

TELFORD & WREKIN COUNCIL

PLANNING COMMITTEE

04th September 2013

Schedule 1 - Planning applications for determination by Planning Committee

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TWC/2013/0448

The Nyth, Moss Road, Wrockwardine Wood, Telford, Shropshire, TF2 7BL
Erection of 3no. terraced dwellings and 9no. apartments following demolition
of existing 2no. dwellings

APPLICANT

Andrew Cockayne

RECEIVED

30/05/2013

PARISH

Wrockwardine Wood and Trench

WARD

Priorslee

OFFICER Anna Adams

THIS APPLICATION WAS DEFERRED AT 14TH AUGUST PLANNING
COMMITTEE TO ENABLE THE APPLICANT TO DEMONSTRATE
ALTERNATIVES TO THE DEMOLITION OF THE EXISTING BUILDINGS
HAD BEEN CONSIDERED

Following the Planning Committee, officers have sought clarification from the Applicant regarding the options for development on the site, such as the buildings' conversion to flats. In an email, the Applicant has set out that there were plans drafted up for the conversion of the buildings; however an appraisal established that this would not be a viable option. This was due to a number of factors including the cost of refurbishment, the building history and the date of the original construction. The property has also suffered from extensive vandalism. The Applicant commissioned an initial structural survey to establish the condition of the building and to investigate if conversion was a realistic option as well as the expenditure required to refurbish and convert. The initial findings identified significant structural issues and the properties are in a poor state of repair with progressive dry rot throughout the buildings. Apart from the excessive costs required for the conversion, the end result of the conversion gave a very awkward layout with a poor spread of apartment types with the majority being one bedroom flats which did nothing to ensure a sufficient return on the investment. It was therefore decided that there was no alternative for the Applicant other than the demolition and replacement with a new housing development as shown in the current application.

Officers also wish to reiterate that there is a current appeal being considered by the Planning Inspectorate for the previous scheme for the buildings to be demolished and replaced by an apartment building for 13 units. The Applicant has confirmed that whilst they wish to receive the Inspector's decision on the 2012 application, they prefer the current scheme subject of this application. As set out in the officer report, the current scheme comprises a development that is more appropriate than the 2012 application in terms of the scale, massing and design which would be in keeping with the character of the area. Whilst the existing buildings would be replaced by the development and officers recognise the local concerns, there would be significant community benefits from the scheme with financial contributions towards education and recreation, and the provision of new housing in this sustainable location. Accordingly the officer recommendation remains unchanged and the application is recommended for approval subject to S106 and conditions:

RECOMMENDATION: Subject to the developer entering in to a Section 106 Agreement to provide financial contributions of £7,200 for recreational facilities and £27,252 to education facilities in the vicinity and appropriate monitoring costs, then GRANT PLANNING PERMISSION following conditions:

1. A04 Time limit
2. B11 Samples of materials
3. BCustom Full access details to include layout, construction and visibility splays
4. BCustom Foul and surface water details, Greenfield runoff rates
5. B custom Soakaway tests & location of soakaway
6. B121 Landscaping details, including maintenance of open space
7. B130 Tree Protective Fencing, Services root protection, No Dig Method, Arboricultural Method Statement
8. Bcustom European Protected Species Mitigation Licence
9. Bcustom Lighting plan to be submitted prior to any external lighting
10. B150 Site Environmental Management Plan
11. Bcustom Coal Authority Risk Assessment recommendations to be implemented
12. C13 Parking and turning
13. C70 Trees No Burning, Soil Levels, Material Storage
14. C100 Erection of Nestboxes
15. Ccustom Development in accordance with Bat Mitigation Plan by Cotswold Wildlife Surveys (August 2013), Nocturnal Bat Survey and Badger Report by Cotswold Wildlife Surveys (June 2011)
16. C38 Approved plans
17. D01 Remove Permitted development rights from Units 1 – 3

I11 Highways informative
Ecology informatives

The update and original report are attached below for information:
Since preparation of the officer report, and following submission of additional information, further consultation comments have been submitted.

The Highways Engineer has confirmed there are no objections in principle subject to conditions regarding submission of Full access details which include layout, construction and visibility splays, Parking and turning and standard highways informative.

The Ecologist has no objection subject to conditions regarding the need for a European Protected Species Mitigation Licence, that the development shall be undertaken in accordance with the submitted Surveys, Erection of nestboxes and submission of a lighting plan for any external lighting, along with informatives. The Ecologist has also outlined that the 3 tests on the European Protected Species matrix must be considered and reported to Members at Committee.

The Arboricultural Officer reiterates that the tree survey is over 3 years old and does not refer to the current British Standard. A number of trees to the front of the site are in a poor condition and should be removed. The removal of these trees will create more space within the root protection area of the protected Monkey Puzzle tree. The plans should be amended to provide more unsurfaced area within the rooting environment of the Monkey Puzzle and make it more of a feature in the site, as he currently has concern that the proposal could be to the detriment of the tree. Further information is required regarding an Arboricultural Method Statement as to how the building is to be demolished without causing damage to the tree, as well as how the 'no dig' construction is to be installed within the root protection area of the protected Monkey Puzzle. A Tree Protection Plan will also be required showing the location of the protective fencing.

In addition, the Built Heritage Conservation Officer has visited the site to consider the merits of the building and whether it would be worthy of listing by English Heritage. She has made the following assessment:

The premises were largely overgrown so access was limited. The front facing seems to indicate a mid-late Victorian red brick with substantial sashes at ground floor level which largely remain intact. The condition of the building is reasonably good. However, the property has been harmed by the inappropriate alterations of the upper floor windows and the replacement of most of the doors with upvc. This modern material is unsympathetic to the original character and does affect the appearance.

There have been a few extensions around the side and rear, some better than others but largely the building remains intact in its original footprint. The ground floor windows are mostly boarded up so it is a little difficult to gauge the character fully, but there appear to be some older buildings to the rear, due to difficulties in accessing it is not possible for me to assert this. These may be a relic of a previous building or simply a more "vernacular" style ancillary structure which gives the semblance of an older structure.

It is difficult to predict whether this would be list worthy by English Heritage but generally buildings in this age category must survive in pretty much original condition to stand any chance and this does not. I have not been able to access the inside, though the rear door had been broken open when I visited. So it is impossible to determine what survives internally.

On the whole I would suggest that this would be unlikely to be listed, but of course that does not mean to say that it cannot be put forward by any member of the public, though this will of course take time, perhaps 6 months. Though I do believe that the building still retains some clear character and with a sympathetic owner there is no reason why the uPVC cannot be removed and the property restored but that is beyond my control as it stands at this time. This would appear to be one of the increasingly limited properties within the general area that has history and period character to it and it would be sad to see it go as it would be a further piecemeal erosion of the history of the development of the original settlements of Telford and Wrekin.

The above consultation comments are noted. If Members resolve to grant planning permission, conditions would be applied in relation to Highways, Ecology and Arboriculture. With regard to the three tests on the European Protected Species matrix, officers consider the proposal complies with these three tests. The Conservation Officer's comments are noted and whilst it is regrettable that the building is being demolished under this proposal; as stated in the officer report, it is not presently listed or a local interest building; therefore the proposal to demolish and replace it with a new residential development in this sustainable location is considered acceptable subject to Section 106 and conditions.

Accordingly the officer recommendation to approve the application subject to Section 106 and conditions is unchanged; however following the additional consultation responses, further conditions and informatives are proposed.

RECOMMENDATION: Subject to the developer entering in to a Section 106 Agreement to provide financial contributions of £7,200 for recreational facilities and £27,252 to education facilities in the vicinity and appropriate monitoring costs, then GRANT PLANNING PERMISSION following conditions:

1. A04 Time limit
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Ecology informatives

WROCKWARDINE WOOD & TRENCH PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION IS CONSIDERED BY PLANNING COMMITTEE.

OBJECTIONS RECEIVED: YES

MAIN ISSUES:

Principle of Development, Scale and design, Character and appearance, Highway issues, Residential amenity, Impact on protected tree, S106 contributions

THE PROPOSAL:

The application seeks full planning permission for the demolition of the existing semi detached dwellings, The Nyth and Erindale, with the erection of a terrace of 3 two-storey dwellings and an 'L'-shaped building comprising 9 apartments with associated car parking and amenity area. The dwellings and apartments would comprise 2 bedroomed units.

The development would be constructed mainly in brick with render and concrete tiles, and contrasting feature brick headers to casement windows and eaves detail.

This application follows a previous submission, ref: TWC/2012/0143 for a two and three storey apartment building comprising 13 units that was refused at Planning Committee last year as it was considered that the scale, mass and design would constitute an incongruous feature and would be out of keeping with the character of the area. The Applicant has appealed this refusal and the Inspector's decision is due to be made in the coming months. This current application seeks to address the reason for refusal.

There is an extant planning permission for 4 detached dwellings (TWC/2012/0862, a renewal of a 2010 application) adjacent to the proposed development, which will share the proposed access. This permission has not yet been implemented but is indicated on the submitted layout plan.

SITE AND SURROUNDINGS:

The application site comprises a large traditional building, formerly a coaching inn, then owned by British Coal and most recently a pair of semi-detached dwellings, The Nyth and Erindale. It is now vacant and the surrounding substantial garden area is overgrown.

The existing property is a two-storey traditional red brick and tile building with projecting gable features, sash windows at ground floor and smaller casements at first floor, cills and headers. The property has chimneys and eaves detail. Whilst it is a traditional property, it has no statutory listing or local listed status.

The property is located on the corner of Moss Road and Rookery Road, with existing vehicular access off Moss Road and drive area to front and side. There is a mature Monkey Puzzle tree at the front of the property, which is

protected by a Tree Preservation Order. There are also hedgerows, conifers and pollarded Beech trees located along the site boundary, with the land sloping down significantly beyond the rear of the building to a large open grassed area. The land to the eastern boundary of the site is designated as Green Network with a dense tree screen to the eastern boundary and to the south on the opposite side of Rookery Road. The site is located within a Coal Mining Referral Area and there is a known mineshaft on the adjacent site; a sewer also crosses the rear of the site to the east.

The application site is located in a predominantly residential area with a mix of modern bungalows and two-storey properties. However, Rookery Road leads to an industrial development beyond the site. The site is located in the built up area of Telford, close to local services and facilities.

PLANNING HISTORY:

W88/0233 Erection of 3 detached dwellings Outline refused 21/06/88

W89/0725 Erection of 3 detached dwellings Full granted, 12/02/90

W91/0841 Erection of a dwelling Full granted 13/12/91

W93/0006 Erection of 3 dwellings (renewal of W89/0725) Outline granted 23/02/93

W96/0051 Residential development Outline granted 19/03/96

W99/0076 Renewal of outline permission W96/0051 for residential development Outline granted 26/03/99

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

W2005/1509 Erection of three 3-4 bedroomed dwellings and new access Outline granted 03/03/06

W2008/1316 Erection of 4no. dwellings Withdrawn 29/01/09

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

W2009/0632 Erection of 4 dwellings and new access Withdrawn 25/09/09

W2010/0060 Erection of 4no. dwellings Full granted, 23/04/10

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

TWC/2012/0143 Demolition of 2no. dwellings (The Nyth and Erindale) and erection of a block of 13 apartments with associated car parking and amenity area, Full refused, 15/08/2012, Appeal Decision Pending

TWC/2012/0862 Renewal of planning permission W2010/0060 for the erection of 4no. detached houses, Full granted, 13/12/2012

PLANNING POLICY CONTEXT:
Nation Planning Policy Framework (NPPF)

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

Wrekin Local Plan:
EH7 Contaminated Land
EH14 Land Stability
UD2 Design Criteria
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
OL11 Woodland and Trees

CONSULTATION RESPONSES:
Wrockwardine Wood & Trench Parish Council objects to the proposal on the following grounds:

- Proposed dwellings are not in keeping with the area
- The Nyth & Erindale are traditional buildings with history and character and could be converted to apartments
- 2/3 storey houses will overshadow the rest of the area
- car parking provision
- additional traffic on to the very busy Moss Road

Following discussion with the Parish Liaison Officer, the Parish Council made the following comments:

- The three storey element of the proposed housing needs to be set further back from the road
- This application needs to be dealt with by the planning committee
- Wish to reiterate concerns over the loss of buildings of note in the area

Highways: Whilst 17 spaces are proposed has requested an additional three on-site parking spaces to be provided or a reduction in the number of units created.

Drainage: no objections to the proposed development, subject to conditions regarding foul and surface water details, surface water drainage, soakaway tests, location of soakaways and Greenfield runoff rates.

Arboricultural: Raised concerns that the survey carried out in 2010 does not refer to the current British Standard BS:5837 (2012) and that details must be submitted regarding tree protection during demolition in a Method Statement. A 'no dig' method would also be required. Raises concerns regarding the current site layout as there is less rooting environment for the TPO tree.

Ecology: Requested more information regarding an updated survey.

Parks and Open Space: requests a contribution of £600 per 2 bed property (12 in total) provided prior to commencement of development. Also requires clarification regarding who is going to maintain the trees and areas of open space.

Education: requests a contribution of £18,021 towards primary education provision and £9,231 towards secondary education provision in the vicinity of the development, totalling £27,252.

Coal Authority: Concurs with the recommendations of the Coal Mining Risk Assessment and considers a condition is required that the intrusive investigation works recommended in Section 4 of the Coal Mining Risk Assessment are undertaken prior to commencement of development. The condition will also ensure that in the event that the site investigations confirm that need for remedial works to treat any areas of shallow mine workings and/or the mine entry or other mitigation measures such as gas protection to ensure the safety and stability of the proposed development. These works should be undertaken prior to commencement of the development.

Shropshire Fire Service: Standard Informatives relating to fire safety

Following submission of additional information regarding parking provision and updated ecology (bat and badger survey), internal consultees have been reconsulted and their comments will be provided in an update to the Planning Committee.

PLANNING CONSIDERATIONS:

The application site comprises existing residential use and planning permission has been granted for 4 dwellings on the adjoining land to the north. The site has no designation in the Wrekin Local Plan and is therefore suitable for development. The existing building is neither statutory listed or locally listed; thus there are no policy constraints to the redevelopment of the site and demolition of the existing dwellings. The principle of the residential development is considered acceptable. Furthermore, the proposed development of two-bedroomed houses and apartments combined with the existing planning permission for four larger detached properties on the adjoining land will constitute a good mix of housing.

With regard to national and local planning policy, the site is located in the built up area of Telford, within an existing residential area, and is sustainably located, close to a range of services and facilities, including public transport links. Accordingly the proposal complies with policies CS1 and CS5 of the Core Strategy, policy H6 of the Wrekin Local Plan and national guidance contained within NPPF.

It is noted that the existing building has character and that its loss is regrettable; however as it is not listed or a local interest building, officers would advise that there are no restrictions to its replacement with a new development. The building is vacant and the site is overgrown; therefore the redevelopment of the site could in fact improve the character and appearance of the locality.

The scale, mass and design of the development have been amended from the previous submission that was refused at Planning Committee in 2012, with the Applicant seeking to develop a scheme that is of a more domestic scale and the massing of the development being broken up by the incorporation of a terrace of houses and roofs, gables and detailing more akin to the existing building. The revised scheme comprising the terrace of 3 houses and a predominantly 2-storey apartment block is considered to be acceptable and more in keeping with the single and 2-storey dwellings adjacent to the site. The Parish Council comments are noted regarding there being a 3-storey element on the scheme; however this will not appear overly prominent in the streetscene, as it is at the rear of the development and would only be viewed within the site and from further along Rookery Road, towards the industrial development; not the main frontages from Moss Road and Rookery Road. The proposed materials are considered appropriate and the detailing will reflect the character of the existing building. The development will be set back from the highway on the footprint of the existing building, and will appear as a 2-storey building from Moss Road, thus being appropriate in the streetscene. The location of car parking at the front of the site will be screened by existing boundary treatment, thus it will not unduly prominent in the streetscene.

With regard to provision of amenity, the terraced properties will have private rear gardens, with the 8 apartments sharing a communal space, in the area bounded by the 'L'-shaped building. The proposed layout is considered acceptable taking account of amenities of the adjacent proposed development.; furthermore, the development is set back from the highway having no impact on residential amenities of the properties on Moss Road. The terraced properties have an acceptable level of amenity; however to ensure this is maintained and the Local Planning Authority can control any extensions or large structures within the garden area, permitted development rights will be removed. Accordingly, the proposal complies with national and local design policies.

The development would be served by a vehicular access point that is located in a similar position to the existing access off Moss Road. Parish Council

concerns regarding the increase in traffic on to Moss Road are noted; however provided the requisite visibility splays can be provided, it is not considered that the additional vehicles will have a detrimental impact on the highway safety. Amended plans increase the provision of on site parking to 18 spaces for the 12 units, justified by additional information. Whilst formal comments are awaited from highways regarding the shortfall of 2 spaces, officers consider the site is sustainably located and that in addition to the communal car parking area for the development, Moss Road is on a bus route and within walking distance of a range of shops and facilities. Furthermore, the parking must not encroach further into the root protection area of the protected Monkey Puzzle tree at the front of the existing building; in this regard, the plans indicate that this will be protected during the demolition and construction phases and maintained as a feature in the new development, providing significant amenity value. The Arboricultural Officer's comments are noted in terms of the level of information provided for the preservation of the tree; however it is considered that appropriate conditions can be applied to ensure its protection throughout the demolition and new development. Accordingly it is considered that the proposed development can provide adequate parking and access without harm to the safety of highway users or to the detriment of protected trees.

It is considered that the proposed development is a sufficient distance from the known mineshaft on the adjacent site to the north and the sewer to the east. The Coal Authority has assessed the content of the Risk Assessment and the mining and possible stability issues can be covered sufficiently by condition. Likewise, drainage issues can be addressed by conditions.

With regard to protected species, the Applicant has submitted the updated species survey as requested by the Ecologist. The Ecologist has been reconsulted and subject to the comments received, the issues can be covered appropriately by conditions and informatives.

Given the scale of the development, it is considered appropriate to request contributions towards recreational open space and education facilities in the vicinity through a Section 106 Agreement. The applicant has agreed to provide contributions as requested, which constitutes £7,200 for recreational facilities and £27,252 to education facilities and appropriate monitoring costs, compliant with H22 and LR6 of the Wrekin Local Plan.

In conclusion, the principle of the development is considered acceptable as the site is situated in a sustainable location within the built up area of Telford and will replace the vacant property and overgrown site with a development of 12 x 2-bedroom units. The proposed development is considered acceptable in terms of the scale, massing and design which better reflects the existing development and housing in the vicinity. It is considered the proposal will be appropriate in the streetscene and will not adversely impact existing or proposed residential amenities or the protected Monkey Puzzle tree. Whilst formal highways and ecology comments are awaited it is considered that the development will not prejudice highway safety or adversely affect protected species. The development site can be suitably stabilised and remediated

from previous uses, and can be adequately drained. Financial contributions will be provided to support provision of recreational open space and education facilities in the area. Accordingly the proposal is considered acceptable and complies with national and local planning policies.

RECOMMENDATION: Subject to the developer entering in to a Section 106 Agreement to provide financial contributions of £7,200 for recreational facilities and £27,252 to education facilities in the vicinity and appropriate monitoring costs, then GRANT PLANNING PERMISSION following conditions:

1. A04 Time limit
2. B11 Samples of materials
3. BCustom foul and surface water details, Greenfield runoff rates
4. B custom soakway tests & location of soakway
5. B80 Site Environmental Management Plan
6. Bcustom Coal Authority Risk Assessment recommendations to be implemented
7. B121 Landscaping details, including maintenance of open space
8. B130 Tree Protective Fencing
9. B131 Trees services root protection
10. B132 Trees No Dig Method
11. Bcustom Arboricultural Method Statement
12. C70 Trees No Burning
13. C71 Trees Soil Levels
14. C72 Trees Material Storage
15. C38 Approved plans
16. D01 Remove Permitted development rights from Units 1 - 3

TWC/2013/0508
Unit 2-10, Sutton Road, Admaston, Telford, Shropshire, TF5 0AY
Installation of a pedestrian access and staff parking *****AMENDED PLANS
RECEIVED*****

APPLICANT
Mr Joginder Singh

RECEIVED
01/07/2013

PARISH
Wrockwardine

WARD
Wrockwardine

OFFICER Diane Ferriday

CLLR JACQUELINE SEYMOUR HAS REQUESTED THIS APPLICATION BE DETERMINED AT PLANS BOARD.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Loss of amenity and impact on adjacent neighbouring property.

THE PROPOSAL & BACKGROUND:

Planning application TWC/2011/0707 sought retrospective approval for the removal of a section of the service area wall with insertion of metal gates. The works were intended to create an access for emergency services and provide off street parking for staff. This application was refused on the grounds of highway safety as the proposed location was over an adopted public highway and reduced visibility would be dangerous for vehicles exiting the site by lack of turning facilities. In addition there was insufficient information submitted to justify the impact on the land which is incidental open space in a prominent position within the village and deemed that the proposal would have a detrimental impact on the character and amenity of the area.

Planning application TWC/2012/1018 similar to TWC/2011/0707 except for a diagonal section of land omitted on the south west side was refused by my members on 6/2/13 again on highway safety grounds and the detrimental impact on the character and amenity of the area.

This new application seeks consent to erect a 2.25m high wall to provide parking within the rear service yard and the installation of a pedestrian gate and footpath to gain access onto Station Road. The original plans submitted on the 13/6/13 proposed the brick wall 4.8m from the end of the garage block and at an angle towards the store. The case officer met with the applicant on site and discussions were held in view of an amended scheme. Proposed suggestions were reducing the length of wall to be at right angle with the store. This would remove the angle to lessen the visual impact. In addition to bringing the wall away from the shared boundary with no. 19 Station Road due to the potential damage to the Copper Tree which is located close by. Subsequently amended plans were received on the 5/8/13 and the consultation process was repeated. The amended scheme has the distance

from the garage to approximately 3.8m to be at right angle with the store. The scheme however did not bring the wall away from the shared boundary.

SITE AND SURROUNDINGS:

The site entails a two storey block of 5 units with retail on ground level and residential above. It is sited on the junction of Station Road, a main thoroughfare through the village and Sutton Road. Immediately behind the shops is a service yard accessed from the south side. The first floor residential elements have balconies with metal railings. The service yard houses a block of 10 flat roofed garages and a detached pitched roof garage. The north side facing onto Station Road is bound by brick walling and attached store. A section of this wall has been removed and replaced with high metal gates attached to the garage block. Incidental open land abuts the full length of this boundary with an adjacent footpath and lay-by. This land is now unkempt and an eyesore for highway users.

The immediate surrounding area is residential with Wellington district centre a short drive distance with mixed uses and transport links in and around Telford.

PLANNING HISTORY:

TWC/2011/0707 – Creation of new access and erection of gates
(Retrospective) – Refused 30/9/11.

TWC/2012/1018 – Installation of a pedestrian access and staff parking –
Refused 11/2/13

PLANNING POLICY CONTEXT:

LDF Core Strategy:
CS15 Urban Design

Saved Wrekin Local Plan Policies
UD2 Design Criteria
OL6 Open Land

National Planning Policy Framework

CONSULTATION RESPONSES:

Wrockwardine Parish Council: Object. This is a further attempt to circumnavigate the refusals of TWC/2012/0707 and TWC/2012/1018 and whilst the parish council would welcome the reinstatement of the wall and grass verge there are concerns that the design of the gate in this latest application lent itself too easily to being converted into a double (vehicular) access in the future which was the purpose of the original applications.

Highways: No objection to this proposal subject to condition to ensure the highway authority that this access cannot be utilised by vehicles in the future.

Shropshire Fire Service: No comment

Aboricultural: Objects as there is a Copper Beech on the boundary of no. 19 Station Road which will be affected by the proposal to construct a brick wall.

Drainage: No objection

Ward Councillor Cllr J Seymour objects to the application on the following grounds;

- The wall will intrude into the vision of Mrs Allen who lives next door at No. 19. She is 82, very disabled and has heart and breathing problems. She has carers calling several times a day and she is getting very distressed and upset about all this
- Mrs Allen has a specimen copperbeech tree on the side of her drive which overhangs the area where I imagine the wall will be built. Mrs Allen would not wish this tree to be damaged in any way.
- On his previous application, Mr Singh acknowledged that the piece of land between the current building and the pavement on Station Road belongs to Telford and Wrekin Council. How would he be allowed to build on this land?
- Despite the protestations of Mr Singh's solicitors that the area has not been used for parking since the refusal of his previous application (see your email of 28 May), I have had a significant number of reports that this is not so
- There is also concern that this pedestrian access will be used for the loading and unloading of the van making the lay-by a loading bay. The lay-by is supposed to be there for the benefit of customers and the community generally. It is not a permanent parking area for the benefit of the shop owners. They have space behind their premises.

NEIGHBOUR CONSULTATION:

7 letters objecting to the application have been received following consultation, based on the following points:

- A way of getting round the issue of vehicular access
- If intention is to provide a pedestrian access why the need to re-align walls and still leave a vehicle size gateway?
- Pedestrian access is unnecessary unless intention is to use the public lay-by as additional parking for tenants and as an unloading bay and not be available for the general public to park.
- Grass has been ruined by tipping of hardcore ready for next stage as a vehicular entrance
- Proposed wall an unattractive feature next to my property and result in tunnel-like appearance to my drive.
- Wall out of character with the area.
- Work will possibly kill or make unsafe a Copper Beech tree in adjacent garden.
- Wall will restrict visibility for visitors and carers exiting on driveway.
- Pedestrian access means sales assistants would have keys to gates, therefore security a risk.
- Wide grass verge is a feature of village and this will change the character.

- Style of gate inappropriate. It is a double vehicular gate of industrial type
- White van regularly parks on the land
- Danger to pedestrians
- Concern about youngsters having access to front and back of shops.
- Work already started and hard core laid causing a health and safety trip area
- Has there been complaints about lack of parking for staff?

PLANNING CONSIDERATIONS:

It is noted that the land is currently unkempt which is regrettable for the local residents. Work was carried out retrospectively including the laying of hardcore and subsequent applications have only served to delay resolving this situation. Prior to these retrospective works a grass verge ran along the north side, between the boundary wall and adjacent highway providing a pleasant view when approaching the village. This land contributes to the character and amenity of the area. The result is that this site now has a detrimental impact on the character and appearance of the area. The site has no designation in the Wrekin Local Plan and LPA consider that the amended scheme to reduce the area of enclosure will help towards improving the appearance of this area.

No supporting evidence has been submitted to justify the new access to the rear of the shop units and flats; however the applicant has implied that the proposed development will provide extra parking within the existing service area. The gate will be locked and have a key; only the applicant and his family who own 2 shops along Sutton Road will have pedestrian access. . The Highways Engineer previously objected to any form of development on the adopted highway land which falls within the application boundary, stating that the proposed development failed to make adequate provision for the turning of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger due to drivers having to reverse manoeuvre onto Station Road. A matter further exacerbated by reduced visibility to the east of the access due to vehicles parked within the lay-by.

This new application is for a pedestrian access only for the applicant and his family, and shall only enclose land up to the edge of the adopted highway. Highways have no objection in principle, confirming adequate visibility for the adjacent plot is retained, however they require details indicating the proposed fixed gate arrangement to ensure that this pedestrian access cannot be utilised by vehicles in the future. Whilst it is noted that the gates were originally intended to provide vehicle access the applicant accepts should the application be approved these can only be used for pedestrian access; this can be controlled through condition to ensure the gates are for pedestrians only and not at any time used for vehicle access. Furthermore options are being explored to erect a bollard on the adopted highway land to prevent anyone parking in front of these gates, in addition to restricting vehicle access across this land.

The Arboriculture Officer has raised concerns about damage to the Copper Beech Tree; it is not protected under a preservation order and any damage to the tree by the construction of the wall would be a civil matter between the owner and applicant. A request was made for the wall to be pulled back from the boundary to lessen the impact on the Copper Beech but this has not been forthcoming. However amendments have been received during the application process from a splayed wall parallel with the highway and the adopted area, to a wall now parallel with the shop reducing the area to be enclosed. Whilst it is noted that the application will affect the adjacent tree, this overhangs land within the applicant's ownership who also has a right to remove that which overhangs the boundary. The area of land also enclosed is required to ensure the area can be used for parking or the provision of any skips when required. Enclosing this area of land therefore provides a benefit to screen unsightly skips from the adjacent highway.

The proposed design of the wall follows that as existing, both in height and materials; the gates are lower than the height of the wall and fall subservient to the unit. Whilst it is noted the design of the gate provides an opening wider than that necessary, the applicant seeks to use the gates purchased; to ensure this does not reflect an industrial unit the gates should be painted a dark green which will reduce the impact of the gates, and as one side is fixed the design is considered acceptable. The character of the grass verge is retained by only enclosing a small element of the large verge, which whilst under the ownership of the applicant remains an adopted highway and therefore cannot be enclosed. This can also be enhanced through a landscaping scheme, ensuring a suitable surface to the pedestrian access and not rubble, in addition to soft planting and a bollard.

Consequently it is considered that the proposed design of the wall and gates are considered acceptable in this location. The proposed design respects the character of the surroundings, and the proposed land use will not have a detrimental impact on the safety and freeflow of the adjacent highway. The proposal is therefore in accordance with the policies specified in the local plan, core strategy and NPPF.

RECOMMENDATION to GRANT PLANNING PERMISSION subject to the following conditions:

1. Time limit
2. Amended landscaping scheme
3. Details of fixed gate, pedestrian access only and one gate permanently fixed.
4. Car Parking
5. Development in accordance with plan Nos.
6. Finish of fence dark green

TWC/2013/0574
45 Wrekin Avenue, Newport, Shropshire, TF10 7HQ
Erection of a two storey dwelling and single detached garage with associated access

APPLICANT
Mr M Sproston

RECEIVED
16/07/2013

PARISH
Newport

WARD
Newport West

OFFICER Anna Adams

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Scale and design, Character and appearance, Impact on residential amenities, Highway safety

THE PROPOSAL: The application seeks full planning permission for the creation of a single three-bedroomed detached dwelling located on the side garden area of No.45 Wrekin Avenue, with associated rear garden area, and 2 vehicular access points with parking to the front and detached single garage to the rear.

The dwelling and garage would be constructed in brick and concrete roof tiles, with upvc windows and doors, brick headers and reconstructed stone cills.

SITE AND SURROUNDINGS:

The application site comprises a side garden area to an existing 2-storey detached property occupying a corner plot. The dwelling is red brick with hanging tiles to first floor and pitched tiled roof. The frontage comprises four windows of different sizes with main entrance to the side elevation. It has an attached carport at the side and garage set back to the rear. The site is grassed and is bounded by an established hedge, tree to front and timber panel fencing.

The application site is located within an established c.1970s residential development comprising two-storey properties with shallow and steep-pitched roofs and bungalows. There is an existing small children's play area on the opposite side of the road, with footpath links to adjoining residential streets.

PLANNING HISTORY:

W2001/0653 Erection of a Two Storey Side and Rear Extension, Full granted, 6/12/2001

PLANNING POLICY CONTEXT:
National Planning Guidance
National Planning Policy Framework

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

LDF Core Strategy
CS1 Homes
CS7 Newport
CS15 Urban Design

CONSULTATION RESPONSES:

Newport Town Council: Objects as the dwelling is too large for the size of the plot. The garden land may be a suitable sustainable expansion plot; however a smaller dwelling more in keeping with the surrounding homes would be more appropriate.

Highways: Support subject to conditions regarding Parking and turning, Removal of planting and obstructions from the front of the dwelling, No gates and Visibility splays of 2.4m x 33m, along with standard Highways informative.

Drainage: Comments still awaited, and will be included in an update to Members.

Ecology: Support subject to condition regarding Nest boxes and informative regarding Nesting birds

Shropshire Fire Service: Informative

10 individual neighbour letters of objection and a petition with 46 signatures have been submitted with their comments summarised:

- Proposed dwelling is out of character – proximity to adjoining dwelling, overbearing, design and internal layout different to other properties with kitchen to front
- Planning permission for extensions to existing property in 2001, and an extension would be acceptable, but this proposal constitutes “garden grabbing”
- Corner plots were planned to be larger than other plots and create open vista/ not appear overcrowded
- Increase in vehicles will further compromise highway safety
- Reduced visibility on blind corner
- Access for emergency vehicles
- Impact on quality of life of existing residents, including elderly residents
- Impact on child safety with nearby play area and route to primary school
- Obstruction to access by construction vehicles

- Existing drainage problems will be exacerbated
- Concern that dwelling could become student housing like several other properties in the street, with associated parking issues due to number of students with vehicles and insufficient offstreet parking space and creation of “student ghetto”
- If dwelling is approved, there needs to be a minimum of 4 parking spaces in case it becomes a student house
- No need for more housing
- Devaluing property

PLANNING CONSIDERATIONS:

The application site is located within an established residential area of Newport, and the site is in a sustainable location. The land is currently garden land; however whilst the NPPF makes reference to the need for local planning authorities to consider the case for setting out policies to resist inappropriate development of residential gardens, there are currently no such planning policies. Furthermore, the corner plot site is considered to be large enough to accommodate a dwelling of a similar size to the existing properties, with access, offstreet parking and amenity space. Accordingly, it is considered that the principle of residential development on the site is acceptable and the can accommodate the existing property and a separate housing plot. The proposal would therefore comply with criteria in the NPPF, CS1 and CS6 of the Core Strategy and UD2 and H6 of the Wrekin Local Plan.

The property would be a two-storey dwelling and would be located on a similar building line to the adjoining property, fronting the highway, and the building footprint would be comparable with the adjoining properties. The layout and siting of the proposal would be acceptable and in keeping with the character and appearance of the existing properties and the streetscene.

Whilst the design of the building with the projecting gables to the front and side and associated variety of roof elements is different to the adjoining property, No.45 Wrekin Avenue, there is a mix of housetypes with properties comprising steep chalet-style roofs with dormers, as well as properties with shallow-pitched roofs gabled to the highway. The adjoining estate comprises semi-detached properties. Furthermore, No.41 has been subject of two-storey extensions to the rear, thus a variety of styles and roof pitches are visible in the vicinity of the application site. The scale, massing, design and form would be appropriate to the context of the site and area. Details of materials have been included on the application form; however it is considered that samples should be agreed on site; therefore an appropriate condition is proposed. It is therefore considered that the proposal complies with CS15 and UD2.

The site can be accessed and sufficient parking provision accommodated within the integral garage and parking to the frontage. Whilst highway safety concerns from residents are noted, the proposal indicates that there would be adequate offstreet parking available for the 3-bedroom property. Whilst the new access points are close to the corner, there are no highways objections to the proposal subject to conditions. These conditions include provision of

requisite visibility splays and removal of planting immediately fronting the proposed dwelling and any obstructions in the interest of highway safety particularly for children. The formal drainage comments are still awaited; however, conditions regarding drainage details and runoff rates could be imposed. The proposal accords with Policy H6 of the Wrekin Local Plan.

The siting and orientation of the dwelling will ensure that the proposal will not have a detrimental impact on the amenities of adjoining residential properties, with principle windows to the front and rear. Whilst some of the existing planting on the site boundary would need to be removed to accommodate the new accesses and parking/garage, the plans indicate the existing hedge would be retained along with the sizeable garden area, which will help to maintain the existing character and appearance of the corner plot. The position of the garage will be away from the shared boundary with No.47, and there are no principle windows on the dormer of No.47; thus the proposal will not adversely impact on residential amenity. The property will also be a sufficient distance away from the existing children's play area.

Newport Town Council and the neighbours' concerns are noted. Officers consider the dwelling would not be out of character with the area, and whilst it is close to the adjoining property, there will still be a sufficient separation between the existing and proposed dwellings and adequate amenity; therefore the site will not appear overcrowded. The different layout and design is considered acceptable given the variety of housetypes in the vicinity. The proposal is considered to be acceptable and does not constitute garden-grabbing. Furthermore, there is no planning policy to restrict use of garden land for dwellings.

Highway safety issues have been considered by the Council's Highways Engineer, and the proposal is acceptable in highways terms subject to conditions. It is not considered that a single additional property would have a significant impact on quality of life of existing residents. A condition can be imposed regarding the construction phase to ensure that the construction vehicles do not cause obstruction and hours etc. Concerns regarding drainage can be adequately addressed by condition.

In terms of the possibility that the existing and proposed dwellings at No.45 could become student housing, this is not stated to be the case in the supporting information. The concerns regarding the studentification of the street are noted; however, providing there are no more than 6 residents/students living together in a single household, this change in occupation does not require planning permission for a change of use. Neighbours have raised the issues of value of property is also not a planning matter, and has had no bearing on the consideration of this scheme.

In conclusion, the application site constitutes a suitable housing plot and the principle of development is considered acceptable. The scale, design, form and materials of the new dwelling are acceptable and in keeping with the character and appearance of the streetscene and area, and will not adversely impact on highway safety or adjoining residential amenities. Accordingly the

proposal complies with national and local planning policies and is recommended for approval.

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

1. A04 Time limit
2. B11 Samples of materials
3. Bcustom Visibility splays of 2.4m x 33m and removal of planting immediately fronting the proposed dwelling
5. B61 Details of foul and surface water drainage
6. Bcustom Site environmental management plan
7. C19 Parking and turning
8. Ccustom Nestboxes
9. Dcustom No gates

