversely effect highway safety than that which currently exists and an acceptable level of on site parking is provided.

Parking arrangements and access during construction this can be adequately controlled and reviewed through condition.

Impact on surrounding amenity

The proposal will closely relate to the amenities of the adjacent 'The Courtyard' which has been developed within The Valley's grounds. These units have been sited with all bar one units principle elevation facing eastward, the other faces northward. This results in side elevations abutting this site, with no primary windows on these elevations. Consequently the proposed hotel extension will not adversely affect the outlook of these units, nor result in any overlooking or loss of light.

The proposed development area already provides parking facilities for the hotel, and whilst this area is being modified, only a further 11 vehicle spaces will be provided, and thus the movement, noise and light pollution that could be caused by the potential intensification of this area is kept to a minimum. Reflecting of this level of additional movement, the design and the orientation of the units, it is considered the proposal will not have an adverse impact on the existing residential amenities of neighbouring dwellings.

Neighbouring dwellings have also raised concerns on the relocation of waste bins. Having considered the previous approval, waste bin areas for the residential development were indicated in the rear amenities of each individual dwelling, and thus the proposal will not remove any associated provision. Collection points on collection days will therefore have to be adjusted accordingly to suit the nature of the development.

Natural Environment

The proposal will result in the loss of trees within a Conservation Area; none of these trees benefit from a Tree Preservation Order. The removal of these trees, whilst they are substantial is considered necessary to facilitate the development and as such the Arboricultural Officer has not raised any objections to the development. Compensatory planting is required, and some of which may be required in the adjacent park. It is considered this can be

adequately controlled through condition, in addition to further details on service runs and ground works to the proposed footpath.

A landscaping plan has been provided with the scheme; however planting details are yet to be agreed. It is considered this can be adequately controlled through condition.

An ecological survey was commissioned by the applicant which highlighted the potential for bats. Further surveys were then carried out which concluded that there was no evidence of roosting bats, subsequently the proposal will not have a detrimental impact on protected species, but the ecologist considers a total of 10 bat and bird boxes / bricks should be conditioned within the site to compensate for the development and enhance the site for biodiversity.

The development site is located within Flood Zone 2, and as such is considered the site can be suitably developed however conditions are required to ensure that satisfactory development of the site. Similarly with regard to slope stability the site falls within an area considered suitable for development; whilst the Environmental Engineer has requested additional calculations prior to determination, it is considered that this can be adequately controlled through condition. There are no concerns with regard to archaeological remains or land contamination.

Economy and Tourism

The hotel as existing provides a much needed 'named' hotel accommodation within the Gorge, and is well established in this location.

A hotel study was commissioned by the Council in 2004, this is the only available assessment that the council hold. This concludes Telford lacks a distinctive and prestige hotel offer; it also suggested that weekend occupancies are generally good throughout the year in 3 – 4 star hotels, with smaller businesses denying business during summer; furthermore the wedding market had grown in recent years and was predicted to rise. Whilst prepared some time ago, the gap for a prestigious hotel still exists, and the existing hotel caters for a unique market – for leisure, corporate clients and wedding guests. This is the only hotel of its size within the Ironbridge World Heritage Site. The evidence submitted with this application states the hotel is often fully booked and often turns customers away; this proposal then aims to fill this gap, boosting the areas economy by not only providing more accommodation for tourists, cooperate and wedding guests but also increasing employment.

Conclusion

In conclusion whilst there are objections from the Highways Engineers, the current access does not meet national guidelines however the access in its context has not been the cause of any incidents. Subsequently whilst the proposal would naturally intensify its use it is considered this impact is minimal; furthermore the benefits of the development supporting the local economy and the viability of the hotel are a material consideration. The

proposed development will not harm the listed building or its setting, nor will the proposal harm the amenities of the adjacent residents. The site can be adequately developed through the use of suitable drainage, stability and land contamination mitigation conditions. The proposal will not harm protected species, and landscaping can be suitably conditioned. Accordingly it is considered that the proposed development complies with policies set out in both local and national guidance.

RECOMMENDATION:

GRANT PLANNING PERMISSION subject to the following conditions:

- A04 Time limit
- B46 On site construction
- B47 Mud on road
- B58 Slope stability
- B61 Foul and surface water
- B74 Brownfield run off rates
- B79 Custom drainage – Flood risk assessment
- B92 He – details of services
- B94 He – roof details
- B121 Landscape design
- B131 Trees – root protection
- B131 Trees – services
- B139 Custom tree – vehicles under horse chestnut tree
- C02 Materials as submitted
- C38 Development in accordance with plan Nos.
- C109 Ecology custom – bird and bat boxes
- C20 Highways custom – emergency access kept clear

Reasons for Decision:

The proposed development will not harm the listed building or its setting, nor will the proposal harm the amenities of the adjacent residents. The site can be adequately developed through the use of suitable drainage, stability and land contamination mitigation conditions. The proposal will not harm protected species, and landscaping can be suitably conditioned. The current access does not meet national guidelines however the access in its context has not been the cause of any incidents. Subsequently whilst the proposal would naturally intensify its use it is considered this impact is minimal; furthermore the benefits of the development supporting the local economy and the viability of the hotel outweigh these concerns.

TWC/2011/0713 The Valley Hotel, Buildwas Road, Ironbridge, Telford, Shropshire, TF8 7DW
Erection of a 27 bedroom extension linked to main hotel, restaurant extension and a staff and workshop area

APPLICANT

P Casson

RECEIVED

23/08/2011

PARISH

The Gorge

WARD

Ironbridge Gorge

OBJECTIONS RECEIVED: YES

This application should be read in conjunction with TWC/2011/0712 Erection of a 27 bedroom extension linked to main hotel, restaurant extension and a staff and workshop area, The Valley Hotel, Buildwas Road, Ironbridge.

RECOMMENDATION:

GRANT LISTED BUILDING CONSENT subject to the following conditions:

- A0 Time limit – listed building
- B92 He – details of services
- B94 He – roof details
- B121 Landscape design
- C02 Materials as submitted
- C38 Development in accordance with plan Nos.

Reasons for Decision:

The proposed development will not harm the listed building or its setting, nor will the proposal harm the amenities of the adjacent residents. The site can be adequately developed through the use of suitable drainage, stability and land contamination mitigation conditions. The proposal will not harm protected species, and landscaping can be suitably conditioned. The current access does not meet national guidelines however the access in its context has not been the cause of any incidents. Subsequently whilst the proposal would naturally intensify its use it is considered this impact is minimal; furthermore the benefits of the development supporting the local economy and the viability of the hotel outweigh these concerns.

TWC/2011/0746

Riverview, 27 Stars Lane, Cold Hatton, Telford, Shropshire, TF6 6PZ
Demolition of existing bungalow and erection of a 4-bed detached dwelling
and detached garage

APPLICANT

Mr Ian Hardy

RECEIVED

24/08/2011

PARISH

Waters Upton

WARD

Ercall Magna

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

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Principle of development, Scale and design, Character and appearance,
Impact on adjoining residential amenities, Existing use of the site

THE PROPOSAL:

The application seeks planning permission for the erection of a 4-bedroomed two-storey detached dwelling and detached garage with games room above following demolition of the existing modern bungalow, Riverview. Access would be to the south of the replacement dwelling, with a new driveway leading to the garage and turning space to the front of the dwelling. Amenity space would be to the east, and the orientation of the building would remain as the existing bungalow, with the front elevation facing the highway. The replacement dwelling would be positioned centrally in the application site, with the garage to the southeast corner.

SITE AND SURROUNDINGS:

The application site comprises a rectangular area with an existing modern but dilapidated brick and tiled hipped roofed bungalow located centrally within the site. The bungalow is uninhabited and there is a mobile home/caravan to the east (rear) of the property, where the Applicant resides. The front garden area is open and both the garden area and driveway are currently occupied by a significant number of vehicles, related to an unauthorised business use.

The land slopes down from Stars Lane to the eastern boundary of the site, and also slopes down towards the southern boundary. There is an existing tree screen to the southern boundary, which adjoins a narrow access track with an adjoining Duke of Sutherland property, 'Highfields' beyond. There are further trees and shrubs to the rear of the bungalow and on the opposite side of the road. To the north of the site is a traditional sandstone property, 'Sandstone Cottage', which is in an elevated position to the application site, with first floor windows on the side elevation facing the application site. Both the neighboring properties have been extended.

The application site is located on Stars Lane, a narrow road in Cold Hatton at

the northern extent of Telford, and is in a rural location, with the surrounding area being predominantly open countryside. There is no defined character or style of property in Cold Hatton. In this part of Stars Lane, there are three dwellings located close to one another; however the other properties in Stars Lane and the wider area of Cold Hatton are more sporadically spaced and set back further from the highway, with greater distances between each property. The nearest village, Waters Upton is some 2750m to the south of the development, along the main highway, A442.

PLANNING HISTORY:

W2002/0952 Demolition of Existing Bungalow, Removal of Mobile Home and Erection of Two Replacement Dwellings with Attached/Detached Garages and Construction of a New Vehicular Access, Full refused

W2003/0569 Demolition of Bungalow, Removal of Mobile Home and Erection of a Replacement Dwelling and Detached Garage, Full refused

W2005/1286 Demolition of Existing Bungalow, Removal of Mobile Home and Erection of a Detached Dwelling and Garage, Full refused

TWC/2010/0186 Demolition of existing bungalow, erection of new 4 bed detached house and detached double garage with games room above, Withdrawn

The 2010 planning application was withdrawn to enable the Applicant to address planning issues and to undertake an ecology survey.

Both the 2003 and 2005 planning applications were refused as whilst the principle of a replacement dwelling was considered acceptable; the scale and mass of the previous proposals were not; and the applications were refused against policies UD1, UD2 and H17 of the Wrekin Local Plan. Policy UD2 remains a saved policy and is relevant to the current proposal; however the others have been deleted.

Various enforcement cases, including Unauthorised Siting of Mobile Home and Being Used as Residence, and the Alleged Use of the Site for Storage of Commercial Vehicles

PLANNING POLICY CONTEXT:

National planning guidance:

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS7 Sustainable Development in Rural Areas

PPS9 Biodiversity and Geological Conservation

National Planning Policy Framework (draft)

Core Strategy:

CS1 Homes

CS7 Rural Area

CS15 Urban Design

Wrekin Local Plan:
UD2 Design Criteria

CONSULTATION RESPONSES:

Waters Upton Parish Council:

Strongly objects and green cards the application if recommended for approval. Telford & Wrekin Council was minded to refuse previous requests and there is little difference in this application. Whilst there is a wish to 'tidy' the site by development, any permission granted must be suitable for the plot. This proposal exceeds the size suitable for the site and questions the plans, layout and dimensions included in the application. The objections include access, drainage, height, position and size of the proposal.

Highways:

No highway objection in principle subject to a condition regarding visibility splays and the standard highways informative (I11).

Drainage:

Supports the application subject to Conditions regarding Foul and surface water drainage (B61) and Brownfield runoff rates (B74).

Geotechs:

No comment

Ecology:

Initial objection as an update to the submitted bat survey to include appropriate mitigation measures was required. Following submission of the additional information, there are no objections subject to a condition regarding Erection of nest boxes, and Informatives regarding Natural England EPS Development Licence, Lighting, and Update survey.

Shropshire Fire Authority:

Advice regarding Access and Sprinkler systems

One neighbour letter received with the following comments:

- general massing and height of dwelling reduced from previous design, and detailing over windows improved
- slab level of dwelling must be the same as the existing bungalow to ensure it does not appear dominant
- discrepancy in rear boundary to proposed development, and if inaccurate may affect the ability to drain the site adequately via soakaways
- mature trees and hedging to south boundary must be retained and protected during construction to maintain character of area
- Proposed double garage with games room above is sited against shared boundary and difference in ground levels will have impact of 3 storey building. Proposed games room should be omitted

- any lighting for the garage and drive area should be directed away from adjoining properties and replacement fencing should be added to the boundary in addition to the existing trees
- Imposition of S106 to control future development of the garage to protect privacy and any sound or light pollution

PLANNING CONSIDERATIONS:

The application site is located in Cold Hatton which is not identified as a settlement in Policy CS7 of the Core Strategy where new development will be focussed; however the erection of a replacement dwelling would not constitute an increase in rural housing numbers.

Guidance in PPS7 states replacement dwellings that are suitably located and of appropriate design and construction, or would improve the local environment can be acceptable. The Local Planning Authority should also outline in its own documents the circumstances where replacement buildings are acceptable and the scale of such replacements. The relevant Wrekin Local Plan policy H17 (Replacement Dwellings in the Rural Area) was not been saved; therefore there are few restrictions on the erection of replacement dwellings within the rural area. However there must be regard to scale and design of the proposal and its relationship to adjoining properties, in terms of its compliance with national and local policies.

The existing building is in a poor state of repair and is a modern dwelling with little character. Given that there are limited planning policies with regard to replacement dwellings in the rural area, the principle of development is considered acceptable.

The application is a resubmission of a similar scheme TWC/2010/0186 which was withdrawn to enable the Applicant to address concerns regarding the scale of the development. In this regard, it is considered that the overall development has been reduced in size. Whilst the footprint, the eaves and ridge height of the proposed replacement dwelling would be larger than the modest-sized bungalow; the current scheme is an amendment and reduction to the previous submission. The footprint of the dwelling is more than 20sqm smaller than the previous withdrawn scheme TWC/2010/0186 and more than 35sqm smaller than the refused scheme subject of W2005/1286. There is a very slight reduction in the eaves height and approx. 1m reduction in the ridge height. The replacement dwelling is proposed to be set lower in the site. The overall mass of the roof has been reduced and one of the balconies to the rear has been omitted. The inglenook chimney has also been omitted.

With regard to the design of the frontage, the windows have been simplified, with the omission of the small windows and a reduction to four rather than five lights wide at first floor. The central multipane dormer window has been modified and gables have been added which reduces the dominance of the dormer. The double door entrance to the front is not ideal; however the solid timber panelled door and the omission of the stone-cladding surround enhances the appearance of the building.

Whilst the balcony to the northeast of the dwelling is only 5 metres from the shared boundary with Sandstone Cottage, it is located some 9 metres from the adjoining dwelling. Sandstone Cottage is in an elevated position and the rear garden areas of both properties comprise various planting including trees. It is considered that the position of the balcony will not cause undue overlooking or loss of privacy to the adjoining property. There are no windows on the side elevation of the dwelling facing Sandstone Cottage, and only one window at first floor facing Highfields, which is obscure glazed. To ensure privacy is maintained, a condition to provide details of landscaping and trees/hedge to be retained on site is required.

The detached double garage with games room above is unchanged in scale and design from the previous scheme. It is relatively large, but is considered to be in proportion to the proposed dwelling. The position of the garage set back towards the southeast corner of the site will ensure that the development appears subservient to the main dwelling and it will also be adjacent to the trees along the southern boundary thus the development will not be overly prominent in the area. The building is at an angle to the northeast of Highfields and it is considered that the mass of the building will not have an adverse impact on light or outlook. There is a window on the side elevation of the garage facing Highfields. The separation distance is approx. 12 metres and the new garage would be in an elevated position above the adjoining property. Whilst there is existing mature planting along the boundary of the application site and the track with Highfields beyond, it is considered that this window should be obscure glazed to maintain mutual privacy, as this is not a habitable room and is ancillary to the main dwelling. Accordingly, it is considered that the replacement dwelling and garage can be accommodated without detriment to adjoining residential amenities, subject to conditions regarding obscure glazing and a restriction on further extensions and alterations/additional windows.

Officers consider the amendments to the previous scheme are acceptable to ensure that the development is of an appropriate scale and design, and it is considered this will be in keeping with the character and appearance of the area. Materials and door/window details can be conditioned to ensure the appearance of the building is appropriate. The site can accommodate the dwelling and garage with sufficient space for private rear amenity and access/parking, subject to a highways condition regarding visibility splays. Drainage of the site can be dealt with by appropriate conditions.

In order to control the site and ensure that the residential character of the area is maintained, but no additional dwellings are created, conditions shall be imposed to control the use of the garage and games room above, so that it does not become a further residential unit and to ensure no commercial business is run from the premises. In this instance, it is considered that conditions shall be sufficient to control the development due to the proposed size and location of the garage, and it will not be necessary to control it through S106.

The Design & Access Statement asserts that the caravan that is located at the rear of the existing bungalow would be removed from the site along with the vehicles that are located to the front. The site is located in the rural area and is predominantly residential; therefore it is considered that this site is not suitable for a commercial business and this is currently under investigation. With regard to the siting of the caravan at the rear of the dwelling, a condition can be imposed to ensure this is removed prior to first occupation of the replacement dwelling.

In conclusion, the proposed replacement dwelling with detached garage are considered acceptable in terms of the scale, design and form, and is in keeping with the character and appearance of the area and will not adversely affect the street scene. The proposal will not have a detrimental impact on the residential amenities of adjoining properties nor highway safety. It is considered that the proposal accords with national and local planning policy.

RECOMMENDATION:

To GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 Time limit
2. B11 Samples of materials
3. B12 Sample panel
4. B19 Door and window details scale 1:10
5. B121 Landscape design
6. B61 Foul and surface water drainage
7. B74 Brownfield runoff rate
8. B130 Trees - protective fencing
9. C14 Visibility splays of 2m x 25m
10. C38 Development in accordance with plans
11. C73 Retention of trees and hedgerows
12. Ccustom Erection of nest boxes
13. Ccustom Within one month of first occupation of the dwelling, caravan shall be removed from site
14. D01 Removal of Permitted Development Rights
15. D02 Domestic garages: no business use
16. D04 Domestic garages: restriction on residential use in rural areas
17. D08 Windows obscure glazing – side elevation of garage. No further windows to dwelling or garage on side elevations facing Sandstone Cottage or Highfields.

Informatives

- I11 Highways
- I22 Ecology
- I32 Fire Service
- I40 Conditions
- I41 Reasons for Conditions

REASON FOR APPROVAL:

The proposed replacement dwelling with detached garage are considered acceptable in terms of the scale, design and form, and is in keeping with the character and appearance of the area and will not adversely affect the street scene. The proposal will not have a detrimental impact on the residential amenities of adjoining properties nor highway safety.

TWC/2011/0884 Walker Institute, Hartsbridge Road, Oakengates, Telford, Shropshire, TF2 6BA

Conversion of existing building to 14No. Residential apartments and associated amenities and parking

APPLICANT

Hama Investments Ltd

RECEIVED

06/02/2012

PARISH

Oakengates

WARD

Ketley and Oakengates

OBJECTIONS RECEIVED: No.

MAIN ISSUES:

Principle of Development, design and appearance, highway safety.

THE PROPOSAL:

This is full application for the retention and conversion of the existing principle Walker Institute building formerly known as Telford College of Art and Technology to create 14 two & three bedroomed residential apartments and associated amenities, including an indoor gym and pool, residents parking and amenity space to the rear and visitor parking and soft landscaping to the fore. The existing wall to the front of the site is to be removed to open up the site and provide views of this impressive building.

SITE AND SURROUNDINGS:

The site lies less than 800m from Oakengates town centre within a substantially residential area bisected by several significant highways which intersect at the adjacent Beverley roundabout, which forms the western site boundary. Hartsbridge Road is predominantly residential other than the Walker Institute. The area is also characterized by generous areas of vegetation as well as a selection of small scale employment/light industrial uses.

The surrounding residential areas vary in age, density and character and are predominantly 1 and 2 storey's in height. There is low rise sheltered accommodation situated directly opposite the site.

The site is distinguished by containing a neo classical building constructed in 1926. Although it is only two storey's in height the actual volume of the building is considerably greater by being a single large mass and corresponding to 3 – 4 storey's in height.

The building is far and away the largest structure in the locality and is further distinguished by its commanding classically derived architecture (as distinct from the undistinguished and domestic quality of the surrounding building design.)

There is an area of trees and other vegetation which form part of the Borough's Green Network to the immediate west of the site which

substantially screen the site from the nearby roundabout.

The application site is designated as "white land" in the Wrekin Local Plan. The rear of the site is in the process of being cleared to make way for development and remedial repairs to the roof and repair following the recent fire is being undertaken.

PLANNING HISTORY:

There has been a protracted history on this site in that a previous outline planning application (W2003/0150) related to the change of use of the building to a residential use comprising 22 apartments, and erection of new residential development of the land to the rear of the building. A schematic layout which was submitted, but which did not form part of the application, showed the rear of the site occupied by 14 semi-detached dwellings.

The application was considered by Members of Plans Board on 6th August 2003 and approved subject to the developer entering into a S106 Agreement which included contributions of £32,443.57 to education facilities and £38,000 to recreation facilities, 45% affordable housing. The Council's solicitor drafted the legal agreement in respect of the S106 however, the agreement was never signed, and hence planning permission was never granted.

In 2004 a second developer then took over the site who proposed to convert the Walker Institute into flats and erect 4 blocks of 5-6 storey high flats to the rear of the building, to ensure that the development was financially viable for him, otherwise the developer claimed that the Walker Institute would have to be demolished. Subsequently, discussions in respect of a reduction in the required contributions for education and recreational facilities due to the economic downturn and financial viability of the site was agreed by the Head of Planning in 2009 in order to secure the retention of the building. It is understood that the developer has since gone into liquidation at the start of the economic downturn and the building has remained vacant ever since.

Part of the building was the subject of a suspected arson attack in October 2011.

The land to the rear of the site has been sold to another developer, in order to generate the funds to undertake the development of the Walker Institute building.

Planning application TWC/2011/1037 for the development of the land to the rear of the building with the erection of 14 detached dwellings with parking and amenity area has also been received.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPG9 Biodiversity and Geological Conservation

PPG13 Transport

Saved Wrekin Local Plan Policies

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

CS15 Urban Design

CONSULTATION RESPONSES:

Oakengates Town Council supports the application and is unanimously in favour of the proposal.

The Council's Drainage Engineer has no objections to the proposed development.

The Council's Highways Engineer had no objections in principle to the proposed development. However, 4 visitor spaces identified across the front of the site need to be increased to 6m in length from 4.8m to enable ease of use. Additionally, driver visibility to the north from the southern access was limited due to the frontage wall to the rear of the Hartsbridge Road footpath. Whilst this has been the arrangement for many years it would be poor practice not to seek improvements as part of this application. Amended drawings addressing these matters have thus been submitted.

Furthermore, the middle of the three access points need to be bollarded to eliminate vehicular use, the northern most access to be used for egress only and the narrow roadway linking to this across the front of the building to be indicated as one way from the south. Accordingly, it is deemed necessary to impose conditions to ensure that these matters are addressed accordingly.

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 advised that the site lies in an area potentially underlain by shallow mining voids. However, as no increase to the footprint is proposed in this application a shallow mining condition is not required but future works at this site may require a shallow mining investigation condition. Informatives I17 & I20 are therefore recommended.

The Council's Parks and Open Space Officer has requested £600 per 2 bed property (or above) to be provided prior to commencement of development.

The Council's Education officer has requested contributions towards education facilities in the vicinity of the development (£22,557 for primary schools and £13,799 for secondary schools) given the number and type of dwellings proposed.

The Council's Housing Delivery Officer has scrutinised the financial appraisal submitted during the planning process and has confirmed that the figures do not appear unreasonable at face value.

The Council's Ecologist has no objections subject to a condition which requires the erection of nest boxes to compensate for lost nesting/roosting opportunities, and to enhance the site for biodiversity. In addition she recommends Informatives in respect of bats and birds and enhancement planting.

Shropshire Fire Authority has suggested Informatives in respect of Access for Emergency Fire Service Vehicles and Sprinkler Systems - Residential Premises

Shropshire Council has no adverse comments to make in respect of the application.

A Site Notice a 33 direct neighbour letters have publicised the application; one letter of support has been received. The comments are summarised as follows;

- We are very much in favour of what is planned for this very special building,
- The sympathy and thoughtfulness that is going into renovating its building is heartwarming,
- The 'Tech' has always been a part of our lives,
- We are waiting patiently to see this lovely building come back to life and are sure that the developer will do just that.
- It will stop the vandals and drug users knocking it about and destroying it and will make it safer for nearby residents.

PLANNING CONSIDERATIONS:

Principle of Development

PPS3 gives Government advice on new housing developments, and amongst other issues it states that development should;

- maintain and improve local character,
- be easily accessible and safe,
- be well integrated with, and complement, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access,

- create, or enhance, a distinctive character that relates well to the surroundings.

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 800m from a District Centre. In addition the policy also requires that the site is adequately drained, accessed and parking provided; where there are land stability and contamination issues the Council should be satisfied that the developer has taken adequate remedial action; that the proposal does not have an adverse impact on the local environment especially in its relationship with adjacent land uses and that 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 800m 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 WLP, policy CS1 of the Core Strategy and national guidance contained within PPS3.

Design, appearance and amenity

National guidance contained in PPS1, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness. 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 proposed use has been developed around the existing building with the external alterations to the building being kept to a minimum, so as to retain the principle façade in its existing, form.

With this in mind the redevelopment of this imposing (and popular) local building is considered acceptable and welcomed. Indeed, the redevelopment should be seen as an opportunity to bring this long time vacant building back in to useful occupation and thus will result in an enhancement to the visual amenity of the area. There will be no adverse impact upon the residential amenity of the neighbouring properties. The proposal is therefore considered compliant with policy UD2 of the WLP, policy CS15 of the CS and national guidance contained in PPS1.

Highway safety

The proposed layout retains the existing access to the front and side of the site. Amended drawings have been submitted in accordance with the requirements of the Council's Highway Engineer, as discussed previously. 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 PPG13.

S106 Contributions

Policies LR4 and LR6 requires developers to contribute to the provision of recreational open space and policy H22 requires contributions towards community facilities.

The above policies require the developer to contribute £36,356 to education facilities in the vicinity and £8,400 towards recreational facilities.

However, due to the unforeseen circumstances additional costs of converting the building have arisen. These costs are due (in part) to the fact that the initial survey was non-intrusive and carried out in the dark, plus the necessary removal of all of the parquet flooring to enable the building to comply with Building Regulations. The removal of the asbestos in a number of areas of the building is required. There is damage to the roof which includes the loss of 90% of the lead and 300 tiles, plus the recent arson attack (which has necessitated the presence of 24hr security on the site). In addition 9 Tons of bespoke steel members are also required in the conversion of this building, which was not originally envisaged.

The project is to be funded by the applicant's private funds and due to the current and on-going economic climate, the agent has advised that there is no prospect of securing assistance from the Banks for a scheme of this nature i.e. conversion of this building into apartments.

In conclusion, the exceptional items listed above equate to £156,050 to date and the additional burden of an additional £44,756 (for education and recreation) is such that the project is no longer commercially viable. This has resulted in the developer reviewing the proposed scheme with a view to demolishing the Walker Institute and opting for the possibility of a new build scheme which would be a less expensive and 'safer' alternative for him. The Council's Housing Delivery Officer has confirmed that the costs supplied in respect of the proposed development do not appear unreasonable at face value. That said, it would have been prudent to have undertaken a more detailed investigation prior to purchase to fully assess the overall viability of the project.

Nevertheless, Members are respectfully advised that the building does not benefit from any statutory protection (it is neither listed nor located in a Conservation Area) and hence could be demolished without the need to secure planning permission, and only prior approval of the demolition would be required.

Additionally, the agent has advised that the demographic of the prospective purchasers of the apartments, is that approximately 65% of purchasers are likely to be more than 55 years of age and the remaining 35% of investors made up of young professionals. To this end, the scheme is unlikely to attract families with children, and thus there will be not additional pressure on the existing educational resources.

The retention of the building is obviously a priority (as it has significant architectural and sentimental value in the area), and the additional costs presented are inevitable with such a desire. However, given the previous agreement to waive S106 contributions and the likely occupants of the apartments (unlikely to include children), on balance it is considered acceptable to waive the education contributions in this instance.

However, the owner has confirmed that he is keen to engage with the local community, as long as he has confirmation of where these funds will be spent. With this in mind the case officer has spoken to Cllr Hilda Rhodes (the Ward Cllr) and she has advised that she would like the monies to go towards the local Hartshill Park, which would benefit the future occupants of the apartments and the existing residents in the immediate vicinity.

Accordingly, the developer has agreed to provide £600 per property (£8,400) for recreational facilities to be used at Hartshill Park. These contributions will be secured by way of a S106 Agreement.

Other Matters

The Council's Ecologist has advised that the site is in close proximity to potential bat and bird foraging habitat (e.g. tree lines, woodland, scrub, rough grassland and gardens). As this development involves conversion works, it is possible that roosting bats and nesting birds could be affected. Bats and birds are protected under legislation. Therefore, she advises a condition which requires the erection of nest boxes to compensate for lost nesting/roosting opportunities, and to enhance the site for biodiversity. In addition, she recommends Informatives in respect of bats and birds and enhancement planting. Accordingly, the proposal is compliant with policy CS12 of the CS and national guidance contained within PPG9.

Conclusion

The site is located within a sustainable location within the built up area of Telford and close to Oakengates District Centre. The proposed conversion of the Walker Institute into apartments will ensure that this important building is retained and has a meaningful use for the future. The proposed development of this site will result in a beneficial effect upon the building and positive impact within the street scene and the area, and an opportunity to enhance the biodiversity of the site. There will be no adverse impact upon highway safety or the residential amenity of the neighbouring dwellings and the financial contributions towards recreation will help support the amenities of the nearby Hartshill Park. Therefore, 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 financial contributions of £8,400 for recreational facilities at Hartshill Park, GRANT PLANNING PERMISSION following conditions:

1. A04 Time limit
2. B14 Landscaping
3. B30 Access
4. C01 Materials to match
5. C38 Development in accordance with approved plans
6. C101 Bat and bird boxes
7. I106 Section 106
8. I11 contact highways
9. I17 Minerals Area
10. I20 Contaminated land
11. I25g enhancement planting
12. I25K bats and birds
12. I40 Conditions
13. I41 Reasons for approval.

Reasons for Decision:

The site is located within a sustainable location within the built up area of Telford and close to Oakengates District Centre. The proposed conversion of the Walker Institute in to apartments will ensure that this important building is retained and has a meaningful use for the future. The proposed development of this site will result in a beneficial effect upon the building and positive impact within the street scene and the area and an opportunity to enhance the biodiversity of the site. There will be no adverse impact upon highway safety or the residential amenity of the neighbouring dwellings and the financial contributions towards recreation will help support the amenities of the nearby Hartshill Park.

TWC/2011/0971 Unit 1, Fitchett (Redland) Industrial , Station Hill, St Georges, Telford, Shropshire, TF2 9JX
Change of use of retail unit to car sales and car repairs (Retrospective)

APPLICANT

RECEIVED

07/11/2011

PARISH

St. Georges and Priorslee

WARD

St. Georges

This application has been referred to Committee

ST GEORGES AND PRIORSLEE PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Principle of development, highways, parking and public rights of way issues, affect on residential amenity and character of area.

PROPOSAL:

The applicant is seeking retrospective planning permission for a change of use of light industrial building and its site to a car sales and repair workshop. The building was previously used as a manufacturer and retailer of UPVC windows, doors, patios and conservatories, formerly known as Severn Windows. According to the application form works to the car sales premises commenced April 2010.

The building has been subdivided into an office, store room, rest room and repair workshop with its front forecourt used for the display of some 50 cars for sale. Consent is sought to operate the car sales area/office between 09:00 – 18:00 Mondays to Fridays, between 09:00 – 17:00 on Saturdays and between 11:00- 16:00 on Sundays.

Permission is also sought to operate the workshop Mondays to Fridays between 09:00 – 18:00 and remain closed Saturdays and Sundays. The application forms state that if consent was to be granted the site would continue to employ 1 part-time and 1 full-time member of staff.

SITE AND SURROUNDINGS

The site, known as Unit 1 is located on the junction of Station Hill and Silkin Way, in St Georges, Oakengates. The building is a flat roofed, part blue rendered and red brick building that fronts Station Hill. Station Hill slopes significantly downwards towards the West, somewhat lower to both Willows Road and Silkin Way. The building sits level with Silkin Way; however it does appear 2-3m high above Station Hill. Silkin Way is a public right of way for pedestrians and cyclists otherwise known as 'The Silkin Way'. This path

covers 14 miles and winds from Bratton in the North to Coalport in the South along dry canal beds and abandoned railway lines. It has been confirmed that Silkin Way is a public footpath where cars should not park.

The site is surrounded along its northern flank by a high boundary wall. The wall varies between 2-3m high, with the highest section located along the far west. This wall features 2-3 non-illuminated fascia signs that have been attached to the boundary wall; these signs do not have advertisement consent and have not been included within this application. The existing forecourt features sections of bunting that hang above the cars and across the site.

Customers can enter the car sales building through the main conservatory type entrance that faces onto Station Hill, however, vehicular access to the visitor parking spaces and car workshop is off Silkin Way.

West of the A442 and several metres South of Unit 1 are a group of commercial and industrial buildings. East of the site is an area of woodland, whilst immediately north and east of the building are residential properties. These residential dwellings are situated at Station Hill and along Willows Road.

RELEVANT PLANNING HISTORY:

W74/0689, Change of use of existing building from offices and workshops to use for electrical goods, approved 3rd April 1975.

W79/0939, Renewal of application for building to be used as electrical goods and auto electrical repairs office, approved 4th January 1980.

W86/0600, Change of use from auto electrical components for trade with ancillary retail auto components/body panels for trade with ancillary retail, approved 16th October 1986.

PLANNING POLICY CONTEXT:

National guidance:

PPS1 Delivering Sustainable Development

PPS4 Planning for Sustainable Economic Growth

PPG13 Transport

PPS23 Planning and Pollution Control

PPG24 Planning and Noise

Draft National Planning Policy Framework

Wrekin Local Plan:

UD2 Design Criteria

Core Strategy:

CS5 District and Local Centres in Telford

CS15 Urban Design

CS2 Jobs

CS10 Community Facilities

CONSULTATION RESPONSES:

Parish Council:

Object on the grounds that the development currently obstructs the footpath and additionally spreads onto the road. Parking is inconsiderate and there is an environmental impact possibly from the burning of tyres in the evenings. Request this application is Green carded and taken to Plans Board.

Highways:

Originally objected to the proposed parking layout which illustrated a lack of customer parking and an overcrowded forecourt that was believed to create highway danger. However, subsequent to discussion and an amended parking plan the highways officer withdrew his objections to the application. There are no objections providing the parking of vehicles on the site is in accordance with the attached plan. Several conditions have been recommended.

Rights of Way Officer:

Confirmed that Silkin Way should be free of parked cars and if obstructed, is a matter for the police.

1 Anonymous letter of objection received concerned with the following;

- untidy site
- highway danger
- crime and vandalism
- traffic
- lack of parking provision

PLANNING CONSIDERATION:

The site is located in the urban area of Telford; approximately 150m outside of the Secondary Zone of Oakengates.

Officers consider that a car sales and ancillary workshop use for this existing building will not adversely affect the visual amenities of the locality. The application does not propose to alter or extend this commercial building therefore its appearance will remain unchanged. The officers do not consider the site to be harmful to the character and appearance of the immediate area.

The car forecourt and office will be open everyday of the week and Bank Holiday Mondays. However the car workshop will only be open Mondays to Friday between 09:00 – 18:00. These proposed hours of operation are not unreasonable hours related with a car sales business that would not be detrimental to neighbouring dwellings. In regards to operational hours the officer can confirm that the site's previous use did not have any restrictive hours imposed on the decision notice. From this it can be said that a more intense and disturbing use could occupy the premises under permitted development without any planning controls. When considering this fall back position the proposed change of use provides an opportunity to impose necessary controls and by reason of the above the proposed use is considered more acceptable.

There are likely to be vehicular movements associated with the use in and around the site and in and out of the sites access. These movements include deliveries to the site and customer visits to buy cars or visits for car repairs. However it is not thought that such movements would be adverse or significantly different to movements that have been previously associated with the site or could continue with a different manufacturing operator. Given the previous uses, a use for car sales should not be significantly different in terms of its impact on the character of the area.

Originally the applicant sought permission to display 50 vehicles for sale on the existing forecourt along with tandem customer parking to be located along the eastern side of the building. The number of cars for sale was considered overcrowded which could potentially restrict movement in and out of the site and lead to a vehicle over spill onto Silkin Way, which is a public footpath where cars should not park. This along with the customer parking arrangement was considered confined and confusing hence discussions were held between the applicant and the LPA to agree some form of layout for the site. Subsequent to discussions an amended site layout plan has been drawn up and agreed between the applicant and the officer.

The applicant's view was that a detailed layout of the sales forecourt area, with specific car locations, would be far too restrictive for their operations. It was also explained that for security reasons the applicant likes to park vehicles down the centre aisle of the forecourt at night to prevent vehicles being stolen.

Having assessed the applicant's points the officer considers that it is more suitable to condition the sales area to contain no more than 42 vehicles, a number agreed by the applicant. It was agreed that there would be no specific layout requirements but the sales vehicles would have to be contained within an identified area. This area is identified on the amended block plan in red.

To prevent cars being parked on the Silkin Way, and following discussions, the Highways Officer has agreed that 7 spaces identified within the site for both staff and customers is a more suitable arrangement. These spaces can be identified in blue on the amended block plan. This arrangement should prevent cars having to obstruct the public footpath.

In terms of the workshop unit itself and the area to the west of it, it would appear that these areas are for the repair, maintenance and storage of vehicles only and the Highways officer does not see any particular requirement to condition the numbers of vehicles in these areas. This area has been identified in green on the amended block plan. To summarise, the Highways officer has no objections to the application if the parking of vehicles on the site is in accordance with the submitted amended block plan.

The site is located several metres from residential properties and although these dwellings can view the site it is not thought that activities associated with a car sales/repairs activities will adversely affect these adjoining neighbours. There is a dwelling directly opposite the site however this

particular dwelling is situated about 20m from the boundary of the site. The car sales site is not illuminated or externally lit and would not create an excessive amount of activity that would disturb residential amenity. Repairs will take place inside the commercial building which will keep noise levels to a minimum level. To ensure residential amenity is protected by reason of lighting and burning of tyres, the decision notice will be conditioned accordingly.

Furthermore, the site is around 200m far from the centre of Oakengates and, this close proximity would therefore enable visitors and staff to travel to the site by public transport.

There are a number of signs that do not have advertisement consent; therefore the Enforcement Team will be notified of such matters and an informative will be imposed on the decision notice informing the applicant of this.

In conclusion, officers consider a use of this nature in this location will not have an adverse affect on the surrounding area when considering the range of uses that could continue from the site under the existing use class. The proposed use is considered acceptable as it will not adversely impact upon residential amenity or highway safety. Moreover, the occupation of this former vacant light industrial unit results in an economic use that will be generally beneficial to the area and accords with policies CS14 and 15 Core Strategy or UD2 of the Wrekin Local Plan.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. C38 Development in accordance with plans
2. D11 Hours of opening
3. DCustom No external lighting
4. DCustom Parking Layout
6. DCustom No outside repairs
6. DCustom No outside burning/storage
5. I35 Scope of Consent
7. I40 Conditions
8. I41 Reasons for grant of permission
9. RACustom Reason for decision

REASON FOR APPROVAL:

Retrospective change the use of light industrial premises to a car sales and repair workshop is considered acceptable subject to conditions. A use of this nature in this location will not have an adverse affect on the surrounding area. It will not adversely impact upon residential amenity or highway safety. Moreover, the occupation of this former vacant unit results in an economic benefit to the area.

TWC/2011/0984 Garden to, Rock Cottage, 39 Mill Lane, Tibberton,
Shropshire, TF10 8NL
Erection of a 2 storey three bedroomed dwelling with integral single garage

APPLICANT

John Wright

RECEIVED

15/11/2011

PARISH

Tibberton and Cherrington

WARD

Edgmond

CLLR BURRELL HAS REQUESTED THAT THE APPLICATION BE DETERMINED BY PLANS BOARD DUE TO THE NUMBER OF REQUESTS FROM RESIDENTS AND TO ENABLE HIM TO PRESENT ARGUMENTS BOTH IN SUPPORT AND AGAINST TO MEMBERS.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES:

Principle of residential development on the site and whether the proposal would meet the Council's housing location policy, the effect the proposal would have upon the character and appearance of the area, highway safety and residential amenity.

PROPOSAL:

This is a full application for the erection of a 2 storey three bedroomed dwelling with integral single garage on land adjacent to Green Ridges (no.3) Mill Lane and opposite Rock Cottage (no.39) Mill Lane. The proposal comprises a rectangular shaped brick built property with a plain clay tiled gable roof overlooking the River Meese valley and the open countryside beyond to the north (right). There is an attached pitched roofed single garage facing Mill Lane. The design of the property has incorporated some Duke of Sutherland (DoS) style features which include brick cills, voussoir headers above the ladder casement windows, pitched roofed dormer windows and exposed purlin ends.

SITE AND SURROUNDINGS:

This is an L-shaped site off Mill Lane at the end of a row of three 1970's bungalows and is located on the opposite side of the road to Rock Cottage, a traditional DoS cottage, and is the additional garden belonging to the property. (Rock Cottage has a modest sized garden surrounding the property). The site is located on the northern extremity of the development boundary of Tibberton. The site is a fairly level plateau above the valley of the River Meese.

The site is bounded on the northern and western boundaries by existing Holly and Hawthorn hedging. A garage (with two windows) abuts the western boundary together with a block wall along the gable wall of Green Ridges and a wooden fence. At the front of the site is a hedge, a recently installed wooden 5 barred gate and a parking space bounded by two walls directly off

Mill Lane.

Immediately to the north of the site is an access track leading to a small sewage treatment works, there is a vehicular access to the rear of the site via the track; beyond is collection of buildings known as Old Mill Nurseries. This was once a paper mill, then a garden nursery and now operates as a small farm.

On the rear of the site is a single garage / shed at the western end, as well as a greenhouse and small garden shed, and poultry housing which will be retained.

Green Ridges is a chalet style dormer bungalow with side facing windows which overlook the site. It is this closest property to the site and is located to the south of the site and sits a just over 1m higher.

PLANNING HISTORY:

Planning permission W2003/1076 for outline planning permission for the erection of a dwelling was refused on 1st July 2004 for the following reason:

- The erection of a dwelling on this site at the end of existing development in Tibberton does not comply with the requirements of policy H10 of the Wrekin Local Plan in that this site is not an infill plot with the existing built up frontage and will form an extension of the village into open countryside.

An identical planning application W2004/0941 was submitted on 26th July 2004. This application was due to be considered by Plans Board on 6th October 2004 with a recommendation for refusal but was withdrawn before the meeting.

A further application W2005/0646 for an identical proposal was submitted on 24th May 2005 and refused on 22nd July 2005 for the above reason and the following reason:

- The applicants have not demonstrated that the siting of the dwelling as proposed will not adversely affect light and amenity for the occupiers of the adjoining dwelling. As such the proposal is contrary to policy H12 of the Wrekin Local Plan.

The Council's decision to refuse was tested at Appeal and was subsequently dismissed by the Planning Inspectorate on 19th January 2006.

A further outline application W2005/1123 for the erection of a dwelling and alterations to the access was submitted on 16th September 2005 and refused by Plans Board on 17th November 2005 for the following reasons:

- The erection of a dwelling on this site at the end of the existing development in Tibberton does not comply with the requirements of policy H10 of the Wrekin Local Plan in that this site does not

comprise and infill plot within the built up frontage and will, therefore form an extension of the village into open countryside.

- The applicants have not demonstrated that the site can satisfactorily accommodate a dwelling without adversely affect light and amenity for the occupiers of the adjoining dwelling. As such the proposal is contrary to policy H12 of the Wrekin Local Plan.

CONSULTATIONS:

Standard consultation responses

The Parish Council have advised that issues raised during their discussions both in favour and against are summarised below;

- It was acknowledged that since the revision of the Strategic Housing Land Availability Assessment in 2010, the site has now been moved from meeting just two to achieving all three of the assessment criteria (Available; Suitable; Achievable).
- Councillors were also aware that in the SHLAA figures the site has been given a nominal capacity of 3 dwellings; this was generally believed to be excessive and therefore some felt it would be preferable not to oppose an application for a single house.
- It was also noted that the site now lay within the Tibberton village boundary as shown in the LDF Preferred Options Report.
- Councillors referred to the comments in T&W's Landscape Character Assessment which recommends that the addition of a two-storey house would create an appropriate end to the settlement and enhance the aspect of this part of Tibberton when viewed from the north.
- It was recognised, however, that the application would conflict with the LDF's policy of limiting new dwellings in the rural area of the Borough to 170 up to 2016 as it was believed that this figure had already been achieved.
- Councillors who opposed the application raised concerns about road safety in Mill Lane if a new access point was created almost on the apex of a tight and blind corner.
- And there were misgivings about overturning a number of previous decisions against development on the site, including one on appeal, when there had been no material change to the situation on the ground.
- Councillors were sympathetic to the negative effect the proposal would have on the outlook from the neighbouring bungalow and hoped that careful attention would be paid to minimising the loss of light entering this property.
- Councillors were unanimous in requesting that the application be 'green-carded' and adjudicated by the Plans Board.

The Council's Highway Engineer has no objections to the proposal subject to conditions C19 in respect of the provision of Parking and informative I11 which advises the developer to contact the Council's Highways department to work on the highway.

The Council's Drainage Engineer has no objections subject to conditions B62 and B75 in respect of surface water drainage and Greenfield run-off rates.

The Council's Geotechnical Engineer has no adverse comments.

The Council's Ecologist initially objected to the proposal and required surveys to be carried out on the site however given the additional information provided showing the use of the land as garden, now considers that it would be unreasonable to require surveys and the objection has now been withdrawn. Nonetheless, a condition requiring the erection of nest boxes and informatives in respect of protected and priority species, trenches, enhancement planting and refuges will be imposed to compensate for lost nesting/roosting opportunities, and to enhance the site for biodiversity.

The Council's Arborist has no objections to the proposal, and advises that the applicants have expressed a wish to retain the Cherry tree following crown reduction work. Therefore, to ensure that no soil compaction is caused throughout the construction phase, it is suggested that to protect the ground beneath the canopy of the tree either by HERAS fencing erected at the canopy edge or some type of ground protection e.g. Ground guard or EVE trakway or a similar product is used. Additionally, the plans show a projected line of an existing sewer that runs past a copse of trees, given that one of the trees is an Oak, to ensure that no damage is caused to this service in the future, a root barrier/deflector may be of use.

Shropshire Fire Authority has suggested Informatives in respect of access for Emergency Fire Service Vehicles and Sprinkler Systems.

Neighbour consultation responses

A site notice and 8 direct neighbour letters have publicised the application.

4 letters of objection have been received. The issues raised are:

- Similar proposals have been refused in the past and dismissed at Appeal,
- The end bungalow overlooks agricultural land and it would seem to us rather odd to erect a large two storey building right at the end of these lovely rustic bungalows.
- The proposed site is not an infill land plot and if constructed will form an extension of the village into open countryside which could possibly "trigger" a precedent which would be detrimental to the village.
- Attached photographs taken from neighbour's upstairs bedroom window clearly disclose the row of bungalow rooftops as they gently fade away towards the neighbouring field.
- A two storey house "bolted" on to the end of this symmetrical row of single storey bungalows would detract from the wonderful countryside views which we enjoy.
- this is the fourth time that the applicant's have applied for planning permission on this site, which was withdrawn once and refused twice so we wonder what has now changed?.

- We understand from the Telford Planning Department that the number of houses allocated for the area up to the year 2016 has already been well exceeded so presumably there is no necessity for this type of development.
- The proposed site is situated on a dangerous bend, access to which (from the River Meese) would necessitate the crossing of Mill Lane which struggles to accommodate two small passing vehicles.
- The proposed entrance is hazardously compromised by a dangerous bend with extremely difficult driver viewing. This represents a significant danger to pedestrians, cyclists, horse riders, joggers and motor vehicles.
- Copies of Land Registry plans (LR) showing boundary line discrepancies have been submitted suggesting that the boundary line as shown on the Block Plan No. PC247/03 between the application site and Green Ridges is not correct.
- The existing parking space which is clearly marked on the LR plan for 39 Rock Cottage SL64970 appears to show a large disparity between the area on the plan and the area marked on the submitted location & block plans.
- We have still not seen any evidence to support the claim that a safe and workable parking arrangement and means of access can be created.
- The site is extremely cramped especially when one considers the possible discrepancies on the site boundaries.
- The site levels are much higher than the road (Mill Lane) and the submitted plans for some reason fail to show this.
- The applicants should provide a detailed plan of the access, the gradient, sections from the highway up to the proposed parking area and show how a motor vehicle can access and egress the site.

A letter from the previous occupier of Green Ridges (from 1970 – 2007) has confirmed that the side facing windows are original and have not been added at a later date.

1 letter of support has been received stating that a dwelling on the site will improve the appearance of the area.

PLANNING POLICY CONTEXT

National guidance:

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS7 Sustainable Development in the Rural Area

PPS9 Biodiversity and Geological Conservation.

Core Strategy Policy

CS1 Homes

CS7 Rural Area

CS12 Natural Environment

CS13 Environmental Resources

CS15 Urban Design

Wrekin Local Plan:
UD2 Design Criteria
H9 Location of New Housing
H10 Scale of Development
H24 Affordable Housing: Rural Exceptions.

PLANNING CONSIDERATIONS:

Principle of development

Guidance in PPS1 states that; “Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development”. PPS3 holds that it is the Government’s policy to ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure. The Government’s intended abolition of the Regional Spatial Strategy (RSS) does not make any material change to the Council’s position.

Core Strategy Policy CS7 identifies the 3 rural settlements of High Ercall, Tibberton and Waters Upton to be the focus for development. This is in line with national policy PPS7 with the overall objective being to locate new housing within or adjacent to existing settlements or villages. Tibberton is one of the villages in which rural development will be focused, as identified in Core Strategy Policy CS7.

Development Plan policy CS1 is particularly relevant to this application. It requires that the spatial distribution of new homes be consistent with the spatial development strategy stating that housing needs in the rural area will be met by approximately 170 new dwellings. At the current time, this threshold has already been met from dwellings already built or having received planning permission. The latest and most relevant Annual Monitoring Result (AMR) of the published rural housing figures for 2009 show 232 dwellings supplied for the rural area since 2006 comprising of 112 completed, 14 under construction and 106 not started. (62 over target). The proposal would therefore be contrary to Policy CS1 at this time.

It is important to consider Wrekin Local Plan Policy H10. It is considered that the location of the site falls outside of the existing built form of the village, and is not an infill plot within an existing built up frontage. This judgement was also opined by the Planning Inspector in 2006 when he stated that “*Old Mill is located in the valley floor and is distinctly separate and apart from the edge of the village in terms of its form and setting. Some of the buildings have been removed and there is a visual break and a large gap between these buildings and the built up residential part of Mill Lane. There is also a difference in levels, which marks the distinction between the edge of the village and the countryside*”.

The Inspector continues by saying that “*Policy H10 relates to a gap in an existing built up frontage. In this case given there is a sizable gap between the appeal site and Old Mill and the difference in levels between the two sites*

marks a physical and visual distinction in terms of character and appearance. In my judgement, the proposal represents an outward expansion of the village and it therefore conflicts with LP policy H10 criteria a) and b)."

"Given my conclusion that the appeal site is outside the built up area of the village, the policies of restraint of development in the countryside apply. The appeal site would be exposed to views from the valley floor. It would appear as an outward expansion of the village and would not be effectively screened due to the significant changes in levels. The transition between the built up area and the open countryside would be stark and immediate as a result of this proposal. The proposal would harm the character and appearance of the countryside. The overall aim of development plan policies and Government guidance is to protect the countryside for the sake of its intrinsic character. Development proposals of this nature would erode the essential setting of settlements and the character and appearance of the countryside".

As no development has occurred on the other side of the site since the appeal, the site is still not regarded as an infill plot.

The application also includes historical maps and documents dating back from 1881 and 1924 showing that the site has been used for garden purposes and how Tibberton has changed and developed over the years, and sales particulars from 1912 and a photograph of the nearby paper mill chimney being demolished in 1932. This documentation is fascinating but it does not justify the approval of a new dwelling on this site which is contrary to current adopted local policies and national guidance.

The D&A statement makes reference to the Landscape Sensitivity & Capacity Study (May 2009), which states *inter alia*, that the site comprises a prominent position on the northern edge of the settlement above the floodplain and that redevelopment of this site could contribute significantly to the appearance of the area and the derelict building is on rough ground and that the site requires improvement from its current state of dereliction. However, the land is no longer rough ground and is a well maintained garden and has been actively managed and maintained as a garden for many years as stated in paragraphs 1.0, 8.0, 9.0, 15.0 and 16.0 of the D&A statement. Therefore, the officers do not agree that the state of the land is detrimental to the character and appearance of the area. Furthermore, the small derelict building is not overly visible or incongruous in the area or the wider landscape and it should be noted that if the applicant is concerned about the harm that the derelict building has upon the visual amenity of the area they could demolish it without the need to obtain planning permission.

As the Landscape Sensitivity and Capacity Study is an evidence document it is intended to inform decisions and policy making. It does not supersede or replace existing adopted planning policy. Policies H10 and CS7 will therefore take precedent in deciding this application.

The D&A statement states that 'it should be noted that the development boundary of Tibberton has now been defined'. This is not the case. Lines

were drawn around settlements for the purposes of the Landscape Sensitivity and Capacity Study but only to identify sites at the fringe of settlements that would be subject to assessment within that study. Apart from Telford and Newport no development boundaries have been adopted by local planning policy for any other settlements in Telford & Wrekin.

The D&A statement also make reference to the Strategic Housing Land Availability Assessment April 2010 (SHLAA). In terms of deliverability, the assessment in the SHLAA document states that the site is available, suitable and achievable. The SHLAA is one of a number of reports that will provide baseline evidence to be used by the council in the preparation of the documents that form the Local Development Framework. The assessment itself does not represent a statement of Council policy; it is a technical document for consideration in the preparation of policies and site allocations. Whilst the SHLAA will inform the LDF, it is for the Core Strategy and subsequent Development Plan Documents to decide which sites should be identified for residential development and in what timescale. The inclusion of sites in the SHLAA should not be taken to imply that they will be allocated for development, or that the Council will consider planning applications favourably.

Furthermore, Decentralisation Minister Greg Clark made a Parliamentary announcement that the coalition Government was reissuing Planning Policy Statement 3: Housing (PPS3) with two key changes: the one which is relevant to this Appeal is definition of previously developed land in annex B which now excludes private residential gardens.

With regard to the housing development on the site, and given the proposal's conflict with policies CS1 and CS7, only a 100% affordable housing proposal consistent with Wrekin Local Plan policy H24 *Affordable Rural Housing Exceptions Policy* may be appropriate as an exception to the development plan. This application is for open market housing and therefore does not justify an exception to policy and would be contrary to policy H24.

Therefore, as the LPA has maintained previously on 4 occasions and as upheld by the Planning Inspector it is considered that the erection of a new dwelling on this site is unacceptable, and in conflict with the Council's adopted rural housing policies, as the site is not an infill plot and development of the site will extend the settlement into the open countryside. No information has been received to demonstrate that this proposal is an exception to general housing policy. Furthermore, although the Core Strategy is a relatively new policy document, and against the background of previous housing commitments has had relatively little time in which to influence housing distribution and supply, the development which could further prejudice its objectives and its successful implementation should be avoided. Therefore, as the Inspector opined in recent appeal decisions (App/C3240/A/11/2157833), (APP/C3240/A/11/2158690), plus others, it is considered that the creation of an additional dwelling is inconsequential in strategy terms. It should be noted that the latter of the two aforementioned appeals (APP/C3240/A/11/2158690 -

The Hollies) was for residential development in Tibberton beyond the main built up part of the village. A copy is attached for information.

Design, outlook and amenity

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively 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. Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment. In addition, national guidance contained in PPS1, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness.

The proposed DoS style architecture would be appropriate in Tibberton and the Council's Highway Engineer is satisfied that adequate parking and access could be provided and thus the proposal would comply with policy UD2 in this respect. However, officers do not agree that the derelict building has such a poor appearance to justify their replacement with a dwelling. Although it has no roof this in itself is not significantly harmful or detrimental to the character and appearance of the locality or the rural area, especially that they are fairly well screened from the public domain when viewed from the highway when travelling to and from Tibberton.

Previously applications have been refused on this site because it had not been demonstrated that the site could satisfactorily accommodate a dwelling without adversely affecting light and amenity for the occupiers of the adjoining dwelling (Green Ridges). In this respect the design of the proposed dwelling has taken into account the residential amenity of the closest neighbouring property. Hence, it is now considered that this issue has now been overcome: the proposed dwelling is two storey's in height however due to the ground level differences between the site and the neighbouring bungalow, the resultant secondary ridge height of the proposed dwelling would only be 0.47m higher than the adjacent bungalow. The proposed separation distance between the secondary lounge and kitchen windows in the gable wall of the bungalow and the two storey's high gable wall of the proposed dwelling would be 5.2 and 5.3m.

Although these windows are original (contrary to the D&A statement), they are not the only windows serving the kitchen and the lounge of Green Ridges. These separation distances and the level distances will ensure that there is not significant adverse impact upon day light to these rooms and the residential amenity of Green Ridges. Clearly the views across the open countryside currently enjoyed from these habitable room windows will be affected. However, there is no 'right to a view' under planning. Thus, the LPA can not refuse this application for this reason.

The distance between the utility and garage windows to the side wall of the proposed garage would be 1.6m. However, utility rooms and garages are not habitable rooms and thus this distance is not considered relevant.

Accordingly, it is considered that the scale, design and siting of the proposed dwelling is appropriate and will not have a significant detrimental impact upon the residential amenity of the neighbouring dwelling.

Protected Species

This site is surrounded by potential bat and bird foraging habitat (e.g. hedgerows, river, ponds and rough grassland). As this development involves the loss of some of this habitat it is possible that bats and nesting birds could be affected. Therefore, the Council's Ecologist has recommended conditions and Informatives as mentioned previously to compensate for the loss of potential habitat. Therefore, the proposal is deemed compliant with policy CS12 of the Core Strategy and national guidance contained in PPS9.

Other Matters

Representations including OS plans and Land Registry Title plans have been submitted on behalf of the occupiers of Green Ridges (the neighbouring bungalow) and from the agent disputing the common boundary position between the application site and the bungalow. However, this is a civil matter and can not influence the decision whether to grant or refuse this planning application.

Conclusion

Officers consider that the creation of a new dwelling on this site is unacceptable as it is not an infill plot in an existing built up frontage, and being on the edge of the settlement it would result in an extension of the village into the open countryside. In addition, the erection of a new dwelling in the open countryside would exceed the maximum housing numbers permitted in the rural area and undermine the Core Strategy approach. Accordingly, the proposal is contrary to 'saved' policies H9, H10 and H24 of the adopted Wrekin local Plan 1995-2006 and policies CS1 and CS7 of the Local Development Framework Core Strategy, and national guidance contained within PPS1, PPS3 and PPS7.

RECOMMENDATION:

Refuse planning permission for the following reasons.

Reasons for Refusal:

1. The Local Planning Authority considers that the creation of a new dwelling on this site is unacceptable as it is not an infill plot in an existing built up frontage and being on the edge of the settlement it would result in an extension of the village into the open countryside. Accordingly, the proposal is contrary to 'saved' policies H9, H10 and H24 of the adopted Wrekin local Plan 1995-2006 and policies CS1 and CS7 of the Local Development Framework Core Strategy, and national guidance contained within PPS1, PPS3 and PPS7.

2. The Local Planning Authority considers that proposal to create a new dwelling in the open countryside would exceed the maximum housing numbers permitted in the rural area and undermine the Core Strategy approach. Accordingly, the proposal is deemed contrary to policy CS1 of the Local Development Framework Core Strategy, 2007.

TWC/2011/1037 The Walker Institute, Hartsbridge Road, Oakengates,
Telford, Shropshire, TF2 6BA
Erection of 14no. dwellings

APPLICANT

Hartsbridge Developments Ltd

RECEIVED

06/02/2012

PARISH

Oakengates

WARD

Ketley and Oakengates

OBJECTIONS RECEIVED: No

MAIN ISSUES:

Principle of Development, design and appearance, highway safety, residential amenity.

THE PROPOSAL:

This application relates to the erection of 14 detached dwellings within the grounds of the former Walker Institute Building, known as the Telford College of Arts and Technology. Each dwelling will have its own private parking within their own site, which will be either a garage and parking space or two parking spaces. Vehicular access will be via the existing college access off Hartsbridge Road, and a private road shared with the Walker Institute building (which is to be converted into 14 apartments).

The proposed development comprises 'executive' style dwellings around a cul-de-sac in a linear arrangement to the rear of the Walker Institute Building. The properties will be finished in facing brick and render with various stone features including cills and lintels with key stones, pillars either side of the front entrance and quoin details.

The properties have gable roofs finished with interlocking concrete tiles and have front facing gable features. The proposed doors and windows are white Upvc and the hard standing consisting of tarmac and block paving.

SITE AND SURROUNDINGS:

The site is situated within 800m of Oakengates Town Centre and lies within a substantially residential area bisected by several significant highways which intersect at the adjacent Beverley roundabout which forms the western boundary. Hartsbridge Road is predominantly residential other than the Walker Institute. The area is also characterized by generous areas of vegetation as well as a selection of small scale employment/light industrial uses.

The surrounding residential areas vary in age, density and character and properties are predominantly 1 and 2 storey's in height. There is low rise sheltered accommodation situated on the opposite side of Hartsbridge Road.

The site is relatively flat and is located to the rear of the Walker Institute Building, a neo classical building constructed in 1926. Although it is only two

storey's in height the actual volume of this building is considerably greater by being a single large mass and corresponding to 3 – 4 storey's in height.

This building is far and away the largest structure in the locality and is further distinguished by its commanding classically derived architecture (as distinct from the undistinguished and domestic quality of the surrounding building design.)

The site comprises areas of overgrown scrub, tarmac and concrete hard standing.

There is an area of trees and other vegetation which form part of the Borough's Green Network to the immediate west of the site which substantially screens the site from the nearby roundabout.

The application site is designated as "white land" in the Wrekin Local Plan. The site is in the process of being cleared to make way for development and remedial repairs to the roof and repair following the recent fire is being undertaken on the aforementioned Walker Institute Building.

PLANNING HISTORY:

There has been a protracted history on this site in that a previous outline planning application (W2003/0150) related to the change of use of the Walker Institute building to a residential use comprising 22 apartments, and erection of new residential development of the land to the rear of the building. A schematic layout which was also submitted, but which did not form part of the application, showed the rear of the site (which is the subject of this application) occupied by 14 semi-detached dwellings.

The application was considered by Members of Plans Board on 6th August 2003 and approved subject to the developer entering into a S106 Agreement which included contributions of £32,443.57 to education facilities and £38,000 to recreation facilities, 45% affordable housing. The Council's solicitor drafted the legal agreement in respect of the S106 however, the agreement was never signed, and hence planning permission was never granted.

In 2004 a second developer then took over the site who proposed to convert the Walker Institute into flats and erect 4 blocks of 5-6 storey high flats to the rear of the building, to ensure that the development was financially viable for him, otherwise the developer claimed that the Walker Institute would have to be demolished. Subsequently, discussions in respect of a reduction in the required contributions for education and recreational facilities due to the economic downturn and financial viability of the site was agreed by the Head of Planning in 2009 in order to secure the retention of the building. It is understood that the developer has since gone into liquidation at the start of the economic downturn and the building has remained vacant ever since.

The application site land has been sold off by the current developer of the Walker Institute in order to generate the funds to undertake the development of the Walker Institute building. Hence, this separate application for the land.

Planning application TWC/2011/0884 is for the conversion of the existing principle Walker Institute building to create 14 two & three bedroomed residential apartments and associated amenities. These include a gym and pool, residents parking and amenity space to the rear and visitor parking and soft landscaping to the fore. The existing wall to the front of the site is to be removed to open up the site and provide a view of this impressive building has also been received, and to improve the driver visibility splay. This application is also being considered on this agenda.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PPG9 Biodiversity and Geological Conservation

PPG13 Transport

PPG14 Development on Unstable Land

PPS23 Planning and Pollution Control.

Saved Wrekin Local Plan Policies

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

EH14 Land Stability

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:

Oakengates Town Council has no objection to the proposal.

The Council's Drainage Engineer has no objections to the proposed development subject to conditions B33, B35 and B35a which will require details of foul and surface water disposal to be submitted, that a soakaway test is carried out, and advises that soakaways must be located more than 5m away from boundaries and buildings.

The Council's Highways Engineer had no objections in principle to the proposed development. However, he required amended drawings in respect

of driver visibility and the provision of a suitable bin collection space due to the limited manoeuvring space for refuse vehicles. Amended drawings addressing these matters have thus been submitted.

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 advised that the site lies in an area potentially underlain by shallow mining voids. Therefore, conditions B26 for shallow mining and B30 for contaminated land are required.

The Council's Contaminated Land Officer has advised that the property is situated within an area that may be affected by former uses which could have given rise to contamination. As a consequence all excavations should be undertaken with care. Any visibly contaminated or odorous material encountered on site during the development work must be investigated. The Local Planning Authority must be informed immediately of the nature and degree of contamination present.

The Council's Parks and Open Space Officer has requested £600 per 2 bed property (or above) to be provided prior to commencement of development.

The Council's Education officer has requested contributions towards education facilities in the vicinity of the development (£22,557 for primary schools and £13,799 for secondary schools) given the number and type of dwellings proposed.

The Council's Ecologist has no objections subject to a condition which requires the erection of nest boxes to compensate for lost nesting/roosting opportunities, and to enhance the site for biodiversity. In addition she recommends Informatives in respect of enhancement planting and trenches.

Shropshire Fire Authority has suggested Informatives in respect of Access for Emergency Fire Service Vehicles and Sprinkler Systems - Residential Premises,
Recommended minimum flow rates and location of Fire Hydrants and Water Supplies for Fire fighting.

Shropshire Council has no adverse comments to make in respect of the application.

A Site Notice and 11 direct neighbour letters have publicised the application; No representations have been received.

PLANNING CONSIDERATIONS:

Principle of Development

PPS3 gives Government advice on new housing developments, and amongst other issues it states that development should;

- maintain and improve local character,

- be easily accessible and safe,
- be well integrated with, and complement, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access,
- Create, or enhance, a distinctive character that relates well to the surroundings.

PPS1 and PPG3 also guide LPA's to avoid the inefficient use of land through promoting higher density development whilst being mindful of the wider context.

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 800m 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 should be satisfied that the developer has taken adequate remedial action; and 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 800m 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, policy CS1 of the Core Strategy and national guidance contained within PPS3.

Design, appearance and amenity

National guidance contained in PPS1, asserts that development should be of high quality design, respond to local context and should reinforce local distinctiveness. 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 proposed layout is for 14 detached dwellings, 7 either side of a private cul-de-sac comprising 4 various designs of differing detailing as mentioned previously. The character and appearance of the area varies greatly and thus the proposed design of the dwellings is deemed appropriate. The maximum number and size of dwellings on the site is proposed to ensure the financial

viability of the scheme. This has resulted in a fairly tight and slightly cramped appearance; however there is a 900mm gap between each property for pedestrian access and this is adequately wide to allow wheelie bins to be transported through to the front of the house for collection. The average rear garden length will be just over 13m and the frontages are 6.5m or so. Therefore, taking into account national guidance in PPS1 and PPG3, which advises LPA's to avoid the inefficient use of land through promoting higher density development whilst being mindful of the wider context, on balance the proposal is deemed acceptable bearing in mind the development will have a minimal impact within the street scene given that it will not be overly visible from outside the site due to the Walker Institute Building to the east, and the tree and shrub covered soft landscaping mounds around the north, south and west of the site.

The orientation of the proposed dwellings will ensure that there will be no adverse impact upon the residential amenity of the future occupiers of the houses and adequate off-street parking is provided. The proposal is therefore considered compliant with policy UD2 of the WLP, policy CS15 of the CS and national guidance contained in PPS1 and PPS3.

Highway safety

The proposed layout retains the existing access to the front and side of the site. Amended drawings have been submitted to include improved visibility in accordance with the requirements of the Council's Highway Engineer, as discussed previously. Accordingly, the proposal will not adversely impact upon highway safety and is therefore compliant with policy UD2 of the WLP, policy CS15 of the CS and national guidance contained PPG13.

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. It is essential that all new developments make full provision for the infrastructure/amenities and services which they create. The development proposes a number of properties which will contribute to the need of recreational facilities at the nearby Hartshill Park and primary and secondary school places in the area.

The above policies require the developer to contribute £36,356 to education facilities in the vicinity and £8,400 (£600 per property) towards recreational facilities. These contributions will be secured by way of a S106 Agreement.

Other Matters

The Council's Ecologist has advised that the site is in close proximity to potential bat and bird foraging habitat (e.g. tree lines, woodland, scrub, rough grassland and gardens). Therefore, to compensate for lost nesting/roosting opportunities, and to enhance the site for biodiversity, a condition will require the erection of nesting boxes and Informatives in respect of bats and birds, trenches and enhancement planting will be imposed. Accordingly, the proposal is compliant with policy CS12 of the CS and national guidance contained within PPG9.

The site is situated within an area that may be affected by former mining uses which could result in shallow mining voids and contamination by geo-gases (e.g. carbon dioxide and methane etc.) Therefore, conditions in respect of shallow mining and contaminated land are required to ensure that the development does not have an adverse impact upon human health. Accordingly, the proposal is compliant with policy EH14 of the WLP, policy CS13 of the Core Strategy and national guidance contained within PPG14.

Conclusion

The site is located within a sustainable location within the built up area of Telford and close to Oakengates District Centre. The site is sufficient to accommodate the proposal and provide adequate private amenity space and parking provision and manoeuvring space the proposed dwellings. The scale and design of the proposed development will have no detrimental effect upon the character and appearance of the area. The proposed separation distances will ensure that there will be no adverse impact upon residential amenity by way of over-looking or loss of privacy. There will be no adverse impact upon highway safety or the residential amenity of the neighbouring dwellings and there will be an opportunity to enhance the biodiversity of the site. The financial contributions towards recreation and education will help support the amenities and resources of the area. Therefore, 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 financial contributions of £8,400 for recreational facilities at Hartshill Park and £22,557 towards primary education and £13,799 towards secondary education, then GRANT PLANNING PERMISSION following conditions:

- 13.A04 Time limit.
- 14.B11 Samples of materials
- 15.B14 Landscaping design
- 16.B30 Access
- 17.B46 on site construction
- 18.B47 mud on road
- 19.B50 shallow mine working
- 20.B57 contaminated land
- 21.B62 foul and surface water
- 22.B64 soak away test
- 23.B65 soakaways more than 5m away
- 24.C38 Development in accordance with approved plans
- 25.C101 Bat and bird boxes
- 26.D03 domestic garages: restriction on residential use
- 27.II06 Section 106
- 28.I11 contact highways
- 29.I25e trenches
- 30.I25g enhancement planting
- 31.I25K bats and birds
- 32.I32 Fire Authority

21. I40 Conditions

22. I41 Reasons for approval.

Reasons for Decision

The site is located within a sustainable location within the built up area of Telford close to Oakengates District Centre. The site is sufficient to accommodate the proposal and provide adequate private amenity space and parking provision and manoeuvring space the proposed dwellings. The scale and design of the proposed development will have no detrimental effect upon the character and appearance of the area. The proposed separation distances will ensure that there will be no adverse impact upon residential amenity by way of over-looking or loss of privacy. There will be no adverse impact upon highway safety or the residential amenity of the neighbouring dwellings and there will be an opportunity to enhance the biodiversity of the site. The financial contributions towards recreation and education will help support the amenities and resources of the area.

TWC/2011/1090 Ironstone Square, Lawley, Telford, Shropshire
Erection of an extra care development containing 60 self-contained flats and associated communal/public facilities including restaurant and kitchen, lounge, cafe bar, shop, beauty salon, meeting rooms activity rooms, office space and ancillary space. External works to include landscaped gardens, car parking and storage area.

APPLICANT

RECEIVED

21/12/2011

PARISH

Lawley and Overdale

WARD

Horsehay and Lightmoor, Lawley and Overdale

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Principle of development of a local centre, compliance with outline approval and design codes, design and appearance, parking and landscaping

PROPOSAL:

This application is for a four storey Extra Care facility with 60 assisted living apartments comprising 32 one bedroom apartments and 28 two bedroom apartments over 4 storeys. There will be communal facilities within the building and particularly on the ground floor including a restaurant, café, lounges, hair and beauty salon, small shop, laundry and storage facilities for residents. In addition there will be a communal roof garden on part of the third floor. There will also be a landscaped garden at the rear together with 24 car parking spaces and servicing area with bike and bins stores.

The application forms part of the proposed local centre for Lawley Sustainable Urban Extension and lies to the south of West Centre Way. It is part of a larger scheme for the development of a new local centre at the junction of West Centre Way and Lawley Drive in Lawley. Planning permission (TWC/2010/0627 has been granted for a supermarket, shops, offices and town houses on the north side of West Centre Way together with the necessary infrastructure works. Works have already started on site for this part of the local centre north of West Centre Way. In addition there is a current application for a hotel and restaurant to the west of this site south of West Centre Way and on the junction between West Centre Way and Lawley Drive. A site has been allocated for a future school immediately to the south of this site.

SITE AND SURROUNDINGS:

Lawley Square local centre is located to the south of M54 and west of Lawley Drive within the Lawley Sustainable Urban Extension. The Centre will straddle both sides of West Centre Way when it is completed. The current application is for the part of the area to the south of West Centre Way and adjacent to junction 3. The site currently forms part of a plateau that was

created as part of the Primary Infrastructure works for Lawley which included the diversion of West Centre Way, creation of a new junction with Lawley Drive and other reclamation works on an area of land previously used for open cast mining. More recently the land has been used for grazing.

There is existing residential development to the west of Lawley Drive including Lawley Village and to the south of West Centre Way around Martingale Way. The doctor's surgery lies immediately to the east of the site. Immediately to the west of the site is an area of open land where there is an application for a hotel. South of site is open land where the future school is proposed. North of West Centre Way development has commenced on the proposed supermarket and shops.

PLANNING HISTORY:

Outline planning permission W2004/0980 for Lawley Sustainable Urban Extension including 3,300 dwellings, employment/mixed-use commercial and leisure development, primary school and community centre, infrastructure works and recreational space and landscaping was granted in October 2005 following extensive consultation. This permission set out a development framework and design codes to guide future development for Lawley SUE.

A reserved matters permission W2006/1414 for Primary Infrastructure Works for new highways' infrastructure, bulk earthworks, drainage and landscaping was approved in February 2007 and has been implemented. This application included the diversion of West Centre Way to its present location.

In March 2011 reserved matters approval TWC/2010/0627 was granted for a supermarket, shops, public house, nursery, town houses and apartments on land north of West Centre Way. Work on this approval has now commenced and the new centre is due to open by the end of this year.

Again in March 2011 reserved matters approval TWC/2010/0826 for the necessary works for the improvement of Gresham Drive, infrastructure works including the re-alignment of the bridleway, landscaping and drainage works for local centre north of West Centre Way.

TWC/2011/0057 for re-grading works between West Centre Way and Davenham Walk required for the Local Centre and access to the open space along Newdale Valley was also approved in March 2011. A full application was required as these works were outside the boundary of outline planning permission W2004/0980 for Lawley.

PLANNING POLICY CONTEXT:

National Planning Guidance

PPS 1 –Delivering Sustainable Development

PPS 4 – Planning for Sustainable Economic Growth

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria

LDF Core Strategy
CS 5 District and Local Centres in Telford
CS 15 Urban Design
CS 9 Accessibility and Social Inclusion

Lawley Design Codes approved as part of the outline planning permission for Lawley SUE.

CONSULTATION RESPONSES:

Lawley Parish Council has expressed concern that they had not been consulted in the earlier stages (though the developers & Sanctuary have given a presentation to the Parish). The other main concerns are:

1. this is the 4 storey building and will be the largest in the development when they understood that no part of the development will be over 3 storeys
2. The site is in a built up area with problems of noise and pollution
3. The car parking provision of 24 spaces for 60 units, carers, visitors and users of the communal facilities is completely inadequate
4. The access road is inadequate and even with changes there will still be issues
5. The suitability of the development for a mix 50 plus active, high dependency and middle care residents.

Shropshire Fire Service has pointed out the need for emergency access for fire service vehicles, water supplies for fire fighting purposes and sprinkler systems within the building.

The arboriculture officer objects as the planting appears to be aesthetic only and has not been properly thought through.

Geotechnics are satisfied that there is an appropriate stand-off from the mineshaft adjacent to the existing surgery building.

Highways officer has no objections in principle to the development and accepts that the parking provision is acceptable. He has suggested 2 conditions. The first to ensure the visibility splay to the north of the access remains clear and that the parking is safeguarded.

Urban Design Officer is generally supportive of the design, which has been subject of extensive consultation, as it addresses the main criteria in the Design Codes and it will help define and complete Lawley Square south of West Centre Way. There are some minor details that need to be resolved such as the southern boundary treatment and the need to maximise window openings along the ground floor to increase activity along the frontage.

Drainage officer has no objections in principle but requires that surface water run-off does not exceed green field rates.

Neighbour consultation responses

There have been no comments from local residents.

PLANNING CONSIDERATIONS:

The outline planning permission for Lawley SUE provided for a new local centre, known as Lawley Square as part of the proposals to construct 3,300 dwellings. As part of the planning proposals a Development Framework Plan and Design Codes were prepared and approved. These set down principles for the design of Lawley SUE that have been adopted by the developers. The Development Framework set out areas for mixed use development around Lawley Square i.e. north and south of the re-aligned West Centre Way and along 'Main Street' a proposed road running almost parallel to Lawley Drive to the north and south of Lawley Square. In today's economic climate it is unlikely that all the areas allocated for mixed use development will come forward other than as housing. The current application is, however, the first part of the development of the local centre, Lawley Square, south of West Centre Way.

The Design Codes suggest that Lawley Square will be 'centred on an animated square' that will form the heart of Lawley and will be the main focal point for all of the four neighbourhoods. It should be a vibrant and active place for working, living and local shopping. The Design Codes suggest that there should be active frontages onto Lawley Drive and West Centre Way. It will be designed as a pedestrian friendly place. The mix of uses should include community facilities, homes, employment space and retail facilities. There should be a wide variety of house types and range of tenures at high densities including apartments. The buildings in Lawley Square should be a minimum of 4 storeys in height. Landmark buildings and areas of key frontages were also required. The form of the local centre should be a number of small tight blocks with buildings addressing all frontages.

These proposals were developed in 2003 and unfortunately the economic climate has changed considerably since then. The applicants have consequently had to depart from the strict requirements of the Design Codes in order to make the development north of West Centre Way viable in economic terms and meet the requirements of the end users. Similar considerations affect this block to the south of West Centre Way. The Design Codes do, however, require the provision of affordable housing within walking distance of Lawley Square and to include a range of dwellings types.

The Design Codes set out specific requirements for this area within the local centre. These include the need for:

- A mixed use block with some community services which can include residential.
- High density accommodation to respond to the central location, close to the local centre and associated facilities.
- Minimum of 3 storeys in height and for part of the site a minimum of 4 storeys is specified to provide a good level of enclosure to West Centre Way which is a wide route.
- Key frontage defining adjacent public space; legible markers helping people identify and find their way around; key public realm to be of high

quality and framing the view to the adjacent school, identified as a significant landmark

The building will be four storeys high, as required by the Design Codes, though elsewhere within the local centre it has, unfortunately, been necessary to accept development of only 3 storeys in height to take account of the current economic situation and the viability of development. It provides high density accommodation as required by the Design Codes and will also include some community services.

The site lies within an area allocated as a key frontage in the Design Codes and the building has been designed to address both West Centre Way to the north and Main Street to the south. The main lobby has access to both the car parking and landscape garden to the rear and also onto West Centre Way near junction 3 though this entrance is not as strongly emphasised as it might be. The need to provide surface car parking has meant that the tight block forms envisaged in the Design Codes can not be achieved. Emphasis has therefore, been to ensure that development addresses the main frontages.

The building has been designed to provide a focal point from Lawley Square and the shape of the building has largely been determined by the constraints of the site. The design of the building is contemporary in form and feel but softened with references to tradition by use of materials, provision of bays and large windows to provide rhythm. The block is four stories in height apart from the area of the roof garden which faces south on the northern wing. There is a stair tower at the end of the northern wing to act as visual stop the building when viewed from down West Centre Way. It will be constructed using stone on the ground floor and for the main entrance off West Centre Way. There will be contrasting brickwork and render with tiled roof. The use of aluminium windows and large curtain wall glazed areas gives a modern and contemporary feel to the building. It has been designed to complement the buildings proposed north of West Centre Way to create a new modern high quality local centre.

Car parking is limited to 24 spaces. Sanctuary Housing Association has confirmed that their experience suggests that this is sufficient for this type of facility as tenants rarely have cars. Two spaces will be reserved for disabled persons and one reserved for professionals such as GPs and District Nurses. Staff are encouraged to use public transport, car share or park elsewhere. The site is adjacent to local facilities currently being constructed and is close to a bus route which will reduce the need for cars. Lawley Parish Council has, however, expressed concern about the limited amount of parking and the possible conflict with traffic using the adjacent doctors' surgery. It is recognised that parking around the surgery is a problem and the Doctor is looking to work with the Council and HCA to improve the parking provision. In relation to this development it is, however, considered that the level of parking to be provided is acceptable for this type of facility.

The amount of external space is tight due to the restrictions of the site and the need to provide parking. A south facing roof garden has, therefore, been introduced giving residents a shared but private amenity.

The flats intended to be rented though there may be a few shared ownership units if there is sufficient demand. They are intended for people who are over 55 years and with varying needs for care. Generally there will be a mix of older people occupying the flats and Sanctuary Housing Association, who will manage this facility, would normally expect around 1/3, 1/3, 1/3 split for higher care/support needs, middle range and lower/none support needs. Experience suggests that this mix promotes and maintains independence longer for residents. In addition proximity to local amenities also helps with the promotion of independence.

The provision of an extra care facility will also help meet the needs of older people within the Borough by providing specialist accommodation with on-site care and support. In particular it complies with the Housing Care and Support Strategy approved in 2006 which aims at providing 500 additional extra care units by 2021. In addition the care teams at this facility will also out reach to the wider community in the locality and provide services for older people. This extra care facility will also provide benefits for the local community by providing facilities such as the coffee bar, restaurant, meeting rooms and other facilities that will be available to the general public.

In relation to the policies in the Core Strategy and the saved policies in Wrekin Local Plan the development will form part of a new local centre as set out in policy CS 5 of the Core Strategy. It will help provide accessible local facilities and services including small scale community facilities. It will also contribute to accessibility and social inclusion as set out in policy CS 9 by providing some specialised housing for older people within Lawley close to shops and community facilities. In addition the development of this extra care facility broadly complies with the principles for Lawley Sustainable Urban Extension set out in the Design Codes and approved as part of the Outline permission for Lawley SUE.

There remains the issue of drainage particularly surface water drainage to resolve. The applicants need to demonstrate that the proposed drainage arrangements, particularly in respect of surface water run-off need to be provided and agreed.

It is considered that this is a high quality development that is broadly in keeping with the layout and spirit of the Design Codes for Lawley SUE set out in the outline permission. Account has had to be taken of the current economic climate but it should add to the provision of an attractive and vibrant local centre with active frontages that will be pedestrian friendly whilst accommodating the car. The design is modern and contemporary in appearance and addresses the main frontages onto West Centre Way and Main Street. The height of the building will help to enclose West Centre Way. The provision of this Extra Care facility will help meet the needs of older people with in the Borough and provide community facilities that will benefit

the wider community. Accordingly it is considered that this development should be supported.

RECOMMENDATION:

Subject to the resolution of outstanding drainage and landscaping issues then to grant to the Head of Planning delegated authority to GRANT APPROVAL OF RESERVED MATTERS subject to conditions to include the matters listed below. Details will finalise at Plans Board:

1. Time limits
2. All materials including hard surfacing
3. detailed landscaping proposals including implementation
4. Drainage
5. Construction management plan
6. foundation design
7. Highway conditions

REASON FOR APPROVAL:

This development forms the next phase of the local centre for Lawley as set out in the Development Framework and Design Codes that formed part of the outline planning permission for Lawley Sustainable Urban Extension. The design and layout of the proposed development is broadly in accordance with the principles set out in the Design Codes but has had to be modified to take account of the current economic climate. The provision of an Extra Care facility will contribute towards providing a high quality; attractive and vibrant local centre designed to meet the future needs of Lawley and will provide community activities that should benefit the wider community.

TWC/2011/1093 Land at Junction of Victoria Road/West Car Park, Wellington
Civic & Leisure Centre, Wellington, Telford, Shropshire
Erection of a free standing double sided sign

APPLICANT

Mr Adrian Taylor

RECEIVED

22/12/2011

PARISH

Wellington

WARD

Haygate

OBJECTIONS RECEIVED: No

MAIN ISSUES: Highways, public rights of way users and affect on amenity.

PROPOSAL:

This application is seeking planning consent for the erection of a free standing double sided sign, located on the corner between junctions Wrekin Road Victoria Road. The sign would position west of Wellington Town Hall and east of access into Wrekin Road. The sign would advertise Wellington Civic & Leisure Centre, its café, library, register office and Town Council.

The proposed sign would measure 2.6m wide and 1.3m wide with a modest projection of 0.20m. The sign would be positioned 1m above ground level. The signage comprises of a white background with black text, with a height of about 160mm. The sign would feature a red Telford and Wrekin crest and a red co-operative council box located to the top left.

SITE AND SURROUNDINGS:

This application site is an existing footpath which lies immediately adjacent an area of landscaping. The footpath lies forward of Wrekin Road, off Victoria Road, it is this point that provides vehicle access in and out of the Wellington Civic & Leisure Centre car park. Victoria Road is well lined with a number of trees and a well established 1m high hedge; this hedge separates the main road from the adjoining existing buildings and parking areas.

The site is located within Wellington District Centre, a predominantly commercial area. The immediate area is characterised by car parking areas and a range of buildings of varying style.

RELEVANT HISTORY:

W2009, demolition of rear annexes to Edbaston House to provide a re-configured pedestrian way, conservation area consent granted.

W2009, proposed extension to an existing civic and leisure centre to incorporate a new library, registry office, new entrance and cafeteria to ground floor and new first and second floor offices, granted.

PLANNING POLICY CONTEXT:

National guidance:

PPG19 Outdoor Advertisement Control.

PPS4 Planning for Sustainable Economic Growth

Draft National Planning Policy Framework

Wrekin Local Plan 'saved policies':

UD2 Design Criteria

S31 Shop Fronts, Advertisements and Hoardings

CONSULTATION REPONSES:

Wellington Town Council: No objection but the Planning Committee asked if Telford & Wrekin would consider adding the Town crest with the "Wellington Town Council" wording.

Highways:

No objection

1 neighbour letter has publicised the application; no comments or objections have been received.

PLANNING CONSIDERATION:

This application seeks advertisement consent for a free standing double sided sign within the urban area of Telford. Applications for advertisement consent are considered acceptable providing they comply with all relevant local and national planning policies.

Policy S31 states amongst other matters, that advertisements should be designed and positioned so that they are not detrimental by way of dominating the building or street scene, they should not prejudice amenity, or harm users of the public highway.

Guidance contained in PPG19 recognises that outdoor advertising is essential to commercial activity in a free and diverse economy. It states that local planning authorities should control advertisements, when it is justified, in the interests of "amenity" and "public safety". In assessing an advertisement's impact on "amenity", LPA's should have regard to its effect on the appearance of the building or on visual amenity in the immediate neighbourhood where it is to be displayed. In assessing an advertisement's impact on "public safety", LPA's are expected to have regard to its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), on or over water, or in the air.

Further to this PPS4 states that Local planning authorities should take a positive and constructive approach towards planning applications that contribute towards economic development. It also states that they should support development which enhances the vitality and viability of market towns and other rural service centres. Considering this Council building provides is a local service and facility located within a district centre, planning applications for adverts contribute to securing sustainable economic growth and therefore should be treated favourably.

With the above information in mind the proposed free standing sign is considered somewhat sympathetic and appropriate in this context. The proposed sign is has incorporated colours that are associated with the Telford and Wrekin logo will not be internally or externally illuminated. Based on the above reasons the LPA do not believe the proposed sign will adversely impact upon highway safety or the surrounding area.

Having considered the site and development within this area, the proposed free standing double sided sign is considered acceptable. The sign will not have an adverse impact upon the visual amenity of the area or highway safety or fall contrary to local or national policies.

RECOMMENDATION:

GRANT ADVERTISEMENT CONSENT subject to the following conditions:

1. A04 Time standard
2. C38 Development in accordance with approved plans
- 3 -7 E01 Advert standard

REASON FOR CONSENT:

I45 Advert consent

The proposed sign is considered acceptable form of development that would not cause detriment to the visual amenity of the area or highway safety.