

TELFORD & WREKIN COUNCIL

PLANNING COMMITTEE

26th November 2014

Schedule 1 - Planning applications for determination by Planning Committee

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**TWC/2014/0415 Land adjacent The Knoll, Church Aston, Newport, Shropshire
Outline application for the erection of up to 17no. dwellings with associated
access, services and infrastructure (All other matters reserved) ***** Amended
plan received*******

APPLICANT

Stephen Marsh

RECEIVED

16/06/2014

PARISH

Chetwynd Aston and Woodcote, Church
Aston

WARD

Church Aston and Lilleshall

OFFICER

Vincent Maher

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: The future of the site as rural land; suitability of the site for housing; design issues and impacts on neighbouring residents; impacts on landscape/ecology; highway impacts; impacts on other local infrastructure

THE PROPOSAL:

Outline application for erection of upto 17 dwellings which seeks approval for access details at this stage. All other matters (appearance, landscaping, layout and scale) are "reserved matters" for consideration at a later stage via a separate application.

The plans associated with this application comprise an Ordnance Survey plan and a Location and Block Plan. The location and block plan and supporting planning statement state that six of the houses will be affordable dwelling and the remainder built out as market housing. However, the applicant has stated clearly that the details shown on the location block plan are indicative only.

Overall, the density of the proposal (based on the net site area) equates to 22.9 dwellings per hectare.

The applicant has also submitted the following documents with this application:

- Design and access statement
- A land contamination report
- Noise assessment
- Ecological survey
- Utilities assessment
- Arboricultural report
- Topographical survey plan
- Draft heads of terms of a legal agreement

The application form stated that the application was for "17 dwellings". The applicant has subsequently amended the application following discussion with the case officer to confirm "up to 17 dwellings" to ensure that the recommended conditions set out in this report can be accommodated without adversely affecting the layout or design of the development particularly in relation to the site's relationship with nearby trees.

SITE AND SURROUNDINGS:

The application site is a triangular shaped field approximately 0.74 ha in area located at the eastern edge of Church Aston. Land levels across the site rise slightly from north to south.

The site has two road frontages, one fronting the A518 (Newport By Pass) and the second frontage onto The Dale. The Dale frontage will be the designated road access for this development.

The site is located in an essentially rural setting on the edge of the village of Church Aston. It is distinguished by a 2.5 m high mix of hedgerow and small trees that bounds the northern edge of the site and a mixed species belt of tree that runs along the A518 frontage. Another more prominent and established belt of trees runs beyond the western boundary of the site which is covered by a Tree Preservation Order (TPO/10/61390).

An ecological survey report submitted with the application (reviewed by the council's ecology unit) states that the site and surrounds has three distinct habitats: improved grassland; hedgerows and scattered trees; and woodland. The survey confirms there are limited bat roosting features on the site and saw no evidence of protected species. It identifies that the trees are likely to be suitable habitats for nesting birds and the hedgerow a habitat for foraging and hibernating reptiles.

The western boundary of the site adjoins housing along The Crescent and The Dean. Church Aston has a limited number of local services including a primary school, church and village hall, and bus connections some 500m west of the application site. A more comprehensive range of services is to be found in Newport to the north.

PLANNING HISTORY:

None.

PLANNING POLICY CONTEXT:

National Planning Policy Framework (the NPPF) – the NPPF is not the development plan for Telford and Wrekin but it is a material consideration in this case because all of the borough's development plan policies have to be reviewed in the light of this national advice.

Saved Wrekin Local Plan policies

Policy UD2 – Design Criteria

Policy UD3 - Urban Design Assessments

Policy UD4 – Landscape Design

Policy H9 – Location of new housing

Policy H23 – Affordable Housing

Policy T22 – Planning Obligations

Policy OL6 – Open Land

Policy OL12 – Open Land and Landscape – contributions from new development

Policy OL13 – Maintenance of Open Space

Policy LR4 - Outdoor recreational Open Space

Policy LR6 – Developer contributions to outdoor recreation open space provision within new residential developments

LDF Core Strategy policies

Policy CS1 – Homes

Policy CS6 – Newport

Policy CS7 – Rural Area

Policy CS9 – Accessibility and Social Inclusion

Policy CS10 – Community Facilities

Policy CS 11 – Open Space

Policy CS12 – Natural Environment

Policy CS13 – Environmental Resources

Policy CS15 – Urban Design

SUMMARY OF CONSULTATION RESPONSES:

Ecology (supplementary comments of 10 November) - has reviewed Ecological Statement and Natural England observations. No objection raised, recommends conditions relating to: nesting/ roosting boxes; lighting plan; hard and soft landscaping design and informatives relating to nesting wild birds; storage of materials and bats.

Environmental health (contaminated land) – no objection

Environmental health (pollution control) – acoustic barrier will be required at least 2.5m high and acoustic glazing on housing fronting A518

Drainage – recommend surface water drainage condition

Arboricultural service – notes that trees along A518 have not been surveyed. Location of garages for plots 9, 10 close to tree belt, a concern for future owners of the house and the garage to plot 13 should be moved eastwards. Need details on how path close to TPO'd oak tree on site (T28) will be constructed. Recommend conditions regarding landscape design, tree protective fencing, no dig, no burn, details of soil levels and restriction of materials being stored around tree roots.

Highways - Advise that internal layout is purely indicative. No objection subject to conditions covering the following matters: design of new roads to incorporate surface water disposal; details of parking/ turning/ loading; visibility splay 2.4m x 43m. S106 contribution of £14,577 towards highway infrastructure improvements in Newport area.

Natural England – Proposal unlikely to affect any statutorily protected sites or landscapes. Have not assessed this proposal for impacts on protected species.

Shropshire Fire Service – refers to its standard advice on fire safety guidance.

Church Aston Parish Council – object to the proposal raising the following points:

- Site lies outside natural boundary of village;

- Development not in keeping with character and design of current development in the village;
- Site not identified in any previously published planning or development document;
- Set alongside other large scale developments, this will result in an oversupply of housing;
- Cumulative impact on local services; and
- Access proposals substandard and would create a public safety hazard;
- Other sites identified and allocated through the Shaping Places process should be developed first.

Chetwynd Aston and Woodcote Parish Council object to the proposal – Yet another development on green field land. Brownfield land should be developed first. Continual adding of housing developments in this parish is destroying its identity. Access via a single track road and junction with A518 a public safety hazard. Parish Councillors would prefer to see this site used for allotments and would seek to acquire the land for this purpose.

Local residents

16 representations from local residents objecting to the application raise the following concerns:

- There is a disproportionate amount of new housing being planned in Newport/ Church Aston;
- The amount of new housing being planned locally amounts to an oversupply;
- This site has not been identified in previous SHLAAs or the recent Proposed Housing and Employment Sites document;
- Shropshire is largely rural and should remain as such;
- The proposal will alter/ destroy the village of Church Aston;
- Adverse traffic impacts/ conflict with cyclists/ risk of accidents at A518 junction;
- New road access will result in most of front hedgerow being removed; and
- Impact on community infrastructure.

PLANNING CONSIDERATIONS:

This planning application raises the following main issues:

- The future of the site as rural land;
- The suitability of the site for housing;
- Design issues and impacts on neighbouring residents;
- Impacts on landscape/ ecology;
- Highway impacts;
- Impacts on local infrastructure; and
- Responses to other consultation responses received.

The future of the site as rural land

The site is located outside the settlement of Church Aston and is defined as rural land in the Local Plan and the Core Strategy. Outside of urban areas, Local Plan

Policy H9 states that new development will be permitted only within 12 rural settlements except if it provides agricultural accommodation or delivers essential rural affordable housing. Core Strategy Policy CS7 states that development should be limited to that necessary to meet the needs of the area. Development in rural areas is to be focussed on High Ercall, Tibberton and Waters Upton. Outside these settlements development will be limited and within the open countryside will be strictly controlled. Local Plan OL6 states that the council will protect locally important and incidental open land within or adjacent to built-up areas where that land contributes to the character and amenity of the area.

The application proposal does not perform especially well when considered against these policies. However, in its favour, the site should be considered positively for the following reasons: (a) it immediately adjoins the settlement of Church Aston; (b) it is a relatively isolated pocket of rural land not noted to have significant importance as a natural habitat; (c) it is separated from other agricultural land to the east by the A518; and (d) the site will deliver 35% affordable housing consistent with Local Plan Policy H23 and Core Strategy Policy CS6. Indeed, it could be argued that the A518 forms a natural, physical eastern boundary to Church Aston.

However, the Committee must give considerably more weight to the NPPF's requirement that the council significantly boosts the supply of housing and provides a 5 year plus 20% housing supply. Appendix 1 to this report provides an extract from the council's 2013 statement on the five year housing supply situation following the release of the NPPF. In summary, it confirmed as of April 2013 that the council had 2.5 years' housing supply.

The council has subsequently produced a Proposed Housing and Employment Sites document to support the emerging Shaping Places Local Plan 2011-2031 earlier this year. The application site has not been identified in this document. The publication of the Proposed Housing and Employment Sites document does not mean the council has a proven five year land plus land supply as this can only be established at the public examination into the emerging Local Plan once an Inspector has tested the objectively assessed need for housing in the borough. It is reasonable also to expect that windfall sites such as the application site will continue to come forward.

Finally, the provision of additional housing at this site will make a marginal contribution towards Core Strategy Policy CS6 which seeks to promote development in Newport to help support its role as a market town.

Overall, it is concluded that this site could perform a useful role as housing land and help deliver the significant boost of housing supply which the Government directs the council to provide.

Suitability of the site for housing

If the site is to have a different role from agricultural land, a housing end use is appropriate for this site principally because it adjoins the existing settlement and services. The illustrative plan attached with the application shows how a scheme of up to 17 dwellings could be accommodated. Residents have raised concern about the access to the site via The Dale, the last part of which does not have a separate pavement. The highway authority does not object to this element of the scheme.

To address any perceived impact on road safety, the developer has accepted that development contributions could be provided to upgrade the local highway network, theoretically improving access to the site.

Design issues and impacts on neighbouring residents

The application is in outline form and is illustrative only. If approved, detailed plans will confirm the final layout and the number of homes.

Core Strategy Policy CS15 requires new development to create and sustain safe places, strengthen local identity and project a positive local image. Local Plan Policies UD2, UD3 and UD4 commit the council to assess the design quality of a development and require an integrated approach towards landscape design. Overall, it appears that a scheme could be built on site that is of a similar density to surrounding housing within Church Aston. Planning conditions will address detailed matters such as the design, materials, and siting of new houses.

Given the limited information before the Committee, the most critical design issues to assess at this stage are:

- The impact on new housing on the occupants of The Knoll;
- The relationship between any new housing and the TPO trees; and
- The relationship between any new housing and the less established band of trees along the A518.

The indicative plan shows that new housing could be located in such a position whereby it would not have a significantly adverse impact on the privacy of the residents of The Knoll. This is because the TPO trees on the western edge of the site and beyond form a natural screen.

The relationship between the proposed houses and the established band of trees on the west of the site is particularly sensitive. The illustrative plan shows that it is physically possible to site the houses and garages satisfactorily beyond the root zone of these protected trees.

Both the applicant's study and Environmental Health confirm that siting houses close to the A518 frontage would be acceptable provided acoustic glazing were installed and a 2.5m acoustic fence is provided.

However, it will be important to ensure that the final design of new housing close to these two bands of trees - which are the principal landscape attributes of the site - is satisfactorily planned for so that, for example, new houses are not orientated in a way that would put habitable rooms in shadow from surrounding trees or that houses on the A518 frontage are not sited unacceptably close to an acoustic bund. In the absence of a detailed layout, the applicant has therefore accepted that the application should be amended to state "up to 17 dwellings". It may be the case that the final layout will result in fewer dwellings being built.

Impact on landscape/ecology

As indicated above, the site's landscape value derives from its location at the edge of a village and the extensive tree cover around its edges. It is not located within a

nationally or locally protected landscape area. A housing development can be accommodated comfortably within the site because of the extensive tree cover around its edge. Some of the hedgerow and tree cover at the northern edge of the site will have to be removed to achieve vehicle safety sightlines of 2.4m x 43m. This will be satisfactorily addressed through appropriate landscaping controls and a replacement hedgerow.

There will be other opportunities across the site for additional tree and other soft and hard landscaping as well as communal play space.

The council's ecologist and Natural England have not objected to the development of this site for housing. The ecologist has recommended conditions to ensure that this site continues to provide wildlife habitat opportunities.

Highway and traffic issues

The highway authority does not object to the proposal on highway safety grounds. Their recommended conditions and request for s106 contributions are incorporated into the recommendations in this report.

Appropriate drainage controls are also proposed. A highway drainage soakaway is shown on the illustrative plan.

Impacts on local infrastructure

The utilities report submitted with the application confirms the site can be connected to all relevant services.

It is accepted that a development of family housing will add to pressure on local schools, highways and demand for public open space. S106 contributions are proposed to address these impacts that meet the council's requirements.

The heads of terms of a s106 agreement will make provision for affordable housing for six dwellings (35% of a scheme of up to 17 dwellings).

The terms of the s106 agreement proposed (set out in Recommendation A to this report) are consistent with Regulation 122 of the Community Infrastructure Levy Regulations 2010. The provision of affordable housing is necessary and consistent with Core Strategy Policies CS1 and CS6, Local Plan Policy H23 and the NPPF. The contributions towards highway improvements reflect the features of the site and additional traffic movements generated by the proposal. The negotiation of these contributions is consistent with Local Plan Policy T22. The provision of a financial contribution towards educational contributions and the improvement/ management of nearby open space is justified because of the extra pressure that this development will place on local infrastructure and consistent with the NPPF and Local Plan Policy LR6.

In all respects, the sums sought are fairly and reasonably related to the scheme.

Responses to all other matters raised in the consultation responses received
It is accepted that the site is not included in the Proposed Housing and Employment Sites document. This does not imply that the site should not be considered for

housing. Officers do not consider there is an oversupply of housing locally especially when assessed against national policy in the NPPF. Rather, this report affirms the importance the Government attaches to boosting significantly the supply of housing.

It is open to Chetwynd Aston and Woodcote Parish Council to buy the site but this is not a planning consideration. The council is not aware of any application seeking to acquire the land as an asset of community value under the Localism Act 2011.

All other main objections have been addressed elsewhere in this report.

Conclusions

This is a sensitive site. It is accepted that the case for considering housing on the site rests principally on the fact that the council must boost significantly the supply of housing consistent with the NPPF. Currently, the council does not have a defensible five year plus 20% housing land supply.

Notwithstanding the provisions of the development plan, the site is of itself intrinsically acceptable for housing and makes a modest contribution towards the borough's future housing needs. An illustrative plan indicates how up to 17 dwellings could be laid out on the site. The highway authority does not object and there are no ecological or other landscape objections to the proposal.

The application is submitted with a recommendation to approve provided a s106 legal agreement is signed. If this is not signed by 3 January 2015, it is recommended that planning permission be refused for the reasons set out in recommendation C.

Recommendations to Planning Committee

Based on the conclusions above, the recommendation to the Planning Committee on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT PLANNING PERMISSION subject to the following:

- A.) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:
- (i) Affordable housing, to include:
 - Provision ensuring that 35% of the dwellings to be built shall be affordable housing either in number or value (to allow for the inclusion of more expensive specialised affordable housing where required);
 - (ii) Highways works, to include:
 - Off site highway infrastructure improvements - up to a maximum of £14,577;
 - (iii) Education infrastructure funds up to maximum of £37,599 within the vicinity of the application site.

(iv) A formulated commuted sum for the adoption and maintenance of public open space in the vicinity of the site by the council of £10,200; and

(vi) Provision of a Planning and Financial Monitoring contribution of £1,500.

B.) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

1. A01 Time Limit
2. A02 Time Limited - reserved matters
3. B002 Standard outline – some matters reserved
4. B004 General details amended
5. B010 Details of materials
6. B034 Highways details
7. B041 Visibility splays
8. B042 Parking/ turning/ loading
9. B046 Site Environmental Management Plan
10. B074 Brownfield run off rates
11. B079 Custom drainage condition
12. C Custom Acoustic measures
13. C101 Bat boxes
14. C109 Custom ecology
15. C38 Submitted Plans - deposited plans and supporting documentation

Informatives:

I106 – Section 106 agreements

I32 – Fire Authority

ICustom - Ecology related informatives

ICustom – informatives provided by Environment Agency

I40 - Conditions

I41 - Conditions

RANPPF - Approval – National Planning Policy Framework

C) If the legal agreement associated with this application (refer terms above) has not been signed by 3 January 2015, that the Planning Committee REFUSE PLANNING PERMISSION for the following reasons:

1. The proposed development fails to make provision for affordable housing to the detriment of the housing need of the area contrary to the provisions of Policy H23 of the Wrekin Local Plan, Policy CS1 of the Telford & Wrekin Core Strategy and Government policy set out in the National Planning Policy Framework.
2. The proposed development will have an unacceptable impact on the provision of local infrastructure, most notably the provision of educational facilities and public open space contrary to Policy OL13 of the Wrekin Local Plan, Policy CS10 of the Telford & Wrekin Core Strategy and the Government policy set out in the National Planning Policy Framework.

3. The proposed development will have an unacceptable impact on the surrounding highway network contrary to Policy T22 of the Wrekin Local Plan and the provisions of the National Planning Policy Framework.

Appendix 1 Extract from Telford and Wrekin Council policy position regarding a five year land supply

Five Year Housing Land Supply Statement at April 2013

Introduction

Telford & Wrekin Council is required by national planning policy to identify a continuous five-year supply of housing land to meet its housing requirement. Government requires all Councils to do this, forming the basis for determining planning applications for new housing at the present time.

The issue of housing delivery has become increasingly important since the publication of the National Planning Policy Framework (NPPF) in 2012, which established the 'presumption in favour of sustainable development' should Authorities be unable to demonstrate a five-year supply of deliverable housing sites. The new policy approach is seen as key by the Government to significantly boosting housing supply across the country and ensuring development is sustainable. A number of recent planning appeal decisions throughout England have reinforced the importance of the five year housing land supply issue.

It is therefore necessary to consider the current position in Telford & Wrekin with regards to its five-year land supply.

Calculating the five year supply

Whilst the government places great importance on the delivery of new homes as part of its wider economic policies, it has not sought to prescribe how local planning authorities calculate its five year land supply.

However, guidance was published in July 2013 in the Local Government Association publication "*Ten key principles for owning your housing number-finding your objectively assessed needs*". This directs authorities to include in its calculations any shortfall in the number of homes planned to be delivered from the beginning of the plan period (in the case of Telford & Wrekin; 2006¹) to the current date (2013), and add these back into the next five year period rather than spreading the shortfall across the plan period as a whole. This method has received support from the Planning Inspectorate in a number of recent appeal decisions as it is considered to align more closely with the requirements of the NPPF.

The methodology projects forward, the number of new dwellings required to deliver the housing requirement on a rolling five-year basis. In the case of Telford & Wrekin, the next five year period is 2013-18. The methodology takes into account:

¹ Telford & Wrekin, Core Strategy (2006-2016)

- Past housing completions for the period between the start of the current Plan (2006) and the time of calculation, 2013;
- The shortfall against plan targets during the same period;
- An additional 20% buffer for under delivery required by the NPPF;
- Expected delivery from existing commitments. These are sites with planning permission that will be delivered within the 5 year period;
- Potential supply from sites not currently identified, referred to as ‘windfalls’; and
- An allowance for non-implementation from these sources. This recognises that a small proportion of sites with permission are not implemented. It is standard practice to factor this into the calculation.

Unlike many local authorities that do not have an up to date Core Strategy, Telford & Wrekin adopted its Core Strategy in 2007. Policy CS1 establishes the annual plan target against which future performance should be judged. For this reason, the Core Strategy is the preferred benchmark for assessing past and future delivery.

Policy CS1 states that the number of new homes to be delivered in the Borough within the Plan period will be consistent with the policy of the Regional Spatial Strategy for the West Midlands (RSS). RSS June 2004 permits a maximum of 1330 new dwellings per annum up to 2011, and a maximum of 700 new dwellings per annum between 2011 and 2016.

Whilst completion rates have recently been fairly robust in the face of a challenging economic climate the Borough has not achieved this level of completions set when the market was significantly more robust. In the light of this the additional buffer figure of 20% has to be applied as this reflects the under-delivery against the current Core Strategy target in Policy CS1.

Components of the calculation

This section explains in more detail the components of the housing land supply calculation incorporating the various data sources and assumptions explained above. This can be split into two parts: housing target; and housing land supply.

Housing Target

Table 1 summarises the calculation of the borough’s five year housing target. This has been calculated at 8,612 for the period 2013-18, equating to 1,722 dwellings annually over the five year period.

Table 1: 5 year housing target

Housing Target for the next 5 years (2013-2018)	
Adopted Core Strategy figure (<i>pro-rata</i> for 2013-2018)	3500
+ 20% buffer (for persistent under-delivery)	700
+ shortfall	4412*
FIVE YEAR HOUSING TARGET	8612

The table also refers to a *shortfall of 4,412 dwellings. The shortfall is calculated from the start of the Plan period to the time of calculation (2006-2013). The shortfall itself comprises the difference between the number of homes that should have been built and those that have been built over this period. The number of homes that should have been built (i.e. the housing target for 2006-2013) is 8050². The number of homes that have been built is 3638. The Council's shortfall is therefore 4412.³

Housing land supply

- Table 2 sets out the calculation of the Borough's supply of deliverable sites. This generates a gross figure of 4,874 dwellings (877 per year) to be delivered over the next 5 years (considered 'deliverable' under paragraph 47 of the NPPF). The basis for the assessment was an analysis of existing commitments at April 2013, carried out by the Business & Development Planning Unit. This includes:
 - Dwellings with planning permission under construction (Appendix 1)
 - Dwellings with planning permission but not started (Appendix 2)
 - Allowance for small windfall sites (0.1 hectares or less) based on historic performance, estimated to be approximately 40 dwellings per year
 - A discount of 10% for non-implementation

Table 2: Summary of 5 year deliverable land supply

Housing supply for the next 5 years (2013-2018)	
Dwellings under construction (Appendix 1)	529
Dwellings with planning permission not yet started but deliverable within 5 years (Appendix 2)	4145
Windfall allowance	200
Sub total	4874
Minus 10% for non implementation ⁴	-487
TOTAL SUPPLY	4387

This calculation excludes the remaining site allocations within adopted plans that do not have planning permission at April 2013, and those sites with a planning approval subject to the signing of a section 106 agreement (otherwise known as 'resolution to permit'). This is because some uncertainty still exists regarding exactly when these sites will be brought forward or 'delivered'.

Five year housing land supply calculation

In summary, with a 5 year housing target of 8,612 (1722 homes/yr) and a supply of 4,387, the Council currently has a housing supply to deliver 2.5 years worth of the 5 year target as required by the NPPF ($4,387/1,722 = 2.5$).

² *Pro rata* calculation based on the adopted Core Strategy and policy CS1 that sets the annual housing trajectory:

2006-2011: target of 6650 based on 1330 dwellings per year + 2011-2013: target of 1400 based on 700 dwellings per year = 8050

³ $8050 - 3638 = 4412$

⁴ It is assumed that not all the existing commitments will come forward as forecast, as some schemes expire before they commence. The 10% figure is a notional, but recognised, discount.

**TWC/2014/0932 1 Cloisters Way, St. Georges, Telford, Shropshire, TF2 9FY
Erection of black metal hooped railings to front of the property and closed
boarded timber gates to rear of property (Retrospective)**

APPLICANT

Ellis Davies

RECEIVED

22/10/2014

PARISH

St. Georges and Priorslee

WARD

Priorslee

OFFICER

Diane Ferriday

CLLR V FLETCHER HAS REQUESTED THIS APPLICATION BE DETERMINED BY MEMBERS OF PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Access/highway issues

PROPOSAL:

This full planning application seeks retrospective permission for the erection of black metal hooped railings to front of the property and closed boarded timber gates to the rear of property at Cloisters Way, St. Georges.

SITE AND SURROUNDINGS:

The application site is a detached house located at the entrance to a new residential development located at Redhill Claypit at the southern end of Redhill Way. It is the first house on the left set within a good sized plot and accommodates a detached house and detached double garage; it is brick finish with white upvc windows and doors with canopies above. To the east side and south rear is woodland.

Vehicle access to the property is to the rear of the property via a tarmaced area shared with 3, 5 and 7 Cloisters Way and has allocated parking spaces. Along the rear boundary of the property are double timber gates and timber fencing 1.8m high.

The estate is open plan to the frontages with fencing bordering the rear gardens.

SUMMARISED CONSULTATIONS:

Standard consultation responses:

St. Georges & Priorslee Parish Council: Please note that at the time of writing the report the Parish had requested an extension of time to make comments as they do not meet to discuss this application until the 20th November, therefore an update will be given to Members prior to the Planning Committee. However they have indicated that the application has caused some controversy with neighbours who have additionally approached the Parish Council for support.

Shropshire Council – Building Conservation: No comment

Shropshire Fire Service: No comment

Neighbour consultation responses:

Following consultation two letters of objection have been received from neighbouring residents; one is in support of the fencing to the front for safety reasons but objects to the rear works and the reasons for objection have been summarised below:

- In moving the original fence line the applicant has inhibited all residents' (included themselves) capacity to utilise the private shared area in manner which allows compliance with the highway code.
- It prevents us accessing the designated car parking places and be able to egress safely from them.
- the gates have been installed intruding into the brown hatched area restricting access
- Comments made by the other three property owners should be the only ones considered.
- object to the granting of retrospective planning permission as work completed prior to date stated in application form.
- application does not include a request for retrospective planning permission for the screen fence erected to the left of the applicant's gates.
- height of the originally installed fence panels to the left of are now are in excess of 1.8m in height (and are visibly higher than the height of the current installed gates) and have not been included in the applicant's retrospective application for planning permission. The fence obstructs visibility and causes encroachment onto other residents parking bays.
- the original boundary afforded protection of the applicants children to the rear elevation of the building by means of a screen fence and single width gate; the fence and gate does not afford the applicants children any greater protection than the originally installed fence and gate
- the currently installed gates have not been aligned with the Private Shared Access boundary and hence the applicant has taken Private Shared Access space for his sole use contrary to the transfer plan.
- the actions of the applicant results in our deeds and plans no longer correctly reflecting the extent of the Private Shared Access; the gates inhibit the applicant from accessing his allocated parking space behind the gates as evidenced by the applicant routinely parking in the Private Shared Access space denying access to other residents to the full extent of the Private Shared Access space.
- The local Authority granted the developer permission to build in line with robust, comprehensive policies that set out the quality of development for the area; the application under consideration would move substantially from the intended aims of the original planning permissions and would Impede the intended functioning of a private shared area with a detrimental impact on other residents into the future; diminish the sense of place and the design of the streetscape in the Cloisters, opening up the possibility of other residents

following the applicants lead; reduce the overall visually attractiveness of the private shared space and would open the door to other inappropriate landscaping and potential boundary reconfiguration by other residents.

In addition 6 letters of support were received summarised below:

- Happy for the fence to stay, it looks attractive around the gardens and causes no issues to any of the public.
- There is no justification why any other residents would be impacted at all by this fence; it has always been there since the commencement of the development.
- The fence in question fits in with the surrounding area and is well made and designed. It is also very beneficial because of the very busy road and the fact that there is a young child living at that address.

RELEVANT HISTORY:

TWC/2010/0152 Reserved Matters for the erection of 337 dwellings, NEAP, Balancing pond, associated highway and landscaping works RMG 13/5/11

RELEVANT POLICIES

National Planning Policy Framework (NPPF)

Core Strategy:

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS:

In terms of local policy, 'saved' policy UD2 of the Wrekin Local Plan 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 of the Core Strategy, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment.

Metal Fencing to Frontage

The applicant purchased the property, formally the show home for the site and at that time the black metal fencing was erected; this was passed onto the applicant by Taylor Wimpy. The applicant states that prior to this there was no clear definition of what were their land and the councils, who maintained what and what rights the applicant had over their front garden. Upon moving in a problem occurred with people walking across their garden to cut through to waste council land, directly passing in front of their bay window; in addition they suffered from dog mess due to the confusion of people thinking that their land was in fact open land. More importantly to the applicant and the main reason for the fencing is for the safety of

their child who has hearing problems and would be unable to hear traffic which at present is worse due to construction traffic. They feel it would be dangerous for her to not hear where traffic was coming from and the removal of this fence would jeopardise her safety especially as a toddler; this concern has been supported by a letter from the Shropshire Sensory Inclusion Service. It is acknowledged that the fencing to the front creates a safe environment whilst building work continues on the site as the child is unable to hear traffic noises. This type of fencing is evident elsewhere within the site being erected around a pond and to the front of another show home and is an exact match.

The application site is important in the fact that it is in a prominent location when entering the development site where it is evident that open plan frontage is the ongoing theme; however the fencing is not solid timber and low in height which lessens the visual impact and when weighing up the harm it is not considered to be of significance to justify refusal.

Gates to rear

To the rear is a shared vehicle access for No.s 1, 3, 5 and 7 The Cloisters. This access runs along the rear with parking spaces and turning point. The applicants have erected double gated driveway gates and timber fencing approximately 1.8m high along the south west boundary; the reason being that the gates are to keep their private driveway exactly that "private " as it was being used by other residents to turn their vehicles around. They maintain that their gates are not restricting anybody's access or jeopardising the safety of others. The applicants still have 6m reversing space as the gates open inwards; in support of the above an email has been submitted from a representative of Wimpy Taylor confirming that No's 3, 5 and 7 the Cloisters have a right of access up to where the gates are positioned but not beyond. The parking bays are designed to have 6m directly behind to allow the cars to reverse out of the bay and then pull away into the highway.

Impact on amenity

The Local Planning Authority has considered the objections raised, many of which relate to issues with manoeuvrability within the shared vehicle access area to the rear with the submission of documents, photographs and video; the works has resulted in a dispute between the applicant and neighbours in respect of shared land ownership. When considering this retrospective application the LPA judge the scale, design and appearance of the works and how it relates to the context in addition to the impact on the amenities of residential properties and parking arrangements; it cannot however make a decision regarding land ownership and any disputes would be a civil matter that all parties need to challenge.

The application includes a block plan (Drawing no CR-02) proposing the repositioning of the timber fencing in line with the existing garden boundary as per the Taylor Wimpy site plan; this will in effect give back an area for vehicles to reverse and manoeuvre which the objectors claimed had been denied. A Deed Plan from Taylor Wimpy concurs with the proposed block plan (Drawing no CR-02). The repositioning of this fence can be mitigated through an appropriate condition and is considered a reasonable remedy towards providing a sufficient area for the reversing of vehicles and alleviate highway concerns. The gates are to remain in situ.

The rear fencing and gates are not prominent within the street scene being to the rear of properties and set back; the design and appearance closely matching the timber fencing used as rear boundary treatment for other plots within the development. It is considered that it relates positively to the context both visually and functionally according with local policy.

In conclusion; officers are satisfied that the proposed re-positioning of the rear fence will lessen the impact on other highway users; the scale, design and appearance of the front railings, rear fencing and gates do not have a significant detrimental impact to the context of the site; therefore being compliant with the guidance contained within the National Planning Policy Framework as well as that contained in local policy UD2 of the Wrekin Local Plan and policy CS15 of the Core Strategy and the application is therefore recommended for approval.

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

1. C38 Development in accordance with plans
2. CCus Re-positioning of fence

TWC/2014/0940 Site of Hollinswood Local Centre, Hollinswood, Telford, Shropshire Redevelopment of Hollinswood Local centre with the erection of an Activity Hub (Use Class D1), replacements retail units (Use Class A1 and A5), car parking and creation of new public square following demolition of existing shops and maisonettes

APPLICANT

David Middlemiss

RECEIVED

21/10/2014

PARISH

Hollinswood and Randlay

WARD

The Nedge

OFFICER

Vincent Maher

OBJECTIONS RECEIVED: None to date. Any late comments will be reported to the Committee.

MAIN ISSUES: The merits of redeveloping this site including the merit of siting an activity hub (Use Class D1) at this location; loss of housing; design issues and impact on residents; ecology; highways and traffic; impact on local infrastructure.

THE PROPOSAL:

The original application was described as:

“Redevelopment of Hollinswood Local centre with the erection of an activity hub (Use Class D2), replacement retail units (Use Class A1 and A5), car parking and creation of new public square following demolition of existing shops and maisonettes”.

The applicant has subsequently confirmed that the activity hub would fall within Use Class D1 Non-residential institution and has amended the application accordingly. Such a use would be more appropriate in a residential area than a place of assembly or leisure (Use Class D2).

The plans submitted with the application comprise a location plan, a block plan, proposed floor plans and proposed elevations for the retail buildings and the activity hub. The applicant has amended the block plan to clarify the location of two minibuss parking spaces and the indicative location of 12 cycle stands.

The application involves demolishing a parade of shops with three flats above and a pub (currently 282 square metres) to provide a redevelopment that would create two distinct single storey blocks set around a central space.

The westernmost of the two buildings would comprise four shops including a larger replacement supermarket, along with new premises for the existing hot food take away shop, hairdresser and pharmacy. The second building - a 320 square metre activity centre - would provide a local facility for people with learning difficulties. It would be laid out as three activity rooms, a kitchen, a small office and personal care/ WC facilities.

Indicative materials are shown on the supporting design and access statement. The buildings would be brick built using a form found on surrounding buildings. 49 car parking spaces are proposed in a communal layout, ten of these will be disabled access and marked out in a way that they are not currently shown on the site. The application form states that provision will be made for 12 cycle parking spaces. Overall, the provision of car parking appears to be of similar to the current amount.

The applicant has also submitted the following documents with this application:

- Design and access statement
- Bat activity report
- Preliminary ecological appraisal
- Tree survey
- Chemical results
- Laboratory Test Report
- N-Value with Depths Report
- Historic Ground Investigation report
- Ground Investigate Sampler Borehole Log

The applicant has stated that the redevelopment will be staged so that existing traders operating on this parade will be able to relocate without disruption to their business.

PRE-SUBMISSION CONSULTATION:

Prior to submitting the application, the applicant states that a public meeting was held to discuss the proposal. The applicant reports that 120 people attended the event and the following comments were reported:

- *Most respondents feel the regeneration will be positive.*
- *Most are happy with the current mix of shops but a high portion would welcome additional businesses.*
- *There is demand for a post box to be included in the scheme.*
- *The entrance proposal has general support as long as it is safe and the scheme provides for wheelchair access.*
- *Comments relating to car parking generally state that numbers look high but there is demand for additional parking as parents of the school use the Centre during peak times.*
- *The inclusion of the residential element of the scheme is marginally rejected due to the loss of valuable green space and no perceived need. Supporting comments relate to possible private ownership opportunities and being tailored to meet disabled requirements.*
- *Support for ALD inclusion in scheme, though reservations relating to who will use the centre.*
- *Support for and against the removal of the Woodcutter pub.*
- *Comments relate to the late hour of consultation and whether there will be additional opportunities to comment.*
- *Design suggestions to be passed to the design team.*

- *Questions raised as to whether money could be better spent.*

SITE AND SURROUNDINGS:

The application site lies at the centre of the relatively low density Hollinswood neighbourhood which was developed in the 1970s as part of the Telford New Town project.

The site, in combination with the adjacent health centre and community building, forms a distinct local centre. The Woodpecker public house that forms part of the application site has been closed and is displaying some signs of dereliction. The retail parade can be said to be in a poor state of maintenance.

Dale Acre Way is located on a bus route into Telford town centre and enjoys reasonable access to public transport.

PLANNING HISTORY:

TWC/2014/0979 - demolition determination – it was determined that a prior approval was not required.

PLANNING POLICY CONTEXT:

National Planning Policy Framework (the NPPF) – the NPPF is not the development plan for Telford and Wrekin but it is a material consideration in this case because all of the borough's development plan policies have to be reviewed in the light of this national advice. NPPF advice on design and the provision of community infrastructure are pertinent to this case.

Saved Wrekin Local Plan policies

Policy UD2 – Design Criteria

Policy UD3 - Urban Design Assessments

Policy UD4 – Landscape Design

Policy S25 – New Local Centres and Local Shops

LDF Core Strategy policies

Policy CS1 – Homes

Policy CS5 – District and Local Centres in Telford

Policy CS8 – Regeneration

Policy CS9 – Accessibility and Social Inclusion

Policy CS10 – Community Facilities

Policy CS15 – Urban Design

SUMMARY OF CONSULTATION RESPONSES:

Hollinswood & Randlay Parish Council – welcomes replacement shops and activity hub. Central square and car park arrangements an added advantage. However, concerned that no first floor accommodation over retail units which will have financial impact on scheme. Disappointed that no community gain for the Parish Council as tenants of property. Solar panels proposed for new buildings should also have been included on Neighbourhood Centre.

Ecology – none received

Drainage - Proposed activity hub located within easement of a public surface water sewer and a large diameter public combined sewer. Serious implications on site that will need to be agreed with Severn Trent Water (STW). If STW will not permit the construction of this building an alternate site layout must be provided. Request a condition confirming STW will permit construction of the proposed activity hub within the easement of their infrastructure.

Surface drainage condition recommended too.

Parks and Open Spaces - note absence of landscape detail, ask how public realm will be managed.

Arboricultural Services – comments to follow.

Contamination Land (Environmental Health) - comments to follow

Urban Design – comments to follow

Severn Trent Water (STW) - no comments received so far.

Highways – comments to follow.

Local residents and businesses

27 adjoining residents and local organisations were consulted. No observations received at the time of writing.

PLANNING CONSIDERATIONS:

This planning application raises the following main issues:

- The principle of regenerating Hollinswood district centre including the suitability of a non-residential institution (Use Class D1) on the site;
- The principle of the loss of housing at this location;
- Design issues and impacts on neighbouring residents;
- Impacts on landscape/ ecology;
- Highway/ parking impacts; and
- Impacts on Severn Trent Water infrastructure assets.

Principle of regenerating Hollinswood district centre and suitability of a non-residential institution (Use Class D1)

There is clear planning policy support for the regeneration and the mix of uses proposed at this application.

Core Strategy Policy CS8 gives broad support for regeneration initiatives including on some of the early Telford New Town housing estates. Core Strategy CS9 seeks to promote accessibility and social inclusion through the promotion of sustainable forms of transport and locating services in existing centres. The provision of a new non-residential institution is appropriate at this location because of its relatively good levels of connectivity to other services and public transport.

The re-provisioning of new retail development and a marginal increase in retail

floorspace at this centre is not in conflict with Local Plan Policy S25 which supports the provision of new shops of a size and scale related to the needs of the immediate communities. The overall increase of floor area in the supermarket is marginal and could not be said to impact on any other centre in the borough. There is merit in providing more floorspace for the existing retail operator on the site.

Loss of housing

The proposal will result in the loss of three flats. Core Strategy CS1 seeks to deliver more housing across the borough. The NPPF also attaches great importance to councils boosting the supply of new housing. In theory, this site merits consideration for more intensive development including for housing because it is on a bus route. The applicant is aware of the planning merits of promoting new housing here and was asked to consider this at pre-application stage but has advised that was not an economically viable solution at this site. Overall, it is concluded that the loss of three flats has minimal impact on the future housing supply across the borough and permission should not be withheld on this ground.

Design issues and impacts on neighbouring residents

The two new single storey buildings around a central space designed with a palette of materials which respects the surrounding 1970s built form would sit well in their context. The introduction of solar panels represents a welcome addition and the generation of some on-site energy is consistent with sustainable development principles in the NPPF. Planning conditions will address detailed matters such as the choice of materials.

The proposal performs well when assessed against Local Plan Policies UD2 and UD3 and Core Strategy Policy CS15. The level of soft and hard landscaping shown is sparse but could be addressed by a condition to ensure compliance with Local Plan Policy UD4.

Impact on ecology

The applicant has submitted a preliminary ecological appraisal and a bat survey with the application. The ecological appraisal confirms that that the development will not have an impact on any statutory or non-statutory sites but recommends the inclusion of habitats suitable for nesting and foraging birds. The bat survey identifies that the site is likely to be used by foraging bats and recommends that bat boxes be incorporated into the development.

Highway and traffic issues

The highway authority has not objected to the parking layout or any other aspect of the proposal on highway safety grounds. The same access point will be retained. The highway officers' comments will be reported to the Committee.

The application states that cycle parking provision will be made and has indicated where this is likely to be provided. It will be necessary to impose a condition to this effect. The activity hub will have on site facilities for showering and changing and some staff/ patrons may therefore choose to cycle to the site.

The provision of marked out disabled parking bays is a marked improvement on the current layout on the site.

Appropriate drainage controls are also proposed.

Impacts on local infrastructure

The presence of the Severn Trent Water (STW) pipeline infrastructure is a significant constraint on the location of the new buildings and has significantly shaped the footprint of the development. The council's drainage adviser states that the new building would be located within STW easement and STW's approval would need to be secured before this scheme is implemented.

The pipelines are not a hazardous installation and, thus, the feasibility of building on or close to an STW easement is not strictly a planning matter. If STW withhold permission to construct within their easement, then it will be necessary for the applicant to re-apply for planning permission. The applicant states that negotiations with STW are ongoing on this matter.

Conclusions

This is a modest scheme which seeks to redevelop a failing shopping centre and provide new services and a community facility that respects its surrounding context. A number of conditions have been proposed to ensure it is designed appropriately and to ensure that traffic, drainage and ecological impacts are mitigated.

Recommendation to Planning Committee: to GRANT PLANNING PERMISSION subject to the following conditions:

1. Time Limit
2. Details of materials
3. Samples of materials
4. On site construction
5. Brownfield run off rates
6. Custom drainage condition
7. Cycle parking for 12 stands
8. Landscaping design
9. Bird boxes
10. Bat boxes
11. Submitted Plans - deposited plans and supporting documentation

Informatives:

I40 - Conditions

I41 - Conditions

RANPPF - Approval – National Planning Policy Framework

**TWC/2014/0960 183 Woodside Road, Ketley, Telford, Shropshire, TF1 5WT
Erection of a porch to the front of the property**

APPLICANT
Kuldip Sahota

RECEIVED
29/10/2014

PARISH
Ketley

WARD
Ketley and Oakengates

OFFICER Tom Carruthers

OBJECTIONS RECEIVED: No

MAIN ISSUES: Scale and design

THE PROPOSAL:

Erection of a porch to the front of the property. The new porch will be infilling what is already there. There is no increase in the footprint of the property. The porch will not be going out any more than the existing canopy. The porch is to be 2.06m in width and 0.85m in depth. The height does not exceed 3m and the porch is not within 2m of a highway.

SITE AND SURROUNDINGS:

The application property is a large brick and tile built, 2 storey detached property On Woodside Road, Ketley which is within the urban area of Telford.

The site is within a modern housing estate that was originally given consent in 1996

The majority of the dwellings in the immediate vicinity are detached though there are a few semi-detached close by on Woodside Road. The properties are mostly within similar size plots.

PLANNING HISTORY:

W2003/0055 Erection Of A Conservatory To Rear Of Property Full Granted
06/03/2003

W2003/0657 Erection Of A First Floor Side Extension And Conservatory To Rear
Full Granted 31/07/2003

PLANNING POLICY CONTEXT:

National Planning Guidance:
National Planning Policy Framework

Wrekin Local Plan:
UD2 Design Criteria

Core Strategy:

CS15 Urban Design

CONSULTATION RESPONSES:

Ketley Parish Council: No Response

Shropshire Fire: No Response

Ecology: Recommend Informative

Neighbourhood Consultation

No representations have been received:

PLANNING CONSIDERATIONS:

The property is a residential property on a modern housing estate in the urban area of Telford.

The proposal is to enclose the existing canopy area to create a porch. It is well designed and of an appropriate scale and mass to be in keeping with the original dwelling. The porch doesn't detract from the street scene.

The size and position of the porch is such that there is no impact on neighbouring properties in terms of overlooking and loss of privacy.

The proposed development would normally be considered as Permitted Development however, in this case, planning permission is required as when the property was originally given consent (our reference W96/0750), permitted development rights were removed.

Officers consider that the design of the porch is of a high quality and would not detract from the street scene and therefore complies with policy UD2 of The Wrekin Local Plan and CS15 of the Core Strategy.

During the consultation period, the Council's Ecology officer requested that an informative regarding trenches and pipework be placed on any decision notice. As the base of the porch is already in place, no other ground works are necessary, therefore, this informative does not need to be put on the decision notice.

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

1. A04 Time Limit
2. C002 Materials as details submitted
3. C38 Development in accordance with plans

Informatives

1. I40 Conditions
2. I41 Reason for Grant
3. RANPPF1 Approval - National Planning Policy Framework.