

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 30 May 2012 at 6.00pm in the Reception Suite, Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher, R T Kiernan, J Loveridge, , S A W Reynolds, R J Sloan (as substitute for Councillor G C W Reynolds), M J Smith, C R Turley

**ALSO PRESENT:** Councillors G M Green (for planning application TWC/2010/0771) and J M Seymour (for planning application TWC/2012/0255)

#### **PB-001 MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on Wednesday, 16 May 2012 be confirmed and signed by the Chairman

#### **PB-002 APOLOGIES FOR ABSENCE**

Councillor G C W Reynolds.

#### **PB-003 DECLARATIONS OF INTEREST**

Councillor C R Turley declared a personal interest in planning application TWC/2012/0283.

#### **PB-004 DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PB-005 SITE VISITS**

The Development Management Manager advised Members that an application relating to proposals for Land at Arleston (application reference TWC/2012/0240) was scheduled for consideration at the next meeting of the Plans Board and it would be prudent to undertake a site visit at that location in order to avoid unnecessary delay in determining the application.

#### **RESOLVED** – that: -

(a) the following applications be deferred for Site Visits to take place on Wednesday, 20 June 2012:

1. TWC/2012/0219 – 2.30pm – 8 High Street, Hadley, Telford, Shropshire, TF1 5NL
2. TWC/2012/0240 – 3.00pm – Land at Arleston, Telford, Shropshire
3. TWC/2010/0771 – 4.15pm – 9 Park Street, Madeley, Telford, Shropshire, TF7 5LA; and

(b) that determination of planning application TWC/2012/0145 be deferred to Wednesday, 11 July 2012 to allow the Board Members to make a Site

**Visit and to allow time for the Planning Officers to further negotiate with the applicant regarding design elements relating to Station Field properties.**

**PB-006      PLANNING APPLICATIONS FOR DETERMINATION**

Members had received a schedule of planning applications to be determined by the Board and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2012/0059, TWC/2012/0145, TWC/2012/0219, TWC/2012/0283 and TWC/2012/0327.

(a)            TWC/2010/0771 9 Park Street, Madeley, Telford, Shropshire, TF7 5LA

This proposed development sought planning consent for the demolition of a detached dwelling and the erection of a row of four terrace properties fronting Park Street Madeley. Councillor G M Green, Ward Member, had requested that the application be determined by the Plans Board.

Councillor G M Green spoke to oppose the proposals, primarily on the basis of community cohesion and access. Councillor Green further considered that the current proposals represented an overdevelopment of the site, which in her opinion could only accommodate three properties, not four, and invited Members to undertake a site visit.

The Planning Officer drew Members' attention to the detailed proposals in the report and the comments from the Highways Engineer to reduce parking provision to 7 spaces. She advised that the proposals were in a sustainable area with a bus route and could be sited without detriment to the existing or proposed residential amenities. The Planning Officer illustrated her comments by referencing Google Maps with Street View.

Councillor N A Dugmore proposed, seconded by Councillor I T W Fletcher that Members undertake a site visit and, on being put to the vote, four Members voted to defer the application for a site visit and four voted against. This being the case, the Chairman exercised his casting vote in favour of a site visit.

**RESOLVED – that determination of planning application TWC/2010/0771 be deferred to allow the Board Members to make a Site Visit.**

(b)            TWC/2012/0059 Land at Brodie House, Central Square, Telford, Shropshire

These proposals sought outline planning permission, with all matters reserved, for the demolition of existing buildings and footbridge over Grange Central, and development of a mixed use proposal with a cinema (Class D2), retail and food and beverage units (Class A1, A3, A4 and A5), and a pedestrian link between Red Oak car park and Central Square, within Central Square, Telford Town Centre. An update report was tabled which set out suggested changes to conditions and quoted a letter of support received from Odeon Cinemas.

Ms G Bunting, the Applicant's Agent, spoke in support of the proposals, principally focussing on the improvements that the development would bring to this neglected part of the Town Centre, particularly relating to improved linkages to the bus station, car parks and taxi ranks. Ms Bunting also highlighted the letter of support from Odeon Cinemas.

The Planning Officer further outlined the proposals set out in the report and explained the relationship with current planning policy, particularly CTAAP, which was fully detailed in the report. In addition, the Planning Officer summarised the consultation responses received.

Councillor N A Dugmore expressed concern at the removal of the footbridge and sought clarification of the term "at grade" in relation to the pedestrian crossing. The Planning Officer advised that the pedestrian crossing would be at highway level. Councillor Dugmore responded with concern that such an "at grade" pedestrian crossing was a retrograde step in the proposals which would be unsafe for use by cinema-goers during peak periods such as Christmas or the summer blockbuster season. Councillor Dugmore then asked whether the proposed "drop off zone" referred to private use or taxis only. The Planning Officer advised her understanding that it was intended for taxis only but such details were reserved matters at this stage. Councillor Dugmore expressed further concerns regarding the increased demand on town centre car parks and expressed doubts that there was sufficient demand in the town to support two cinemas in close proximity. He concluded by asking for the applicant to consider use of the drop off zone for all cinema users and to carefully consider the use of building materials.

Councillors R J Sloan and S R W Reynolds were both supportive of the proposals, noting that the area was currently poor public realm and welcomed the exciting proposals to increase the vibrancy of the area and generate employment opportunities. Councillor Reynolds sought clarification that the Asda car park would be retained. The Planning Officer advised that users would have a choice of town centre car parks.

Councillor I T W Fletcher expressed concerns regarding the demolition of the footbridge and replacement with an at grade pedestrian crossing, reminding Members that over 1500 employees were based at nearby Matheson House who would seek to use the crossing at lunchtimes and furthermore that the pedestrian crossing may prove unsuitable for disabled users. He shared concerns with Councillor Dugmore that, following the recent permission given for a cinema at the nearby Southwater site, a second cinema would not prove viable and he believed that the application should be deferred for a viability study.

The Planning Officer reminded Members that the cinema was not an additional cinema to existing and planned provision, but rather that the current Odeon Cinema would relocate to the site. She also advised that the Council's Highways Engineer was satisfied with the provision of an at grade pedestrian crossing, although the type was a reserved matter. The Development Management Manager informed members that permission should not be refused purely on a viability basis.

On being put to the vote it was, by a majority:

**RESOLVED** – that with respect to planning application TWC/2012/0059 planning permission be granted subject to:

- (a) the applicants entering into a Section 106 Agreement for
1. Travel Plan Monitoring Contribution - £5,000 paid on first occupation of the development.
  2. CTAAP Highways Contribution – This will be paid on first occupation of the development. The contribution shall be the lesser of:
    - i. £584,765 (this maximum has been calculated on the basis of the theoretical mix of developable floorspace permitted by the outline planning permission which would result in the highest CTAAP contribution); and
    - ii. A sum calculated in respect of the actual mix of floorspace to be constructed pursuant to the outline planning permission for which approvals are issued to the outline planning permission calculated in accordance with CTAAP's policies on Highways Contributions. Such sum shall be agreed between the owner and the Council before the commencement of the development.
  3. Public Art – The owner shall provide Public Art to a value of no less than £25,000 within the development or other land within its control within Telford Shopping Centre. The precise nature of the work or works of art and location(s) to be approved by the Council before first occupation of the development and then provided no later than one year from first occupation of the development.
  4. S106 Monitoring Contribution - £5,000 paid on commencement of the development.; and
- (b) the conditions as set out in the report except:-
1. Deletion of Condition 17 - requirements for installation of a Sprinkler System as this is covered under Building regulations;
  2. Amendment of Condition 22 so that the development accords with the maximum and minimum parameters; and
- (c) the Development Management Manager be authorised to negotiate the exact wording with the applicant regarding Condition 13 - Car Park Management Plan.
- (c) TWC/2012/0255 6 Crofters View, Little Wenlock, Telford, Shropshire, TF6 5AU

This was a proposed loft conversion, which sought planning permission for the insertion of 1 dormer on the front elevation and 3 dormers to the rear, and a new window on the south west side elevation. Councillors R T Kiernan and J M Seymour, Ward Members, had requested that the application be determined by the Plans Board.

Councillor J M Seymour, Borough Ward Member, spoke to oppose the application on behalf of residents at numbers 4 and 5 Crofters View on the grounds of overlooking and loss of privacy. She expressed concern that approval for the dormer windows on the side elevation would set a precedent, that the room should have sufficient light from the three other windows and suggested that at the least, the window size

should be reduced and/or consist of frosted glass as she considered obscure glazing to be insufficient.

Mr E Dixon, local resident, also spoke to oppose the application. He had submitted additional plans which he referred to during his presentation. He considered that the proposed window would overlook neighbouring properties due to the proximity and elevated position of the site and furthermore represented an imposing and invasive development which would affect the quality of life of families at Numbers 4 and 5 Crofters View. He also raised visual impact, loss of trees and loss of privacy and contended that the proposals were out of character in the cul-de-sac. If Members were minded to approve the application, he sought a condition for frosted glass but urged Members to undertake a site visit before reaching a decision.

The Planning Officer reminded Board Members that the dwelling benefitted from permitted development rights and as such a window on the side elevation did not require consent. Extensive negotiation had taken place with the applicant to reduce the size of the window and secure agreement to a condition for the window to be fixed and obscure glazed.

Councillor R T Kiernan proposed, seconded by Councillor N A Dugmore, that determination of the application be deferred to allow the Board Members to make a Site Visit but, on being put to the vote, this was not agreed.

Councillor R J Sloan noted the Planning Officer's advice regarding permitted development rights and Councillor S A W Reynolds considered that the proposed window was not overly large and applauded the Planning Officer's negotiations in this respect. Councillor Dugmore considered that if the application was approved, the obscure glazing should be of the greatest possible opacity to mitigate the concerns of the neighbours.

**RESOLVED – that with respect to planning application TWC/2012/0255 planning permission be granted subject to the conditions as set out in the report and further subject to condition ensuring that obscure glazing is of the greatest possible opacity.**

(d) TWC/2012/0283 Telford Skating Rink, Telford Town Centre, Telford, Shropshire

This was a Council application seeking planning permission for the construction of an outdoor skating pad for a temporary period of 4 months whilst the established ice rink was extended and refurbished. It was envisaged that the skating pad would be in situ during the summer months whilst the works were undertaken.

Reverend A Smith, Chair of the Meeting Point Trust Limited spoke as a member of the public to oppose the application on the grounds of increased noise and access. He acknowledged that the area was already public open space but considered that the temporary siting of the ice rink would create greater disturbance and increased noise. He advised the Board that the Trust had lost custom over the previous year due to disruption from nearby building work and, as further construction work was anticipated, this would be likely to continue and would be exacerbated by these

proposals. He had been told that the position of the pad could be reviewed after three weeks and, if there was too much noise, the pad could be relocated. He therefore asked for the pad to be positioned at this unspecified alternative site from the outset. Mr J Harrower from the FairShare Credit Union also spoke to echo these concerns, highlighting the proximity of the pad to the FairShare offices, the potential for obstruction of access and egress to the office and reduced disabled access. He was also concerned that permission was sought for a six month period and that granting permission for a temporary pad at this location would set a precedent for future use.

The Planning Officer reminded the Board that the site was an existing thoroughfare in an public open space and that Officers had sought to mitigate the potential impacts through condition, specifically no music to be played. It was anticipated that the pad would be used by younger children, rather than teens. She informed the Board that it was anticipated the work on refurbishing the Ice Rink would be complete by September but permission had been sought for a temporary pad for six months in case the works over-ran. She advised that there was extremely limited scope for alternative sites for the Ice Rink and the siting of a pad was restricted to the area nearby. The Planning Officer also referred Members to the update report tabled at the meeting which set out an additional consultation response.

Councillor S A W Reynolds referred to the intimation that the site would be reviewed after 3 weeks and believed that such a review likely referred to an assessment of layout of the site, such as the addressing queuing mechanisms at the kiosk rather than a relocation of the pad as a whole. She considered that the site was already well used by the public and would not, therefore, significantly increase ambient noise. She considered that the need to keep a skating facility for the children of Telford outweighed the concerns raised and Councillor R J Sloan echoed this sentiment.

Councillor N A Dugmore considered that, if the Council wished to provide temporary ice-skating facilities at this site during the refurbishment of the established rink, action should be taken to mitigate against any potential detriment to users of Meeting Point House. In this regard, he considered that there were issues around the appropriateness of the requested opening hours, the proposed position of the kiosk and that, as well as there being no music played, loud speakers should be prohibited.

Councillor I T W Fletcher considered that, due to the proximity to Meeting Point House, the Library and FairShare Credit Union, the proposed site was inappropriate and would restrict access to those buildings. He was also concerned as to how the site would be secured from unauthorised use outside the opening hours.

The Planning Officer advised that the site would be securely fenced in the evenings. The Development Management Manager suggested that, if members were minded to approve the application, an additional condition could be included to preclude the use of loud speakers.

On being put to the vote it was, by a majority:

**RESOLVED** – that with respect to planning application TWC/2012/0283 planning permission be granted subject to the conditions as set out in the report and further subject to a condition stating that no loud speakers be used.

(e) TWC/2012/0327 Cemetery Lodge, Linden Avenue, Shropshire, Telford, TF1 1QR

This Council application sought planning permission for an extension to the existing Wellington Cemetery to meet the needs of the local community and to provide additional capacity for burials to take place at the cemetery site.

The Planning Officer referred Members to the update report tabled at the meeting which set out additional consultation responses.

**RESOLVED** – that with regard to planning application TWC/2012/0327 the Development Management Manager be authorised to grant planning permission subject to comments received from the Environment Agency and further subject to the conditions as set out in the report.

The meeting ended at 7.14pm

**Chairman:** .....

**Date:** .....

# TELFORD & WREKIN COUNCIL

## PLANS BOARD

20/06/2012

Schedule 1 - Planning applications for determination by Board

<b>TWC/2010/0771 9 Park Street, Madeley, Telford, Shropshire, TF7 5LA</b> Erection of 4no two storey terrace dwellings with private gardens and parking following demolition of existing dwelling ***Amended plans received*** .....	<b>2</b>
<b>TWC/2012/0075 Land off, Concorde, Dawley Bank, Telford, Shropshire, TF4 2QB</b> Change of use from scrubland to raised bed allotments, erection of a secure boundary fence and gate, improved access with dropped kerb, disabled parking and a dry eco toilet container unit ***AMENDED PLANS RECEIVED*** .....	<b>9</b>
<b>TWC/2012/0103 Land off, Grooms Alley, Wellington, Telford, Shropshire</b> Erection of 40 dwellings with associated roads, access, sewers and external works .....	<b>15</b>
<b>TWC/2012/0219 8 High Street, Hadley, Telford, Shropshire, TF1 5NL</b> Change of use from sui generis youth project centre to D1 use *****Amended Description/ Plans Received***** .....	<b>23</b>
<b>TWC/2012/0240 Land at, Arleston, Telford, Shropshire</b> Outline planning permission for the erection of up to 103no. new dwellings (Use class C3) and 50no. extra care housing units (Use class C2), Provision of 2no. new access roads and associated drainage, open space and landscaping.....	<b>36</b>
<b>TWC/2012/0261 Land off, Wrekin Course, Wellington Road, Wellington, Telford, Shropshire</b> Construction of a new carpark with 40 spaces and hardstanding to site a mobile cafe (Amended plans received) .....	<b>72</b>
<b>W2008/0473 Former Dale End Garage, Dale Road, Coalbrookdale, Telford, Shropshire.</b> Erection of 10no. dwellings; comprising 6no. two bedroom apartments, and 4no dwellings, with associated works and access ***AMENDED DESCRIPTION AND PLANS*** .....	<b>80</b>

TWC/2010/0771

9 Park Street, Madeley, Telford, Shropshire, TF7 5LA

Erection of 4no two storey terrace dwellings with private gardens and parking following demolition of existing dwelling \*\*\*Amended plans received\*\*\*

**APPLICANT**

Mr Roy Timmins

**RECEIVED**

10/12/2010

**PARISH**

Madeley

**WARD**

Madeley

THIS APPLICATION WAS CONSIDERED BY MEMBERS ON THE 30<sup>TH</sup> MAY AND DEFFERED FOR SITE VISIT.

OBJECTIONS RECEIVED: YES

CLL G GREEN HAS REQUESTED THAT THIS APPLICATION IS DETEREMINED BY MEMBERS OF PLANS BOARD.

Main issues: Demolition of dwelling, principle of new development, residential amenity, character and visual amenities, parking and highway safety.

**PROPOSAL:**

The proposed development seeks planning consent for the demolition of a detached dwelling, and the erection of a row of four terrace properties fronting Park Street Madeley. The proposed design is traditional brick and tile, including single storey porches, brick chimneys, dental eaves and feature cill and lintel details.

The properties will have individual rear gardens approximately 8m in depth; vehicle access and parking to the site is found to the rear, providing 9 spaces, 2 spaces per unit, and 1 visitor space.

**SITE AND SURROUNDINGS:**

As existing a two storey detached dwelling is located to the south of the site, fronting Park Street. The dwelling is shallow in depth, however maintains a wide frontage. The building is part rendered and part brick construction with limited architectural features. A single storey front porch is located off centre to the front elevation. A dwarf wall and railings act as the boundary to the shallow front garden separating the site from the adjoining highway. To the side, a 1.8m retailing wall and 1.8m close board fence screen the dwellings private rear amenity area. Land to the rear of the dwelling ascends quickly and plateaus to the north of the site.

Vehicle access is found to the rear of the site, through Betnall Grove to the east of the development site. Betnall Grove is a modern development of approximately 17 dwellings erected in the 1970s. the se are two storey dwellings, with very limited architectural character. The area is well landscaped breaking up the allocated parking areas and the highway. A large area of such landscaping is found adjacent to the proposed development site.

A development of a similar era is located on the opposing side of Park Street, these units however are single story flat floor dwellings, with no street frontages, and limited landscaping. No onsite parking provision for these units was provided, and as such utilise the on street parking facilities along this stretch of Park Street.

To the west of the development is a detached property dating approximately late 19<sup>th</sup> early 20<sup>th</sup> Century. This has had a few modern alterations at ground floor to provide accommodation for the retail unit at ground floor; a hairdressers currently occupies this unit. A small area of hardstanding is situated to the west of the side, allowing some offsite parking for this unit, in addition to vehicle access into the rear amenity of the hairdressers.

The site is situated within a mixed use area, although predominantly residential at this location; the site is also located on a bus route, its within close proximity to Madeley District centre, and within 100m of the boundary to the World Heritage Site and Conservation Area.

#### PLANNING HISTORY:

PE – Residential development

#### RELEVANT POLICIES

Core Strategy:

CS1 Homes

CS13 Environmental Resources

CS14 Cultural, historic and built environment

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall sites in Telford and Newport

HE25 Buildings of Local interest

OL11 Woodlands and Trees

National Planning Policy Framework

#### CONSULTATION RESPONSES

Madeley Parish Council: Madeley Parish Council has significant reservations about this proposal whilst, in principle, supporting development that appears to have been subject to careful consideration and prior discussion with planning officers. Particularly, there is concern that the proposal over-develops this small site in the number of dwellings and the required amenities. It is suggested, therefore, that this development be limited to three terraced dwellings thereby reinstating the extent of the original building footprint and allowing sufficient amenity space (gardens and car parking) for the enjoyment of the properties by occupants.

Councillor Gill Green: Objects on grounds of parking, highways access, overdevelopment of the site and potential civil legal matters regarding

access over adjacent land at Betnell Grove, owned by the Wrekin Housing trust and conflicts with tenants, owner-occupiers there. It is my understanding that formerly three terraced cottages abutting no. 10a Park Street were converted to form one large dwelling by the demolition of one cottage and the erection of a double garage to serve it: vehicle access being retained over Betnell Grove to the garage at the rear of the property. Concerns: Parking nos. to the rear of the property with difficult angular configuration for end spaces would seem aspirational and could lead to overspill onto adjacent Betnell Grove invoking civil matters etc. etc. The whole would seem an overdevelopment of the site. Whilst a proposal for reconversion/extension to three properties might have some merit, being a more accurate reflection of the original street scene, this proposal appears cramped and unsuitable. Construction phase - lack of clarity as to how this would be managed with on-street issues and access over adjacent land in WHT ownership. At least WHT might seek a financial contribution here.

It is noted that access to the developed site would be from Betnell Grove, question whether this is an adopted highway; in addition consider that this has implications for off-road parking and traffic movements. Amended plans show the elevations of the property reflect the character of the local area which has a number of mid-19<sup>th</sup> Century buildings of local interest, therefore consider it will be necessary to ensure that the roofline of the development remains subservient in its response. Design acknowledges the rise in ground levels. Boundary treatment should preserve native hedging as an appropriate screen between the site and the adjacent modern sheltered dwellings.

Highways: Concerns over limited manoeuvring due to restricted rear clearance; however for 4 x 2bed residential units would expect 5 parking spaces (1 per unit plus 1 visitor). Furthermore Paragraph 8.3.53 in Manual for Streets also states that spaces with limited manoeuvring are likely to be acceptable where traffic volumes and speeds are low. Whilst there are no specific residential parking standards locally 6 spaces meet the communal provision for 4 x 2 bed in the ex local plan; as the proposal can accommodate this, it is suggested that the parking provision is therefore reduced to 7 combining the spaces at the two ends, whilst these could be used as two spaces it would be at the individuals decision. These parking bays also measure 6m long and 2.5m wide, rather than the acceptable standards of 4.8m by 2.4m; subsequently to reduce the length of the parking bay will improve the manoeuvrability to the rear of the spaces.

Drainage: no objections subject to conditions B33, and Brownfield run off rates.

Arboriculture: originally objected due to impact on trees on the site or adjacent. As the main vehicular access 'post development' appears to be via Betnell Grove consideration must be given to this access and the trees within the hedgerow at the proposed access to the development. I do not see how any high sided vehicles (such as removal vans or service vehicles) can access these indicative plots. There is no service plan submitted with this

application. This is required to establish any RPA intrusion, to include all drainage. There are no soil levels alteration details submitted with this application. Once again this information is required to assess the impact of this development to adjacent trees. An amended tree assessment was provided, however some details are limited, therefore request additional details.

Geotechs: No objections subject to conditions. Notes that the neighbouring property is of a Victorian age and has shallow foundations, consequently the developer must demonstrate that the new dwellings will not have a detrimental affect on the neighbouring properties foundations. Condition B30 is required and informative 17

Ecology: No objections subject to informatives

Contaminated Land: no comments

Shropshire Fire Authority: No objections subject to informatives

#### LOCAL REPRESENTATIONS:

One objection has been received from a neighbouring property that raises concerns on the grounds of:

- Boundary dispute – an area of 4.65m x 1.8m is enclosed within the line edged red that forms part of the title to no 10a. This would also block access to the rear of 10a Park Street, in addition to the flat above.
- Close proximity of the building in relation to the property, due to the age built in 1900, concerned over any excavations which could effect the integrity of the building.
- Buildings will prevent maintenance of the wall, chimney and roof area.
- Loss of light to both properties. Forward of the existing building line and the rear building line.
- Madeley centre has increased traffic on Park Street, proposal will create major problems with traffic flow, adding to the already existing problems in this section of Park Street as well as the existing residence of Betnell Grove.
- Rear of building now exposed, security concerns.
- Impact of business during demolition and construction due to noise, access and parking.
- Concern over visitors parking.

Following reconsultation of amended plans:

- still concerns with regard to ownership, being addressed by solicitor.

- Owner considers a right of way across the land, however previous deeds from past owner gave right of way to 10a Park Street on her death.

## PLANNING CONSIDERATIONS

The proposed development involves the demolition of an existing dwelling; the dwelling is not within the Conservation Area or World Heritage site, nor a listed or locally listed building. The dwelling has limited architectural features and as such its loss is considered acceptable. However the building has a prominent location, and with such a wide frontage the loss of the building without a suitable scheme for the sites redevelopment would result in a gap detrimental to the street scene. Consequently it is considered that the demolition of the dwelling would only be appropriate if a suitable scheme for development was located on the site.

The proposed development will maintain a wide street frontage, erecting a row of 4 terrace properties. The consultation process has highlighted that 3 terrace properties were originally sited on the site; whilst it is unclear from the historic maps how many units were located on the site, development followed a similar footprint to that proposed. The traditional form of Park Street since the late 19<sup>th</sup> Century is one of modest buildings and cottages fronting Park Street, maintaining a strong sense of building lines with limited gaps between properties. Subsequently the sitting and form of these terrace buildings is considered acceptable.

The proposal will provide adequate amenity area to each dwelling house; these garden sizes also reflect that of the surrounding area. The orientation of these dwellings, in addition to the proposed location of amenity space will not have a detrimental impact on neighbouring residential amenities, nor proposed residential amenities by virtue of overlooking, loss of light, or distance separation.

The design of the original submitted scheme was not considered appropriate; whilst the development will replace a bland dwelling, the erection of a similar style building is not considered appropriate. Subsequently the design of the dwellings have been amended to reflect the historic character of the area, introducing an appropriate roof pitch, brick chimneys, eave, cill and lintel details.

The proposed vehicle access and parking facilities are found to the north of the site, utilising the existing access. Two allocated spaces will be provided for each dwelling, in addition to a visitor space, maintaining parking within the proximity of the site, and should therefore not result in any on street parking. The spaces indicated on the site plan are slightly deeper than standard, subsequently a few spaces appear tight to exit, however it is considered that vehicles will be able to manoeuvre in/out of such spaces easily. Furthermore it is also considered that the use of the proposed access from Betnall Grove will not impede on highway safety, nor result in a detrimental impact on adjacent residential amenities.

A number of trees are located within the site and overhang the northern boundary. The trees within the site have not been considered worthy of retention, however it is considered that suitable landscaping plan should mitigate against their loss. A revised arboricultural report has also been submitted, taking account of the implications of the developments access to the trees overhanging the northern boundary of the site. These details area considered acceptable, some information has not been forthcoming – ie service roots for trees, however these details can be controlled through conditions.

The development site can be adequately drained, and is not affected by land contamination, or other ground constraints. As the ground level ascends to the north of the site, the applicant has provided finished floor levels for both the proposed dwellings and the external amenity areas; this results in a retaining wall approximately 2m from the rear of the dwellings, this is considered acceptable, however it is also considered appropriate to remove permitted development rights for extensions.

With regard to land ownership and the neighbouring property's concerns over access, the plans have been amended through the application process, removing a section of land to the west of the property between the proposed development and the adjacent hairdressers as this land lies outside of the applicants ownership. This will not be used as a right of access for the proposed dwellings as they do not have such rights; access to the rear amenities for each plot therefore will be via the rear boundary onto the parking area. Issues of how the dwelling will be erected up to the boundary remain a legal matter, and are not a material planning consideration.

It is therefore considered that the proposed development including the demolition of the existing dwelling is considered acceptable, as the proposal is located within a highly sustainable area, and can be adequately sited without harm to the existing or proposed residential amenities. The proposed design reflects that of the historic character of Madeley, and will not harm the setting of the adjacent World Heritage site or Conservation Area. The proposed development will provide adequate amenity and parking provision within the development site. The proposed development in terms of landscaping, drainage and construction can be adequately controlled through conditions. Furthermore the proposal will not prejudice the safety or free flow of highway users. Accordingly the proposal complies with both local and national planning policies.

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

- |         |                              |
|---------|------------------------------|
| A04     | Time limit                   |
| B06     | Samples of materials         |
| B11     | Details of windows and doors |
| B23     | On site construction         |
| B24     | Mud on road                  |
| Bcustom | Parking – amended layout     |

BCust	Geotechs – scheme to protect/ mitigate for adj property
B30	Foul and surface water drainage
B33	Brownfield run off rates
B40	Details of services - trees
B97	Planting scheme
C79	Bat and bird boxes
C38	Development in accordance with plan Nos.
D01	Removal of permitted development rights

#### REASONS FOR APPROVAL:

The proposed development including the demolition of the existing dwelling is considered acceptable, as the proposal is located within a highly sustainable area, and can be adequately sited without harm to the existing or proposed residential amenities. The proposed design reflects that of the historic character of Madeley, and will not harm the setting of the adjacent World Heritage site or Conservation Area. The proposed development will provide adequate amenity and parking provision within the development site. The proposed development in terms of landscaping, drainage and construction can be adequately controlled through conditions. Furthermore the proposal will not prejudice the safety or free flow of highway users.

TWC/2012/0075

Land off, Concorde, Dawley Bank, Telford, Shropshire, TF4 2QB  
Change of use from scrubland to raised bed allotments, erection of a secure boundary fence and gate, improved access with dropped kerb, disabled parking and a dry eco toilet container unit \*\*\*AMENDED PLANS RECEIVED\*\*\*

**APPLICANT**

Melanie Higginson

**RECEIVED**

26/01/2012

**PARISH**

Great Dawley

**WARD**

Malinslee

OBJECTIONS RECEIVED: Yes

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

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

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

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

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

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

#### SITE AND SURROUNDINGS:

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

#### PLANNING HISTORY:

None

#### PLANNING POLICY CONTEXT:

National Planning Guidance:  
National Planning Policy Framework

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

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

#### CONSULTATION RESPONSES:

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

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

Geotechs: Historical maps for the site show a well in the vicinity of the proposed container. Development is not permitted over wells. The position of the container shown is not over the well however the plan is not to scale or set to a grid.

Informatives: I17 & I20 are required.

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

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

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

Ecology: no objections

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

5 neighbour letters have been received with the following comments:

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

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

#### PLANNING CONSIDERATIONS:

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

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

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

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

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

It is accepted that the proposal will result in the loss of a number of trees, however these trees are considered immature, and dense scrub, furthermore

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

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

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

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

Concerns in regards to outbuildings being erected at the site have been raised, in light of these comments the LPA can confirm that the decision notice will be conditioned to ensure additional buildings are not erected without approval from the LPA. The proposed outbuilding will be used to store tools used in connection with the site. The building will be a shared building which will reduce the need for separate buildings. In addition it should be noted that the building will be a moveable structure that will set back from the road and out of view from the main public realm.

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

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

**RECOMMENDATION: to GRANT PLANNING PERMISSION**

A04 – Time Limit

BCUSTOM – Prior to development top soil will be tested

B062 – Surface water drainage

B075 – Greenfield run off rates

C079 – Suitable Contractor for tree removal

C38 – Development in accordance with approved plans

I11 - Highways

I17 – Minerals Area

I20 – Contaminated Land

I25M – Nesting Birds (Vegetation)

I35CUSTOM – No additional structures/outbuildings

I40 - Conditions

I41 – Reason for grant

RACUSTOM – Custom reason for approval

**REASON FOR APPROVAL:**

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

TWC/2012/0103  
Land off, Grooms Alley, Wellington, Telford, Shropshire  
Erection of 40 dwellings with associated roads, access, sewers and external works

**APPLICANT**

Mr Sean Smythe

**RECEIVED**

01/02/2012

**PARISH**

Wellington

**WARD**

Haygate

COUNCILLOR SLOAN HAS REQUESTED THAT THIS APPLICATION IS DETERMINED BY PLANS BOARD. THE APPLICATION IS ALSO SUBJECT OF S106 AGREEMENT.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Scale and design, Character and appearance, Open space, Highways, Residential amenity.

THE PROPOSAL: The application seeks full planning permission for the erection of 40 dwellings with associated roads, access, sewers and external works.

**SITE AND SURROUNDINGS:**

The application site consists of 1.1ha of land, which is broadly rectangular in shape and flat, with a slight slope towards the railway line which is located directly to the north. It is located off Grooms Alley and forms the final parcel of land for redevelopment in this area.

The site was formally used as railway sidings with a number of structures and sheds which have been cleared from the site. It has become overgrown with self-set trees and shrubs. The site is situated on the edge of Wellington District Centre in the Secondary Zone.

The site is bounded by Aldi supermarket and associated car parking to the east, to the south by residential development, which consists of two and three storey dwellings and to the west by open space and a BMX track. Morrison's supermarket and associated car parking is located to the north of the site beyond the railway line.

**PLANNING HISTORY:**

W2006/0280 Residential Development (Outline), withdrawn

W2006/0889 Residential Development (Outline), refused

W2007/0354 Residential Development (Outline), granted

W2007/1509 Variation Of Condition No.17 Of Planning Permission

W2007/0354 To Amend Access To The Site, refused

W2008/0087 Variation Of Condition 17 Of Planning Permission W2007/0354 For The Amendment Of The Access Into The Site, granted

TWC/2010/0183 Application to replace extant Planning Permission W2008/0087 for variation of condition 17 of Planning Permission W2007/0354 for the amendment of the access into the site, granted

Detailed pre-application discussions with officers at Strategic Applications Workshops in 2011 regarding proposed residential scheme

#### 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

H22 Community Facilities

H23 Affordable Housing

S11 Wellington Secondary Zone

S30 Design Policy: District Centres

LR4 Outdoor Recreation and open space

LR6 Developers contributions to outdoor Recreation Open Space Provision

EH7 Contaminated Land

EH8 Remedial Action on Contaminated Land

#### LDF Core Strategy

CS1 Homes

CS5 District and Local Centres in Telford

CS15 Urban Design

#### CONSULTATION RESPONSES:

Wellington Town Council: no objection but queried whether there would be sufficient storage space for refuse bins within the development, and whether there would be an element of the proposed development that would be allocated as affordable housing. Raised concerns in relation to the access road and available turning provision for heavy vehicles.

Highways: no objection in principle to the development; but requested additional information and amendments to the plans to including tracking plan, changes to surfacing, service margins of 0.5m, improvements to pedestrian route. Once these matters have been addressed, any consent should be subject to conditions regarding details of roads, footways, parking etc. with construction specifications to be submitted for approval prior to commencement, and parking and turning areas to be completed prior to use.

Drainage: The Flood Risk Assessment for the site has been reviewed and a full drainage layout with numbered pipe runs should be submitted for approval. The site should be restricted to the greenfield rate of 5 l/s for all

storm events up the 1 in 100 year event (+30%). There should be no flooding within the site boundary for all events up to and including the 1 in 100 year (+30%) storm event. A flood flow routing plan is required for all flows over the 1 in 100 year (+30%) storm event. This should show no flooding to properties. Further details on the future ownership of the oversized pipework are required. Should STW not adopt these features details on alternate arrangements are required.

Arboricultural: The application refers to existing trees being retained and existing trees to be removed, although from the plans it is not clear as to which trees they are referring to. If consent is granted, further information will be required such as which trees are to be retained and the location of the HERAS fencing, to ensure that the remaining trees are protected throughout the construction phase, trees that are to be removed to facilitate the proposal should also be identified. Additional information should also include a landscape management and maintenance plan which should show how the applicants intend to mitigate the loss of the current trees on site via replacement plantings, the information should include tree size, species & location as well as an aftercare scheme.

Environmental Health (Contaminated Land): The Ground investigation report indicates widespread contamination on site; therefore any permission should be subject to a land contamination condition.

Urban Design: There has been a resistance to improve this scheme with any changes being a tinkering at the edges and this has resulted in a fairly standard and functional response. This may be attributed for the difficulties with viability therefore it is suggested that money is spent in key places for maximum effect, i.e. on the front and not around the back, in key feature areas and less so along the street, etc. This scheme needs to be further improved before it is considered acceptable.

Ecology: No objection subject to informative regarding Ecological Mitigation Strategy/Management Plan

Sustainability: The developer is required to demonstrate how they believe they have developed a valid and sustainable design solution. One of the most effective ways of securing more sustainable developments, and reducing climate change emissions, is to achieve Code for Sustainable Homes (CSH). Minimum proposed standards of CSH level 3, with a requirement to consider level 4 should be conditioned. If the development occurs after April 2013 then the requirement should be level 4 with a requirement to consider level 5.

West Mercia Police: The single entry/exit road is acceptable. Concerns raised regarding public footpath that could be used as an escape route for would be offenders. Post and rail fencing is inadequate to secure housing adjacent to open space/footpath. Boundaries should be clearly defined and 1.8m high close-boarded fencing. Side and rear access points should be gated to height of 1.8m and fitted with locks. Trees and landscaping planted too close to properties can hide would be offenders. Consideration should be given to the

installation of an intruder alarm for each property and installation of external lighting to each door area. Any street lighting should be carefully designed to cover all vulnerable areas and must not create shadows. Proposed development is not currently to Secured by Design standard.

Shropshire Council: The proposed development site lies partly on the site of the 19th century marshalling yards at Wellington Station (Shropshire Historic Environment Record No. 05221). Remains associated with the former marshalling yards may therefore be impacted on by the proposed development. In view of this and in accordance with PPS5, it is recommended that a programme of archaeological work be made a condition of any planning permission for the proposed development.

Severn Trent Water: there is a public sewer located within the application site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. There is a pumping station close to the planning application site. Furthermore, any new development must not restrict access to the sewerage pumping station. Due to the close proximity of the proposed new development the occupant may experience noise/smell pollution. With the number of dwellings being erected, will be asking the developer to submit details on a development enquiry application before any building work commences. This will allow assessment of the impact on the sewerage network and take the necessary precautions to ensure that the system is adequate in being able to receive such flows.

Network Rail: no objection in principle subject to conditions to ensure that no part of the proposal impacts on the safety, operation and integrity of the railway.

National Grid: standard assessment has been carried out with respect to the operational gas and electricity apparatus. The works proposed are likely, unless controlled, to adversely impact the safety and integrity of National Grid apparatus. They will advise the developers further prior to commencement of development.

Shropshire Fire Service: Support subject to Informatives regarding Access for emergency vehicles, Water supplies and Sprinkler systems

Six letters of representation have been submitted, with the following comments and objections:

- Need for further housing/flats
- Proximity of access to site to existing property in Saville Close, causing disruption during construction phase and on completion
- Access will cross land in ownership of Bromford who have not been consulted
- Exacerbate traffic problems in estate
- Safety of pedestrians/children
- Impact on quality of life for existing residents
- Noise pollution

- Application form incorrect in assertion that no trees on site
- Devalue property
- Proposal will enhance area greatly and secure house prices
- Development will provide much needed family housing adjacent to play facilities
- Support proposal but consider more trees/landscaping required to provide greater privacy and soften development

#### PLANNING CONSIDERATIONS:

The proposal comprises the erection of 40 dwellings with associated access, parking, amenity space and landscaping. There will be a mix of housetypes - detached, semi-detached and terraced properties with 2, 3 and 4 bedrooms.

Vehicular access will be from a single entry/exit point adjacent to 20 Saville Close, with pedestrian links through the public open space to the footbridge over the railway to the northwest linking the site to Nevil Road, and a pedestrian link to the south to link to the open space. A further route adjacent to 66 Saville Close to the south of the site would be blocked to traffic with bollards but would provide pedestrian/cycle access between the new and existing residential developments. The scheme includes a shared surface highway arrangement. There are 2 parking spaces per unit, with 4 visitor spaces proposed. These spaces are integrated within the site with a combination of spaces and garages between properties and larger parking areas adjacent to the terraced properties at the east of the site.

The principle of residential development on this site has been established by the previous planning permissions, and the wider redevelopment of Grooms Alley. The site is situated in a highly sustainable location within the Secondary Zone of Wellington District Centre, within walking distance of local services and facilities. The single vehicular access point has also been approved in the earlier planning permissions (W2008/0087 and TWC/2010/0183).

The layout of the development has been devised having regard to adjoining uses. The scale and design of development is in keeping with the established housing development to the south. The proposal comprises a good mix of housetypes and feature buildings, as well as dual-aspect units to relate to the streetscene and open space, which will also provide natural surveillance. The dwellings have been positioned and orientated to ensure sufficient separation distances between existing and proposed properties and from the adjoining railway line, supermarket car park and public open space. It is considered that the proposal will not have a detrimental impact on residential amenities. The removal of the derelict, overgrown site and replacement with residential development is considered acceptable and in keeping with the character and appearance of the area.

During the pre-application discussions and the course of the application, amendments have been made to the scheme to address the consultation comments. This includes additional information and plans with regard to

design, highways and drainage, and it is now considered that the issues can be dealt with by appropriate conditions.

Due to the former nature of the site as a railway siding there are concerns relating to land contamination; however following submission of reports regarding this issue, it is considered that this can be addressed by condition.

Private amenity space will be provided for each of the dwellings, with further landscaping interspersed in the development and adjacent to the parking areas to enhance the area. Details of boundary treatments have been provided, with a combination of brick walls, timber fencing, metal railings and post and rail fencing, which is appropriate to the context of the existing residential estate and the relationship with the public open space. Concerns raised by the Police are noted - rear garden areas will be appropriately secured by walls and more substantial fencing/gates. Details of landscaping and trees can be conditioned, along with details of management and maintenance.

Given the scale of the development, financial contributions are required with regard to education, and a proportion of units should also be affordable. The Applicant has agreed to provide £52,549.20 towards education provision and 4 affordable units. This follows negotiations with officers, and information has been submitted to demonstrate the economic viability of the scheme if a larger number of affordable units are provided. Officers have agreed that 4 affordable units are acceptable in this instance.

The area of open space is to be transferred to the Local Authority for adoption. This will be subject of S106 agreement along with the costs of future maintenance.

In regard to Sustainability comments, the Code for Sustainable Homes requirements can be added as an informative and will also be addressed at Building Regulations stage. Furthermore, comments from Ecology, West Mercia Police, Shropshire Fire Service, Severn Trent, National Grid and Network Rail will be added as informatives.

The neighbour concerns are noted. This site has been approved for housing by previous permissions and is part of a wider redevelopment scheme of Grooms Alley. There are no flats included in this proposal. Appropriate conditions can be imposed to ensure minimum disruption during the construction phase of the development; however the single access point has previously been established by earlier permissions and is considered acceptable with the associated pedestrian links. The Housing Trusts are not consulted directly, only the properties; tenants can consult the associated Housing Trusts accordingly. Land ownership is a private matter for the Applicants to resolve as necessary. Property value is not a material planning consideration.

In conclusion, the principle of residential development and the single vehicular access point are considered acceptable in this sustainable location and have

been established by previous planning permissions. The layout of the site and the scale of the 40 units with associated parking and amenity space is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining or proposed properties. The proposed access can be accommodated without detriment to highway safety. Contributions have been negotiated towards education, with provision of 4 affordable units of accommodation. The area of open space will be retained, with associated pedestrian links. The proposal accords with planning policy.

**RECOMMENDATION:** to GRANT PLANNING PERMISSION subject to the Applicant entering into a Section 106 Agreement to provide £52,549.20 towards education provision, the transferral of open space to Telford & Wrekin Council, contribution towards future maintenance of open space, and provision of 4 affordable units of accommodation, and the following conditions:

1. A04 Time limit
2. B11 Samples of external materials
- B13 Sample brick panel
- B19 Details of doors and windows
- B32 Road design and construction
- B57 Contaminated Land
- B75 Greenfield runoff rates
- B121 Landscaping design
- Bcustom Drainage layout plan
- Bcustom Plan of trees to be retained and protective fencing
- Bcustom Written Scheme of Investigation regarding archaeology
- Bcustom Protection of New Dwellings from Noise
- Bcustom Site Environmental Management Plan
- C13 Parking, loading and turning
- Ccustom Provision of adequate safety fencing adjacent to railway
- Ccustom Scheme for external lighting to ensure no adverse impact on railway users
- Ccustom Foul and surface water diverted away from Network Rail property
- C38 Development in accordance with plans
- D01 Removal of permitted development rights
- D03 Garages
- Dcustom No buildings within 5 or 7.5 m of the sewers

**REASON FOR APPROVAL:**

The principle of residential development is considered acceptable in this sustainable location. The layout of the site and the scale of the 40 units with associated parking and amenity space is considered acceptable and in keeping with the context of existing surrounding residential development. The proposal will not have a detrimental impact on the residential amenities of adjoining or proposed properties. The proposed access can be accommodated without detriment to highway safety. Contributions have been negotiated towards education, with provision of 4 affordable units of

accommodation. The area of open space will be retained, with associated pedestrian links.

TWC/2012/0219  
8 High Street, Hadley, Telford, Shropshire, TF1 5NL  
Change of use from sui generis youth project centre to D1 use \*\*\*\*\*Amended  
Description/ Plans Received\*\*\*\*\*

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

09/05/2012

**PARISH**

Hadley and Leegomery

**WARD**

Hadley and Leegomery

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

Hadley and Leegomery Parish Council have supplied photographs of the site showing parked vehicles.

Two additional letters of support have been received for other T&W Council departments. One is from the Customer & Registration Manager and states that:

- During the time that Al-Huda hired First Point Hadley between 06.12.10 – 13.04.12 they complied with all requirements in respect of Health & Safety, Child Protection & Fire Safety.
- During the contract there were no issues.
- Hire charges were always paid.
- The Customer & Registration Manager was pleased to be able to help provide this service to the community.

The 2<sup>nd</sup> is from the Services Delivery Manager Cohesion which states:

I have worked with and known Al Huda Trust for 5 years. Over this period the Trust have worked with young Pakistani males around cultural issues and recognising the importance of integration into wider community.

This has led to greater integration, fewer community tensions within the Hadley area at a time when nationally there was a negative portrayal of young Pakistani males.

The Trust actively engage and encourage greater integration and divert young Pakistani men away from criminal activity into more positive activities which raise self esteem, life chances and aspirations for the future.

**Revised recommendation**

It should be noted that the expiration of the 2<sup>nd</sup> round of consultations as a result of the amended drawings and description of development has now expired.

Therefore, the recommendation is changed back to GRANT PLANNING PERMISSION subject to conditions:

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

1. A04 time.
2. C38 in accordance with approved plans.
3. D06 Restriction on use (Limited D1 only)
4. Informatives.
5. I40 conditions.
6. I41 reasons for approval.
7. RAcustom approval

**REASON FOR APPROVAL:**

The proposed change of use is considered acceptable as it will provide a valuable community use for the area, and will not have a significant impact upon residential amenity or highway safety. Moreover, the occupation of this vacant, tired looking and overgrown premises is considered an improvement to the current situation which will result in an improvement to the property and thus an enhancement to the character and appearance area and the streetscene.

\*\*\*\*\*

**1. Further comments have been received from Hadley and Leegomery Parish Council.** The issues are summarised below:

The Parish Council wishes to object to this application. The Council's principal concerns about the proposed change of use are:

- The lack of parking facilities and the resulting impact that vehicles bringing young people to and collecting them from the premises will have on the immediate locality in terms of highway danger and congestion.
- The adverse effect on the residential amenities currently enjoyed by people living in the immediately surrounding area, which is predominantly residential.

The Council wishes to make clear that it is not objecting to the services provided by the proposed purchaser of the premises (Al-Huda Trust), indeed the Council is supportive of any provision that helps young people in a positive way, but it is firmly of the view that this is not the right place for this activity for the reasons given above. The most recent location from which the Trust provided its services was the Telford & Wrekin Council owned First Point in Hadley Shopping Centre, and this presented none of the problems which it is felt would arise at 8 High Street. It was located in the local shopping centre, had access to a large pedestrianised area to the front leading to off street public car parks, and appeared to be an ideal location. Unfortunately this is no

longer available due to the redevelopment of Hadley Centre. The Parish Council would encourage the Trust to consider alternative locations that have sufficient parking available, either through hire, such as Hadley Learning Community or local community centres and similar venues, or by purchase of a more suitable alternative property as a long term base.

#### Planning History:

In considering the planning history relevant to this application the Council wishes to draw attention to the problems that were experienced when the Trust operated from a residential property at 139 Crescent Road, Hadley. A planning application (W2008/0811) for the use of this property for the same purposes as proposed in the application now being considered was refused and later dismissed at appeal. Prior to that the activities had been taking place at 139 Crescent Road for a long period of time and the impact of traffic generation, noise and general disturbance was clearly evident.

#### Parking and traffic considerations:

The Parish Council maintains that the available parking space at the property is totally inadequate consisting of two spaces immediately in front of the property. The property does not include any other land that could be used for parking or waiting. The only alternative is on street parking and, as can be seen from the accompanying photographs, vehicles already park along both sides of the road. The busy traffic island at the junction of High Street, Stadium Way and Waterloo Road contributes to the congestion and there are double yellow lines on both sides of the road from a point in front of the application site to the island. The speed of traffic approaching the island on Waterloo Road, a downhill approach, and travelling through the island in to High Street and stadium Way has been a problem for some time and speed enforcement has been carried out at times. Regular bus services at every 15 minutes in each direction travel along High Street and the vehicles currently parking in the vicinity frequently cause obstruction to the buses. Any additional traffic and parked vehicles will make matters worse. The closest available public car park is located at the junction of Manse Road and High Street, some distance from the property.

The Planning Officer's report suggests that the proposed arrival and leaving times (between 4.15 and 6.15 p.m.) are outside peak traffic times, but local knowledge confirms that in fact this is one of the busiest periods at that location, with traffic at its peak once the takeaway restaurants in High Street (three at the present time) open from 4.30 p.m. onwards. The report also refers to the existing use category as a youth centre until recently, however the building was more recently only used as office accommodation, the youth provision itself has not taken place at that site for a number of years having been based at Hadley Learning Community since it opened. Prior to that, the provision was targeted at an older age group of young people who would use it as a drop in centre whilst out on their own.

The Highways Officer objected to the proposed change of use when first submitted, stating that it would result in an increase in the likelihood of highway danger and an interruption to the free flow of traffic due to the likelihood of vehicles being parked and waiting on the public highway, thereby agreeing with the Parish Council's concerns. He withdrew that objection based on the additional information now submitted in support of the proposed use, but the removal of those concerns is dependent on the measures described in the Design and Access Statement actually working in practice. Although the stated intention is that only 4 of the current 36 students will arrive by car, in two vehicles, the Trust is not in a position to enforce that and other factors such as weather conditions, other family commitments and dark winter evenings could easily increase the number of vehicles actually used. The transport plan also assumes that the current students will remain as the only ones, whilst it is more likely that some will move on as they grow older and new ones will join, with differing transport needs. Further, the Design and Access Statement confirms that there are also weekday and weekend adult classes planned for the future. Over time therefore it would be impossible to be sure that the transport plan will work.

The Design and Access Statement also refers to available parking nearby as being at the rear of Gladstone Court and in Gladstone Street. The aerial picture on page 5 of the statement shows a red line around an area which is referred to as Gladstone Court. This is actually the car park at Castle Farm Community Centre which is provided for users of the Community Centre and is not a public car park. Gladstone Court is nearer to 8 High Street but is housing owned by the Bournville Trust and the 12 parking spaces there are for use by the residents of the 15 flats. An amended aerial picture is attached which shows the correct location of Gladstone Court. Gladstone Street itself is a short cul-de-sac where a number of houses have to use on street parking and turning is difficult.

The Parish Council therefore believes that the Highways Officer's original objection is still valid.

#### Impact on Residential Amenity:

The Parish Council believes that the proposed use will impact on the residential amenity enjoyed by those living nearby due to the traffic generation detailed above and the impact of a large number arriving and leaving the premises in a short space of time. The Design and Access Statement refers to the property being situated alongside a predominantly commercial block of premises. There are in fact two commercial premises, a convenience store and a takeaway, both of which contribute to the traffic and parking congestion already present. In fact those are the only two commercial properties with a much greater number of residential properties situated along the opposite side of High Street and in Gladstone Street, and at Gladstone Court.

The vacant site to the immediate east of the property was purchased by its present owner with the intention of residential development.

The activity associated with the former use by the Trust of a property at 139 Crescent Road gives an indication of the type of activity that would be generated if permission is granted for this current application. The appeal decision in respect of the application for the former location at 139 Crescent Road included the following comments by the Planning Inspector which the Parish Council believes are relevant to the current proposal:

*7. Although children would enter and leave the premises over 2 relatively short periods in the late afternoon, the activity would regularly take place every week day. Even well behaved children entering and leaving may congregate and chatter outside. The noise arising from the children even if numbers are restricted to a maximum of 40 would significantly exceed any noise reasonably expected from residents of an adjoining dwelling. Furthermore, whilst most children are likely to walk or cycle to the club some may be dropped off and picked up by car, so that vehicles would wait on the street outside or pull into the site.*

*8. All these matters cumulatively add up to a great deal of activity taking place in close proximity to the adjoining dwellings. The activity would take place regularly every week day and it would be sufficiently intensive and disruptive beyond that normally expected from a closely positioned neighbouring dwelling to create a significant degree of noise and disturbance harmful to immediate residents. It is not a small-scale activity or one that is acceptable on a regular basis given the very close position of the adjoining dwellings at each side. The proposal in this respect is contrary to saved Policy LR1 of the Wrekin Local Plan 1995 – 2006 as there would be an adverse impact on the amenity of the local area.*

*9. I am mindful that the after school club may be re-located in alternative premises locally where the benefits of the Trust's work would continue without harm to the living conditions of nearby residents. Although the Trust indicates that it has sought alternative premises and found the terms offered by the nearby Hadley Learning Centre (HLC) to be unacceptable, the Council indicates that the HLC which is a multi-cultural organisation has never rejected any approach by the Trust. From the evidence submitted there appears to be potential for an appropriate alternative location for the club.*

The following information has been provided to the Parish Council relating to enforcement action taken by the planning authority at that time, indicating the level of activity that took place:

*Whilst making enquiries into an unauthorised development at 139 Crescent Road it was noted that between 60-70 young persons visited an address in Crescent Road Hadley circa 1615 – 1645 hours weekdays. The Imam travelled from Wellington in a vehicle which was*

*parked at the address .... but on occasions a second vehicle was used and parked at the address. In addition to this other students were conveyed to the property in taxis and private cars. These vehicles numbered 8-10. Students travelled not only from Hadley but from other areas in Telford.*

The Council therefore asks that unless it is intended to refuse permission under delegated powers, the application be dealt with under the green card procedure and referred to the Plans Board for determination, and that the Parish Council's letter of representation be copied in full in the report to the Board.

2. The Parish Council's comments are noted however officer's still consider that the proposal is acceptable for the reasons stated in the original Plans Board report.
3. **A petition containing 20 signatures from the occupants of 9 properties in High Street and Cheltenham Court objecting to the application has been received.** The petition states:

With there being a busy shop, two bus stops and double yellow lines on the approach to the traffic island we feel that it will cause problems to us parking, cause problems with access on the high street for through traffic and public transport and subject us to unnecessary disruption and noise. We also fear that if accepted its use would escalate to weekends and longer hours causing further disruption and noise to the residents of High Street and adjoining roads.

4. **Six additional letters of objection have been received.** The comments raised are summarised below:
  - We are totally opposed to the idea of any school, it is far too dangerous because of lack of parking and traffic, the traffic island and speeding traffic, additional congestion,
  - There are already selfish drivers who block our gates,
  - Muslim children should use our schools to help integrate in to society and not bought up with prejudice,
  - The application should be refused,
  - The green site notice is confusing and should state the intended use,
  - The building has not been used as a youth centre for some time,
  - The premises are not large enough for the proposed use,
  - Not fire exit and the disabled opens directly on to the kitchen,
  - HLC should be used as it is safe and traffic free,
  - I totally object to this application going through because being in a dead end street we get enough cars parking up the street over my drive gates and outside my home. I own 3 cars and a motor bike and sometimes struggle to park outside my own home.
  - We have cars parked up the street when there is a wedding, funeral or any other event on at the church. We have the same when there is anything on at the West Indian association.

- It will also create a lot of noise from the school children and generate a lot more rubbish up the street and we get enough litter dropped by the children from HLC when they go to the shop at the end of our road,
- This is a crazy, ridiculous idea,
- Parking in Gladstone Street is already a problem with people blocking driveways; everybody needs to be leaving at that time in the morning and thus the added traffic would cause chaos and make life impossible.
- We should be discouraging segregation of schools,
- Loss of property value should be reimbursed,
- Noise and disturbance generated by children, should not have to look at groups of youths,
- We are foster carers of vulnerable children with a variety of emotional problems and it is not suitable to have a school like this outside our doorsteps.

**5. Amended condition**

It is now considered that it is not necessary to impose a personal permission solely for the Al-Huda Trust and that the use can be adequately controlled by limiting the use to D1 (non-residential Institutions) as outlined in the application. Thus there is an amendment to condition 3.

**6. Revised recommendation**

It should be noted that the expiration of the 2<sup>nd</sup> round of consultations as a result of the amended drawings and description of development does not expire until 31.05.12. Therefore, the recommendation is changed to GRANT PERMISSION to the Assistant Director - Planning Specialist to GRANT PLANNING PERMISSION subject to conditions:

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

- 8. A04 time.
- 9. C38 in accordance with approved plans.
- 10. D06 Restriction on use (Limited D1 only)
- 11. Informatives.
- 12. I40 conditions.
- 13. I41 reasons for approval.
- 14. RAcustom approval

**REASON FOR APPROVAL:**

The proposed change of use is considered acceptable as it will provide a valuable community use for the area, and will not have a significant impact upon residential amenity or highway safety. Moreover, the occupation of this vacant, tired looking and overgrown premises is considered an improvement to the current situation which will result in an improvement to the property and thus an enhancement to the character and appearance area and the streetscene.

\*\*\*\*\*

HADLEY & LEEGOMERY PARISH COUNCIL HAVE OBJECTED TO THIS APPLICATION AND HAVE REQUESTED THAT IT IS DETERMINED BY MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES:

Residential and visual amenity, highway safety, community facilities.

THE PROPOSAL:

The proposal is for a change of use of no.8 High Street Hadley from a Youth Project Centre (Sui Generis) (*of its own kind*) to an Islamic and academic education centre (D1). The premises is owned by the Council and is currently being marketed for sale and the Al Huda Trust have agreed commercial terms to purchase the property from the Council subject to planning permission being obtained for the above change of use.

Al Huda Trust is a charity organisation which was established in October 1997 by members of the local community in response to a desperate call by residents to resolve issues including;

- significant drug problems,
- the presence of a gang culture,
- racial tension,
- and a generally high crime rate.

To tackle these issues and others, the Trust created a service to help the community. The Trust aims to equip children with an extensive knowledge and skill base to help lay the foundations for them to become good citizens and contribute successfully to the community.

Since its creation the Trust has operated from various locations within the Hadley area and most recently from the Council owned property at First Point Hadley, Telford since December 2010. Following numerous relocations, the Trust now feels the time has come to find a more permanent base, and over 77% of the Trust's students currently reside within walking distance of no.8 High Street.

The classes will operate every weekday evening, starting at 4.30 p.m. There will be a staged finish between 6.15 p.m. to 6.30 p.m.

In particular the Trust proposes to offer the following services from the premises:

Classes for children (aged 5-16) teaching:

- Islamic studies (comprising Arabic, Islamic history, social behaviour and conduct, family and community values, moral values)
- Other education and advice (Including drug awareness and career planning)

There are also weekday and weekend adult classes, planned for the future.

On the current register, there are 36 students enrolled, of which 75% are regular attendees and 25% are irregular. Whilst there will be variations in the numbers of attendees from time to time, the Trust do not propose to have more than 40 persons (including staff) on the property at any one time. The proposed figures comply with fire safety regulations. Within the property, each of the 1st floor rooms can accommodate 10 people with the ground floor accommodating a further 20 people.

#### SITE AND SURROUNDINGS:

The application site is located at the eastern end of High Street Hadley adjacent the site of the former Bush PH and diagonally opposite Gladstone Street. Hadley Centre is located at the other end of the High Street approximately 100m away to the north west. The site falls within the Hadley Secondary Zone and comprises a two storey end terrace with attached outbuildings and a small yard to the rear and two off street parking spaces to the fore.

The property has previously been used as, and still holds, a sui generis planning permission for a youth centre / coffee bar (planning reference: W79/0928). It should be noted that some of the services the Trust intends to carry out could actually be carried out under the extant planning permission.

However, to be in a position to provide the full breadth of its services, the Trust is proposing to a change of use to "Islamic and academic education (Use Class D1)".

The building is finished in cream painted render and has a tiled gable roof and various original and replacement doors and windows including sliding sashes, timber and Upvc casements and security grilles on the rear elevation. Some of the window frames are rotten and openings are boarded up and the rear yard of the premises is unkempt. There is an access-way via double gates to the right of the property leading to a large overgrown yard littered with dumped rubbish. The premises is attached to a convenience store to the left (west) and a Chinese take away. There is a row of traditional terraced properties directly opposite and there are double yellow lines along this section of High Street.

#### PLANNING HISTORY:

W2008/0811 was for the conversion of a two storey 3 bedroomed semi detached dwelling no. 739 Crescent Road to provide accommodation for Al-Huda but this was refused and later dismissed at appeal for the following reason;

1. The Local Planning Authority considers that the change of use of this property from a residential dwelling to an after-school club is unacceptable. It is felt that the intensity of the proposed use within a modest residential property in a predominantly residential area would

adversely affect the residential amenities presently enjoyed by people living in the surrounding area by reason of traffic generation, noise, nuisance, and general disturbance. The proposed use is therefore contrary to the provisions of Policy LR1 of the Wrekin Local Plan and Policy CS10 of the LDF Core Strategy.

#### PLANNING POLICY CONTEXT:

National Planning Guidance

NPPF National Planning Policy Framework 2012

Saved Wrekin Local Plan Policies

S21 - Hadley Secondary Zone

UD2 - Design Criteria

LDF Core Strategy

CS5 – District and Local Centres

CS9 – Accessibility and Social Inclusion

CS10 – Community Facilities

CS15 - Urban Design

#### CONSULTATION RESPONSES:

Hadley & Leegomery Parish Council object to this application on the following grounds:

- The wide range of possible uses which would be permitted with open D1 use includes those which would generate significant additional vehicle traffic and the council believes would add to congestion at this location.
- There is minimal parking available at the premises and public parking is some distance away.
- There are a number of potential uses for the building that would not cause such problems and would be acceptable including certain specific D1 uses, but the Council opposes open D1 use.

The Council therefore asks that unless it is intended to refuse permission under delegated powers, the application be dealt with under the green card procedure and referred to the Plans Board for determination, and that the Parish Council's letter of representation be copied in full in the report to the Board.

The Council's Highways Engineer - initially objected to the proposed change of use, as it failed to make adequate provision for the parking and waiting of vehicles within or adjacent to the site curtilage for an open D1 use and would result in an increase in the likelihood of highway danger and an interruption to the free flow of traffic due to the likelihood of vehicles being parked and waiting on the public highway. However, following the receipt of additional information in respect of the actual proposed use and the intended users he now supports the proposal subject to conditions restricting the use to Al-Huda rather than an open D1 use.

Cllrs Keith Austin and Leon Murray - both support the proposal and a letter of support has been received from Usman Ahmed who is the Regional Chairman & Leader of CEO of the West Midlands Conservatives and Vice Chairman & Director of the 2015 National Manifesto Policy Group.

Twelve direct neighbour letters have publicised the application. Seventeen letters of support have been received from previous attendees of Al-Huda Trust facilities or parents of children who currently attend. The issues raised are summarised below:

- Children are taught right from wrong in respect of behaviour and drugs,
- gangs and violence,
- ethnic diversity,
- social cohesion,
- are given counselling,
- can attend the after school club rather than roam the streets and get in to trouble,
- the Trust members are kind, caring and dedicated, the premises are ideally located.

A 19 page petition in support of the proposal has been received.

One letter has been received asking for clarification of the term D1.

Following the receipt of additional information in respect of parking and the amendment to the description of the proposal further consultation letters have been sent. The consultation period had not expired at the time of writing this report and any further comments will be reported to Members at Plans Board.

#### PLANNING CONSIDERATIONS:

Policy CS5 asserts that District Centres will provide a mix of cultural uses to serve to need of their respective communities. Policy CS9 aims to improve social inclusion and accessibility by making sure that everyone is afforded reasonable opportunity to access key services to ensure that no section of the community suffers social inequality of social exclusion. These aims are supported in the NPPF which recognises the importance of delivering the social, recreational and cultural facilities and services required by communities.

This vacant building occupies a fairly prominent end plot and is currently in a dilapidated state; the yard is untidy and overgrown with weeds and currently detracts from the character and appearance of the area. Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context, and policy CS15 requires development to positively influence the appearance and use of the local environment.

Internally the layout of the property will remain the same. However, the Trust proposes to redecorate, upgrade the electrics, install fire detection, refurbish the WC's and the kitchen area, and replace floor coverings. The rear yard will

be cleared and regularly maintained. Furthermore, the Trust does not propose to change the existing external appearance of the property other than replacing windows and doors, repairing brickwork and render, redecorating render to match the existing render and, over time, possibly changing the roof cover as it is showing signs of deterioration. Planning permission is not required for these works nonetheless when undertaken they will enhance the appearance of the building which will have a positive impact upon the character and appearance of the area and the streetscene. Moreover, bringing this vacant unit back into use is deemed an improvement to the area which will bring these tired looking buildings back into useful occupancy. The proposal is therefore compliant with policies UD2 and CS15.

Amongst other issues policy UD2 also advises the Council to assess proposed development in relation to access and parking. There are currently two parking spaces to the front of the premises; one of these spaces will be used for staff and the second to remain vacant where possible in order to maintain the Trust's commitment to using public transport and walking to and from the property. In total, the Trust do not envisage more than 4 cars arriving at the property either at the start and end of class times, as the majority of students arrive and leave on foot.

The Trust is fully aware of, and has taken in to account, the attendant problems which can arise when users arrive and leave the property. The Trust has gone to great lengths to ensure there will be minimal disruption by encouraging car sharing amongst staff and parents of students. The Trust promotes the use of public transport and there are 3 bus stops within 50m of the building with 1 directly opposite the premises. The peak usage of the property will be between 4.15 p.m. to 6.15 p.m. and the agent has advised that there will be no more than 3 cars dropping children off and picking them up between 4.15 p.m. to 4.30 p.m. and 6.00 p.m. to 6.15 p.m. Both these times are outside of peak traffic times. The Trust intends to erect a cycle rack at the rear of the property in line with current green travel policies. The agent has advised that the Trust has purposely reduced the proposed amount of students to limit the effects of traffic.

Comments made by the Parish Council in respect of traffic and congestion are noted, however, the building, until recently has been occupied as a youth centre and could resume this use without the need for planning permission. The parking and traffic resulting from the Trust's use will be no greater than the effects of the current planning permission. Thus, they do not justify the refusal of this application which could then be successfully substantiated at any subsequent appeal.

The Council's Highway Engineer has no objections to the proposed use and there is ample car parking within a very short distance. Furthermore, a condition will be imposed to restrict occupancy of the building by the Al Huda Trust which will prevent other D1 uses such as health centres, clinics, church halls, crèches, day nurseries etc. occupying the premises in the future without first obtaining planning permission as these could result in significantly more vehicular movements than are currently proposed by Al Huda.

The Trust has been in existence for almost 15 years, and works to improve the community of Hadley. The Trust aims to make a better future for generations to come, creating integrated communities, free of crime, free of racial and religious prejudice to become educated, self-sufficient and create a vibrant community to be proud of. Judging from the representations received from either previous attendees of the facility and parents of children and young people currently attending the Trust it is evident that its work is very much appreciated in the local community. Following numerous relocations, it is now deemed prudent for the Trust to obtain a permanent base to develop its services and develop its aims and objectives. Thus the proposed change of use of this vacant premises which is located in a sustainable location close to its students is deemed appropriate and compliant with the aims and objectives of the above local and national policies and guidance.

Accordingly, the proposed change of use is considered acceptable as it will provide a valuable community use for the area, and will not have a significant impact upon residential amenity or highway safety. Moreover, the occupation of this vacant, tired looking and overgrown premises is considered an improvement to the current situation which will result in an improvement to the property and thus an enhancement to the character and appearance area and the streetscene. Therefore, the proposed development is deemed compliant with both local and national guidance and policy and therefore is recommended for approval with conditions.

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

- 15.A04 time.
- 16.C38 in accordance with approved plans.
- 17.D1 personal permission for Al Huda only
- 18.Informatives.
- 19.I40 conditions.
- 20.I41 reasons for approval.
- 21.RAcustom approval

**REASON FOR APPROVAL:**

The proposed change of use is considered acceptable as it will provide a valuable community use for the area, and will not have a significant impact upon residential amenity or highway safety. Moreover, the occupation of this vacant, tired looking and overgrown premises is considered an improvement to the current situation which will result in an improvement to the property and thus an enhancement to the character and appearance area and the streetscene.

TWC/2012/0240

Land at, Arleston, Telford, Shropshire

Outline planning permission for the erection of up to 103no. new dwellings (Use class C3) and 50no. extra care housing units (Use class C2), Provision of 2no. new access roads and associated drainage, open space and landscaping

**APPLICANT**

Helical (Telford) Limited

**RECEIVED**

26/03/2012

**PARISH**

Wellington

**WARD**

Arleston

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Principle of Development and green network, highways, trees, ecology, ground conditions and land contamination, drainage and flooding, urban design, landscaping, heritage assets, impacts on neighbouring properties, affordable housing, and noise and air quality.

**PROPOSAL:**

This is an outline application for residential development on 7.26 hectares of land for up to 103 dwellings (Use Class C3) and 50 extra care units (Use Class C2) with details of two new accesses submitted for consideration at this stage and all other matters reserved for later consideration.

Land use parameters plan is submitted for determination with detailed access drawings. The application is also accompanied by a master plan which illustrates a potential layout of the development.

The plans indicate a mix of uses with an extra care unit, mix of 2, 2.5 & 3 storey residential developments, a LEAP, open space, existing/proposed vegetation and balancing ponds.

There are two vehicular access points to serve the site; the western access is a priority junction to be supplemented by a signalised pedestrian crossing facility. The eastern access is a proposed four arm compact urban roundabout to replace the existing mini roundabout junction between Arleston Lane & Lidgates Green. The design will incorporate pedestrian refuge crossing facilities.

The submission is supplemented by a housing mix plan which demonstrates that the site can accommodate 50 extra care units, 34no. 4 bed dwellings, 53no. 3 bed dwellings and 16no. 2 bed dwellings in a mix of detached, semi-detached and terraced properties. The dwelling mix has been informed by principles of creating distinct areas such as the eastern area of land having a lower density 'village' character with retained landscaping, and the western area having a high density 'urban' character.

The 50 unit extra care facility is the Government's preferred model for care and support accommodation and can be defined as 'purpose' built accommodation in which varying amounts of care and support can be offered and where services are shared. This particular proposal is designed as self contained accommodation for older people, with a mix of rented, shared ownership and leasehold properties which allows for a flexible approach to care and support to respond to occupants' changing requirements. These facilities contain particular characteristics and concepts to define the provision of extra care, i.e. accommodation with design features and assistive technologies, care packages, catering facilities, 24 hour staff and support, communal facilities and staff facilities.

The proposal is to provide 3.6 hectares of public open space with retained trees, ecology zone, play facilities and drainage attenuation ponds.

#### SITE AND SURROUNDINGS:

The application site is approximately 7.26 hectares of greenfield land, situated in Arleston, north of the M54 between Dawley Road to the west and Arleston to the east. The land is roughly 'U' shaped around the area known as Arleston Village.

The western part of site is unmanaged grassland, with mature hedge boundaries, largely flat, with a number of informal tracks and walkways. The southern element adjacent to Arleston Manor Grade II\* Listed Building is an irregular shape and includes a mature woodland at end of Toll road.

The north eastern element of the site is largely a mound with extensive tree coverage. The south eastern part of the site is an undulating area of land, currently used as a pony paddock with grazing. There is a public footpath which crosses the site from east to west.

The site is predominantly surrounded by residential uses, comprising of detached and semi detached two storey buildings, with the occasional bungalow. There is a factory adjacent to the site, with access road to it and adjacent properties off Dawley Road, which dissects the site. The properties in Arleston Village are generally detached two storey properties set in substantial plots. The dwellings to the south of the development within the setting of Arleston Manor are large detached 'executive' style properties. The Wrekin Retail Park lies beyond that to the east on the opposite side of Arleston Lane. (It should be noted that there is no vehicular access to the retail park from Arleston Lane, but there is a pedestrian link). The M54 is also to the south of the site down an embankment, after the tree lined access road to Arleston Manor. To the east there are two storey detached and semi detached modern properties. To the west is Dawley Road, with wide grass verge and then two storey semi detached dwellings and single storey bungalows. To the north of the site are residential properties largely dominated by semi detached two storey dwellings on long sweeping road and cul-de sac formations.

Within approx 1600m of the site there are numerous community facilities, including schools, community centres, shops, doctor's, dentist, open space, public houses, restaurants and play facilities. Also within this distance is Wellington District Centre with bus and rail links and a wide range of additional community facilities.

## PLANNING HISTORY

TWC/2011/0261 – Outline Planning permission for up to 125 dwellings (Use Class C3) a 50. bed extra care facility (Use Class C2) and 2no. new accesses and associated open space and landscaping. Withdrawn 1<sup>st</sup> June 2011

W79/567 – Outline planning permission residential development – Refused

W90/0031 – Outline planning permission for 257 dwellings – Refused 11<sup>th</sup> April 90.

W91/1137 – Residential development for about 95 dwellings – Withdrawn June 1992

W91/1138 – Outline planning permission for up to 95 dwellings – Refused January 1993

W91/1161 – Outline planning permission for up to 142 dwellings – refused January 1993.

## PLANNING POLICY CONTEXT

National Planning Policy  
National Planning Policy Framework

LDF Core Strategy  
CS1 Homes  
CS3 Telford  
CS9 Accessibility and Social Inclusion  
CS11 Open Space  
CS12 Natural Environment  
CS13 Environmental resources  
CS14 Cultural, Historic and Built Environment  
CS15 Urban Design

'Saved' policies Wrekin Local Plan

EH7 Contaminated Land  
EH8 Remedial action on Contaminated Land  
EH14 Land stability  
UD2 Design Criteria  
UD4 Landscape Design  
UD5 Public Art  
T4 Development Principles

T22 Planning Obligations  
OL3 Green Networks  
OL4 Development in green network  
OL11 Woodland and trees  
OL12 Open land and landscape contributions from new development  
OL13 Maintenance of open space  
LR4 Outdoor recreational open space  
LR6 Developers contributions to outdoor recreational open space with new residential development  
H22 Community facilities  
H23 Affordable Housing

#### CONSULTATION RESPONSES:

**Wellington Town Council:** Strongly objects to the application on the following grounds: building on the established Green Network; creeping urbanisation in an area with limited space; associated traffic problems particularly at peak times; current sewerage and drainage problems which would be increased if the development proceeded; that the proposed development would adversely prejudice the existing wildlife and ecological habitat; and, it is questioned as to whether there is an established need for the development when other adjacent developments were considered.

**Strategic Housing:** There is a significant older population in Telford & Wrekin, which will grow considerably in the future. Telford & Wrekin Council's *Housing, Care & Support Strategy* (2006) seeks to provide at least 500 additional homes in extra care housing between 2006 and 2021. Extra care housing provides independent living for older people in their own home, with access to care and support services twenty four hours a day. Schemes typically also provide a range of communal facilities, some of which may also be available for use by others in the local community.

To date, less than half of the 500 homes have been completed in Telford & Wrekin, with most of these in the south of the borough. This scheme will increase the provision of homes in the north (where this is a high number of older people) and contribute towards the agreed target. It also has the potential to provide a resource for the wider local community and a hub for the delivery of outreach services.

The applicant and agents have discussed the Extra care housing element of this application with Housing and Social Care officers from the Council. The scheme will provide 50 one and two bedroom apartments, together with a range of communal facilities.

Of the 50 Extra care housing units, it is proposed that 30 would be affordable, with 20 units for private sale. The Council's preference is for the majority of the affordable units to be for social rent. It is also proposed that there would be 35 two bed apartments (68m<sup>2</sup>- 86m<sup>2</sup>) and 15 one bed apartments (54 m<sup>2</sup>). These space standards are consistent with national good practice guidelines (Care Services Improvement Partnership). The Council's expectation is that

this mix of dwelling sizes should be reflected in both tenures and also that the different tenures should be fully integrated within the overall development. In addition to the residential accommodation, there will be a range of communal and ancillary facilities, including a communal lounge, dining room and seating areas.

Discussions have also taken place with Social Care colleagues on the arrangements for the procurement and funding of care and support services for residents. It will be important to link the completion and occupation of the Extra care housing scheme with a suitable project milestone in the construction of the overall housing development. A separate nominations agreement will also be required to ensure that the Extra care housing units are allocated to individuals with an appropriate housing and social care need.

The preference is for the Extra care housing units to be owned and managed by one of the Council's existing Registered Provider (housing association) partners, if possible. There is potential for the scheme to be included in their respective housing development programmes.

Overall, the Extra care housing proposals in this application are welcomed and, in principle, considered to be broadly acceptable.

**Planning Policy:** In terms of Telford & Wrekin Borough, there is currently a five year supply of housing land to meet the RSS phase 2 panel report target and this is demonstrated through the 2011 Annual Monitoring Report. The RSS target is the delivery of 5850 houses over the next five years. Currently there is permission granted for a total of 8604 dwellings within Telford. It is noted that whilst there are a high proportion of properties with consent, only 412 are currently under construction. There was an increase in completions last year with 551 for the borough. Since 2006/7 2311 dwellings have been constructed which leaves a shortfall of 1564 from the target for completions.

This is an outline application for up to 103 dwellings on a 7.26 hectare site in Arleston, north west Telford. The vast majority of this site is within the Green Network. Wrekin Local Plan policies OL3 and OL4 and policy CS11 of the Core Strategy will therefore apply in considering this development proposal.

#### Policy OL3 – Green Network

This policy states that the Council will protect the Green Network in order to achieve the six aims set out in paragraph 8.2.12 of the Wrekin Local Plan.

The applicants have set out in paragraph 8.11 of their planning statement how the existing site and the proposed development perform against these six aims of the Green Network. This assessment utilises evidence from the Council's Landscape Sensitivity and Capacity Study, the Assessment of Open Space, Sport and Recreation Facilities (PPG17 Assessment), their own

Landscape and Visual Appraisal and comments from the Council's Landscape Architect.

Owing to the breadth of evidence and the thorough examination undertaken by the applicants, it is considered that the applicant's assessment of the site and the proposal against the Green Network aims is sufficient to meet the requirements of this policy.

#### Policy OL4 – Development in the Green Network

This policy states that development will be permitted in the Green Network where it meets the six aims in paragraph 8.2.12, where significant community and environmental benefits are integral to the proposal or where there are exceptional circumstances. The supporting text for this policy explains that exceptional circumstances should be predominantly open land uses and that community and environmental benefits may include measures such as the creation and/or improvement of habitats, recreational facilities, footpaths and bridleways for example.

The proposed built development on the site will take up approximately 50% of the site area. The remaining half is proposed to be retained as woodland and other open space which will be subject to long term management and maintenance via a S106 agreement.

Furthermore, the applicants propose to address many of the deficiencies and recommendations identified in the Council's Assessment of Open Space, Sport and Recreation Facilities. Specifically these include:

- Retention of large areas of the existing woodland on the site – although the PPG17 Assessment did not assess the existing Natural & Semi Natural green space on the site it did recommend protecting all such areas from development (NSN1). The retention of the woodland areas will help to meet this recommendation, and the long term management and maintenance agreement will help to meet recommendation NSN2 which suggests improving the quality of such sites.
- Recommendations NSN4 of the PPG17 Assessment suggests maximising the biodiversity of Natural & Semi Natural green space. The ecological officer's comments on this development proposal indicate that they are satisfied with the submitted ecological surveys and reports and that implementation of the Ecological Mitigation Strategy and the Landscape and Biodiversity Management Strategy will ensure that no protected species are adversely affected.
- Recommendation NSN5 suggests that access to Natural & Semi Natural sites should be improved. The improved and formalised footpath running through the proposed site will help to meet this recommendation.
- The assessment also identified a deficiency of 1.63 hectares of provision for children in north west Telford. The provision of a Locally Equipped Area of Play as within the development site should contribute towards meeting this deficiency.

Taking all of these measures in to account I am satisfied that the proposed development will deliver significant community and environmental benefits, as required by policy OL4.

#### Policy CS11 – Open Space

This policy reiterates policy OL4 in that it requires development to only to take place on open space where the proposal will deliver significant community and environmental benefits. It also states that development on open space will be permitted where the land does not contribute to the open space standards set to meet the requirements of the local population.

These two elements are interlinked and although there is currently no open space standards set within local planning policy, the PPG17 Assessment does provide the evidence to support this aspect of policy CS11.

The relationship between the PPG17 Assessment's standards and recommendations is explained in my comments in relation to policy OL4. I am therefore satisfied that the proposed development will also meet the requirements of policy CS11.

**Highways:** There are no objections on Highway grounds to the above development subject to the following conditions being included on any approval:

1. Access details
2. Layout details
3. Travel Plan
4. Environmental management plan

The above recommendation does not give or imply any approval to the site layout submitted as this is considered to be “illustrative” and does not address concerns relating to integration of the existing vehicular access serving Serchem Ltd into the layout, nor does it fully comply with Manual for Streets guidance in terms of the internal road layout. In addition, no approval should be assumed in respect of the proposed use of porous surfaces and underground storage indicated in the submitted Flood Risk Assessment for areas proposed for adoption as Highway. The works required to create the accesses will need to be secured under a Section 278 agreement (Highways Act 1980) which will also incorporate a £10,000 commuted maintenance sum and a £600 commissioning fee for the new traffic signal controlled pedestrian crossing. A contribution of up to £5,000 is required for the provision of support and monitoring of the Travel Plan. The Environmental Management Plan condition is essential to ensure that construction traffic is restricted to the most appropriate routes and times of day, particularly in relation to the section of Arleston Lane south of the proposed access/roundabout. Depending on the final site layout it may be necessary for a formal diversion of the Public Right of Way to be completed. The Transport Assessment junction capacity studies, based on the illustrative site-split, have demonstrated no significant development traffic impact on the “Bucks Head” junction at peak periods in the future assessment year 2020. I am advised that this junction is relatively

up to date in terms of equipment although there are suspected issues of vehicles abusing the southbound bus-gate restriction to avoid Ketley roundabout. The eastern proportion of the site indicated on the illustrative site-split is expected to generate only a small number of additional peak hour trips to/from the south along Arleston Lane and these are not significant enough to justify any concerns. ATC data from 2009 shows average daily two-way flows of around 1200 vehicles along Arleston Lane and, whilst it would be unreasonable to expect existing maintenance issues on Arleston Lane to be addressed by the development, it is considered that the improved site access roundabout should address any vehicle speed concerns on the approaches.

**Drainage:** The proposals in the Flood Risk Assessment are acceptable in principle however, the following issues should be addressed at reserved matters stage; full drainage details including calculations required once layout finalised. Exceedance flow routing plans, these can be covered by conditions.

**Severn Trent Water:** No objections to the proposals subject to the inclusion of the condition for foul and surface water drainage details

**Environment Agency:** no objection to the outline planning application. We note that it follows withdrawal of a similar outline planning application ref TWC/2011/0261. The comments below are provided for your additional information to assist in determining the planning application.

The site is in flood zone 1 (low probability of fluvial risk) and the highest risk of flooding would be from surface water run off. The applicant has addressed the 1 in 100 flood event with climate change. The Sequential approach to minimizing flood risk has been utilized within the site with the lower more saturated areas being proposed for ponds and landscaping.

Your internal Drainage Team should advise you on the detailed attenuation measures supplied by the developer in the FRA and consequently recommend any suitable conditions for flood risk mitigation if they deem it necessary

**Conservation:** No objection to the scheme in principle, the new development does not encroach too closely on the Grade II\* Listed Building Arleston Manor. The scheme takes advantage of natural existing screening to create some separation. The future design of the properties should reflect the historic interest and be of a high standard.

**English Heritage:** No comments the application should be determined in accordance with policy.

**Shropshire Council Archaeology:** Archaeological remains relating to the medieval settlement of Arleston may survive within the application site. In mitigation of any archaeological impact it is recommended that a programme of archaeological work is conditioned.

**Tree Officer:** The impact to the TPO'd woodland adjacent to Arleston Lane has been severely reduced with a reduction from 16 to 6 houses within the woodland. However the problem of wind thrown trees may still exist once trees have started to be removed leaving adjacent trees exposed. It may be prudent to plant smaller growing trees adjacent to the boundary fences of the 6 proposed dwellings to abate the chance the wind thrown trees and the conflicts which arise from newly built houses, tall mature trees and new home owners.

With regard to the southern area of the site, which is situated adjacent to the M54, Tree Group 15 consists of a mix Leyland Cypress & Norway Maple at an estimated height of around 20metres (at the time of the survey), a number of Cypress trees have started to fail causing stems to collapse into the application site, which if consent is granted will either be the rear gardens of the proposed dwellings or their garages. There will also be issues with regard to sun & daylight, given that 14 of the proposed dwellings have south facing gardens directly opposite a 20metre evergreen hedge. Since the last application the Cypress trees have been reduced in height, which may cause the tree to produce lateral growth, in turn making the trees broader.

If permission is afforded to the application recommend the following conditions;

Landscaping design and implementation, trees Protective fencing. Services & Roots details; B134 & TPO'd trees; C70 No Burning, C71 Soil Levels, C72 Materials Storage, C73 Hedge Protection.

**Ecology:** There has been a lot of pre-application advice and discussion for this site. With the submission of this application, all outstanding issues with the surveys and reports have been addressed. The implementation of the Ecological Mitigation Strategy and the Landscape and Biodiversity Management Strategy will ensure that no protected species are adversely affected by the development and that the site is enhanced for wildlife.

'The most habitat interest has been identified within the central woodland. Here the presence of a number of veteran trees suggests some antiquity to parts of this woodland block' although there is an 'absence of any significant assemblage of ancient woodland indicator species.'

All hedgerows on site are species-poor, but are important for commuting, foraging and nesting.

The following conditions are recommended:

1. Ecological Mitigation Strategy
2. Landscape and Biodiversity Management Strategy
3. Erection of nest boxes
4. Lighting Strategy
5. Retention of trees

**Landscape Architect:** Concurs with the statements in the Telford & Wrekin Landscape Sensitivity and Capacity study, which states that the area has

medium/low landscape sensitivity and high/medium housing capacity. Despite the area having been designated in the green network, sensitively located housing and landscape proposals, shown in landscape strategy plan would lead to a better quality open space. The area currently has a neglected unmanaged feel. The proposals will lead to a LEAP, a green lung with wetland, reinforced managed woodland and tree lined avenues through housing. From a landscape perspective appropriately managed open space will be an improvement and could be controlled through suitable conditions.

**Parks and Open Space Officer:** It is essential that all new developments make full provision for the infrastructure/amenities and services which they create. New residents to the area will increase demand upon the existing recreational resource. The development will contain a number of properties which will contribute to the need of recreational facilities for the area. The proposed development will reach the trigger level that would require on-site play provision in the form of a NEAP (Neighbourhood Equipped Area for Play). The current layout proposes the provision of a LEAP (Local Equipped Area of Play) which is a significantly smaller facility and does not cater for older children arising from the development. The proposed play facilities are inadequate to meet the recreational / play needs arising out of the development and are not to be confused with the need to provide general open space. A larger equipped play area needs to be provided as well as a ball court and wheeled sports provision as highlighted in the councils approved Play Strategy.

Initial discussions between the developer and P & OS were made in regards to the potential to provide a contribution towards off-site improvements to existing areas in order to maximise existing facilities in order to meet the need arising out of the development instead of providing an on-site NEAP. This was provisionally agreed in principle by P & OS.

As a NEAP is likely to be over 1000m<sup>2</sup> and will require additional land to provide an extended activity area and buffer zone than the proposed LEAP there are benefits to the developer of providing an off-site sum. A NEAP will require significantly more land than that proposed in the illustrative layout, cost more to construct and cost more to maintain than the proposed LEAP area. An off-site contribution will benefit the developer through requiring less land for play provision and therefore maintaining the current 'illustrative' layout potential, as well as requiring less management costs.

Although usual for Full application comments I would ask for you to consider whether it would be appropriate to include a requirement of a condition to require developers not to sell any overlooking properties to the proposed play provision (whether this be a LEAP or a NEAP) until the play provision has been built. This is to ensure prospective purchasers are fully aware of the play provision in proximity to these properties at the time of purchase.

The Landscape and biodiversity management strategy provides some detail on the management of some of the proposed open spaces but not all (i.e. play area). It is not clear who is to carry out these duties (and also misses some

basic operations such as litter), and who is to maintain those features which are missing from the strategy (water features / Play Area etc). As such the future management of the proposed open space is not clear and cannot be found to be sustainable without this additional information.

**Shropshire Wildlife Trust:** Comments awaited.

**Sustainability:** There are some very positive sustainability aspects of the residential development, therefore the development should be 'conditioned' upon the following as stated within the Energy Strategy and Design and Access Statement:

- Energy efficiency and passive design measures as described in Section 4 of the Energy Strategy;
- High efficiency LTHW heating system and small-scale CHP plant in the extra care facility; and
- High efficiency LTHW heating system and PV modules for the residential units;
- 25% improvement in CO<sub>2</sub> emissions over the *Approved Document Part L (ADL)* of the Building Regulations, 2010.
- All housing will be a minimum level 3 of the Code for Sustainable Homes.

However, greater clarity is required by the developer on whether the level 3 Code for Sustainable Homes also applies to the extra care housing units? If not, then the developer should look to explain how they believe they have developed a valid and sustainable design solution for the extra care housing units. One of the most effective ways of securing a more sustainable development, and reducing climate change emissions, is to develop care home buildings to achieve BREEAM standards.

**Education:** Given the number of type of dwellings the Council will seek a contribution of £208,794 towards primary education facilities in the vicinity of the development.

**Shropshire Fire Service:** No objection subject to informatives relating to Access for Emergency Fire Service Vehicles, Water Supplies for Fire fighting, and Sprinkler Systems - Residential Premises

**West Mercia Constabulary:** I have reviewed the plans for this proposal and I comment as follows.

Extra Care Facility: It is important with any care facility that the security of residents is considered from the outset. The perimeter will play an important part in reducing the opportunity for crimes to occur. Where possible consider barriers between public and private space. This is particularly important where footpaths parallel the building lines. Access control into the private area is extremely important to reduce the opportunity to those who commit burglary and bogus caller type offences. Any vulnerable external access doors should be alarmed. The installation of CCTV is also an option to cover vulnerable

doors and approaches. Natural Surveillance throughout the proposal is extremely important. Shrubs should be maintained to a low height to allow for this to happen.

**Residential Development:** The proposal allows for a number of residential units to be built including courtyard developments with accommodation above entrance points. Any such vehicle / pedestrian access point into a courtyard development should be gated and have suitable access control. This will prevent unauthorised access by persons who may wish to commit crime and will reduce the opportunity for offences such as burglary and vehicle related crime. **Boundaries** With any new development it is important that the boundary is secure to prevent intrusion by offenders. Any boundary should be to a height of 1.8m. **Trees** It is important to have natural surveillance throughout the development so that it is difficult for offenders to hide. Existing trees should be undercut to a height of 2m to allow this to happen. The future growth height of any new planting should be carefully considered so that natural surveillance is not impeded. **Natural surveillance** should be maintained throughout the development. **Security Lighting** The provision for suitable external lighting will discourage burglars and bogus callers and will help to reduce the fear of crime. Any street lighting should be carefully designed to cover all vulnerable areas and must not create shadows. It is recommended that that a burglar alarm be fitted to each property. I am encouraged that the Design and Access statement refers to the Secured By Design initiative. Finally may I draw your attention to Section 17 of the Crime and Disorder Act 1998 which clearly states it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions of, and the need to do all that it reasonably can to prevent crime and disorder in its area

**Geotechnical:** The site lies in an area potentially affected by shallow mining; therefore shallow mining condition B50 and B27 untreated shafts are required. Condition B57 contaminated land is also required. Several ponds were identified on the historical maps that are no longer in situ, there is no detail available on how these features were infilled, a near surface ground investigation should be undertaken to determine these areas and foundation designs should be submitted to the LPA for approval prior to work commencing on site.

**Environmental Health (Land contamination):** Site investigation report has identifies elevated hydrocarbons in a former pond area on the west of the site; further investigation of these ponds is required and can be secured through the standard land contamination condition.

**Environmental Health (Pollution control):** I have been through the noise and air quality reports for the application site and have the following comments.

Noise

The noise assessment dated March 2012 shows that the residential properties are sited within NEC category B and that noise mitigation (acoustic fence, double glazing) will be incorporated within the development to further meet the “good” standard of 30 Db(A) in habitable rooms. If minded to approve the application a condition should be placed on the development to ensure that the mitigation measures are fully implemented.

#### Air Quality

The report details actions that will be taken as part of a dust mitigation plan detailed in section 5 of the report to reduce the impact of dust during the construction phase of the development. If minded to approve the application a condition should be placed on the development to ensure that the mitigation measures are fully implemented. The report details do not determine whether centralised heating or power plant will be incorporated into the proposed development. Again if minded to approve the application a suitable condition should be placed on the development to further assess the impact on air quality if centralised heating or power plant is to be introduced.

#### THIRD PARTY REPRESENTATIONS:

Cllr Angela McClements (Ward Councillor), I am writing to express my strong opposition to the above application on Green Network land at Arleston. I have also consulted with many residents across the ward, who have expressed their anger and concern about the potential loss of a valued piece of Green Network land in their area. I understand that you have received an overwhelming and unprecedented response from Arleston residents who feel passionate about the potential destruction of what they refer to as “their green lung”

I note that the developers intend to build a three storey Extra Care facility at the top of Kingsland. Residents have raised concerns that the building will be visually dominant as it is on higher ground than all the properties in the Village and also those properties at the top of Kingsland.

I would point out that recent a planning application was granted for an Extra Care facility just up the road in Lawley, with 60 assisted apartments. What does concern me about this application is that the Developers are clearly trying to use the Extra Care facility as a way of trying to get the planning application through stating that it would be of a community benefit. Yet the residents of Arleston do not feel it would be of any benefit to them only an ‘eye sore’ and does not demonstrate ‘exceptional circumstances’.

Green Network Land: Its important to stress that Arleston is one of the most socially deprived wards in the Borough, it has a high percentage of youth unemployment and people on low incomes. There is a lot of work to be done on ensuring that they have a good environment in which to live and improve their quality of life. Green space always provides a sense of well being and this is an important factor for the residents of Arleston. Open space is in very short supply in Wellington, with very limited natural open space and with the

massive new build just up the road at Ironstone in Lawley, this will only urbanise a precious piece of Green Network land.

It is clear that the unique character of Arleston Village would be seriously compromised. Some properties will be overlooked, reducing privacy light and views.

Wildlife and Ecological Factors: I understand that a wildlife survey was carried out in August. I have been told by experts in this field that this was not the ideal time to get a true picture of the bird population and their breeding range. The most appropriate time would have been in the months April through to June. Again we have not had a true picture from the Developers ecological survey on this land. Birdlife in this area includes garden birds, Long Tailed Tits, Brambling, Nut Hatch, Field Fare, Partridge, Sparrow, Hawk, Tawny Owl, Buzzards, Pheasants, Tree Creepers, Spotted Woodpeckers, Kestrels, Bull Finch, Swallow, Swift, Song Thrush, House and Tree Sparrow – quite a comprehensive list! Mammals in this area include Foxes, Stoats, Field Mice, Door Mice, Shrews, Badgers, Butterflies and Moths (Elephant Hawk Moths, Holly Blue, and Orange Tips). Reptiles in this area includes newts, frogs, toads and lizards

Traffic Flows: One of the on-going complaints that I have had since being elected as the Borough Councillor for Arleston is residents concern about traffic flows and speeding down Arleston Lane and the build up of traffic at the Cock Hotel lights. Photos will have been made available by residents, which clearly show the congestion already in place. This proposed application will only exacerbate this situation, with inevitably more cars adding to an increasing traffic problem from the Lawley development. Arleston Lane is classified as a country lane, with narrow, blind bends and steep gradients.

Drainage and Sewerage: Arleston has its fair share of drainage problems and with any new development it brings even more problems. The construction of the motorway made matters worse and a number of homes have recently been subject to flooding after the heavy summer storms. The stream running through Arleston Village contributes to the natural and unique character of Arleston Village and should not be interfered with. The proposed development is on elevated land, above surrounding housing and roads and I have real concerns about whether the proposed balancing ponds will be adequate to deal with any future drainage problems. The existing main sewer is prone to failure as a result of storm water and blockage. It appears that the sewer through Arleston Village will be used, but I would stress that this has failed recently with sewerage flowing down the road. Not a pleasant experience for residents in the vicinity!

This outline planning application will mean creeping urbanisation of an area which has limited green space and has strong opposition against it going ahead. I therefore urge that it is rejected by Telford and Wrekin Planning Authority.

CPRE objects to the proposal on grounds that the application site is within the 'green network' defined by the former Wrekin Local Plan 2000. The green network has subsequently been administered by saved policies OL3, OL4 and OL5, and its importance is recognised by the LDF. Development in the green network has been permitted only where there are exceptional circumstances, where environmental or community benefits can be demonstrated. While there is some community benefit arising from the provision of extra care units, the greater part of the proposal involves new dwellings which do not appear to demonstrate any advantage to the community or environment which would justify loss of part of the green network. This is particularly unfortunate when there is very considerable opportunity for providing new dwellings nearby in Ironstone and Lawley. The location of the development will inevitably increase the volume of traffic on Arleston Lane, a road of modest width, particularly southwards towards Lawley village.

There is a 321 signature petition to the development, opposed to the loss of green network land.

There have been 162 letters of representation received objecting to the development from 120 separate addresses and 10 individuals who did not disclose addresses; these objections can be summarised as follows:

#### Land Use

- Brown land should be used prior to Green land
- Loss of agricultural land
- Loss of buffer between Wellington and Lawley
- Site is buffer with opencast mine in area

#### Need

- Need for housing - significant surplus being built with consent in the locality, in Lawley, elsewhere in Arleston and consent granted at Ercall Wood.
- Extensive building works in area already, and other properties in Arleston are not selling
- There is no need for an Extra Care facility, as a 60 bed facility recent granted at Lawley, and there are facilities at Ketley and Lightmoor. Also there are other care homes
- The elderly community in this area do not require this type of Extra Care facility

#### Green Network

- Loss of green network
- Green network and loss of this space would deprive Arleston of a valuable and appreciated aesthetic and environment asset
- Proposal is not compliant with green network policies within the Wrekin local plan
- Greenland helps define Telford as a good and healthy place to live. Less spaces will hamper children's learning and development and results in the reduction in law standard of green space in vicinity

## Ecology

- Impact on wildlife – Bats, buzzards, Blackcap, Goldcrest, woodpecker, owls, pheasants, mammals and reptiles on site.
- Loss of wildlife associated with loss of trees
- In pure ecological terms site may be of little importance, but site important in local context
- Dispute ecological reports assertion that is of little landscape or ecological value; given the significant number of species found on the site
- Dispute that the timing of ecological reports was appropriate

## Open space

- Open spaces do not have to be manicured, or fully accessible to be of public benefit to the community.
- Loss of open space for children's play or dog walking
- Development will result in increased urbanisation and loss of open space, changing character of Arlestone
- Ward as amended as little open space, no park or allotment and now proposed removal of green network

## Trees

- Loss of trees, many of which are covered by Tree Protection Orders
- Loss of natural established woodland, scrub and grassland
- A aesthetic value of site woodland offers an attractive natural skyline

## Services

- Impact on local services, Doctors, Hospital, Police, Fire.
- Local amenities can not support this development, i.e. schools, medical centre

## Drainage/Flooding

- Safety elements associated with drainage pools
- Overloading of sewage system, increase pressure in a system which has recently failed and resulted in sewerage in streets.
- Highly variable water levels in Arlestone stream resulting in flooding of gardens and houses, proposal will worsen this situation
- Flooding creates further cost to the Council
- Potential for flooding issues to impact on pitch at Telford Stadium, there have been recent matches cancelled due to flooding

## Highways

- Arlestone Lane in poor state of repair
- Increased traffic and infrastructure unable to support increased traffic development
- Arlestone Lane currently a 'rat run' and appraisal does not mention poor maintenance and other potential issues caused by future development
- The existing island on Arlestone Lane is an area of frequent accidents; this development will increase traffic problems.

- Traffic congestion - create of dangerous junctions and reports under estimate traffic generation by scheme
- Conflict with existing access for factory unit, which has a number of heavy vehicle movements.
- Increased usage of pedestrian link to Wrekin Retail Park will result in use of safe route and increase anti-social issues.
- Impact of development on matches as there are already issues with junctions as area is very busy.

#### Overlooking and character

- Loss of charm and character of unique Arleston village
- Adverse impact on the character and appearance of the local area
- Over bearing nature of 3 storey extra care facility and will have a detrimental visual impact.
- Overlooking of existing properties and loss of privacy
- Adverse impact on daylight particularly from elevated sections of development site
- Cross sections are misleading as do not accurately reflect adjacent properties; furthermore, existing boundary screening will be removed, so issues of overlooking and privacy will occur.

#### Noise/Disturbance

- Increase noise pollution from M54 due to loss of natural scenery
- Noise, air and traffic issues relating to any construction phase.

#### Heritage

- The proposal will have a detrimental impact on the nearby Listed Buildings

#### Ground Issues

- Soil contamination following mining legacy

#### Other issues

- Proposal will exacerbate issue of social deprivation
- Community benefits stated in the supporting documents are not wanted or needed by Arleston residents.
- The zones for development have been reduced, but what is there to stop the developers coming back for more area later?
- Retention of 50% of land as open space is misleading as garden land which could be paved over
- Proposal will be for developer profits and good of share holders and not the local community
- Local people should have a greater say and we say no
- Detrimental impact on environmental and local community
- Limited amenities within walking distance of site for elderly occupants
- The provision of care facilities in not sufficient to out weigh harm of loss of this open green land.
- The proposal is surrounding a chemical factory and the application has not taken this into regard.

There are two letters of support from Wrekin Housing Trust and Bromford Group supporting the extra care facility in particular siting this as a good location for a facility to serve wellington.

## KEY ISSUES AND PLANNING CONSIDERATIONS

### Background

There was a previous planning application submitted last year for this site, which included a 50 bed extra care facility and up to 125 dwellings. A report recommended refusal of the scheme was drafted for plans board, but the applicants withdrew the application from consideration to continue to negotiate with the Local Planning Authority.

The previous report recommended 4 reasons for refusal on the following grounds 1) the green network, loss of natural and semi-natural open space, impact on protected species and noise issues. Another area of concern was the impact on amenities of adjacent occupiers in terms of overlooking and privacy.

Following withdrawal of the previous scheme there has been a reduction in the amount of the site to be developed and now approximately 50% of the site is to remain as open land, and the developed area is to contain a 50 bed extra care facility and up to 103 dwellings. The previous scheme retained only 40% of the site as open land.

Another key change since the drafting of the previous report is the change national planning policy with the Introduction of the National Planning Policy Framework, which has the main principle of a presumption in favour of sustainable development, in terms of social, economic and environmental dimensions. The NPPF is clear that Local Planning Authorities should take a positive approach to foster the delivery of sustainable development, and are tasked with looking for solutions rather than problems to approve sustainable development where possible and work proactively with applicants to secure development that improve social, economic and environmental conditions of the area. Furthermore, the guidance states that housing developments should be considered in the context of presumption in favour of sustainable development.

### Principle of development and the Green network:

The site is designated as green network, as defined in the Wrekin Local Plan. This is a system of interlinked green spaces which is afforded a strong level of protection from development. Saved policies OL3 to OL5 of the Wrekin Local Plan protects sites and links within the network from development, which is not predominantly open land, and does not deliver community or environmental benefits.

The background to the policy explains that land is designated as Green Network because it fulfils one or a number of the six aims, including, inter alia, maintaining Telford's image as an attractive place to live/work, that it retains/enhances individual identity/sense of local community, that it provides easily accessible 'green lungs' that provides variety to densely built up areas, that it provides a supply of open land to meet recreational needs and that it protects ecological /geological heritage. The applicants have assessed the site against the 6 aims of the green network and consider that the site fails to meet these criteria and is unlikely to warrant a protected open space status in any review.

The applicants consider that there is currently only limited use of the site from a public footpath. However, the reality as supported by neighbour comments, is that the site currently has informal open space and recreational uses, particularly for dog walking and children's play and pony grazing. This level of formal and informal recreational value is to meet one of the aims of the green network, furthermore there are areas within the site which are of high ecological value, and this extensive green area adds to the quality of the environment within Arleston.

Policy OL4 does allow for development in the green network where there are exceptional circumstances, where the proposal contributes or is complementary to the aims of the green network and has environmental and community benefits as an integral part of the proposal. Environmental benefits can include the creation of new habitats, improvement or management of habitats and landscaping/ landscape enhancement. Community benefits can include community/recreational facilities, access/cycle/bridleway improvements, enhancing public transport provision etc. The Local Plan goes on to expand the range of uses that could be treated as exceptions. These would be predominantly open land uses e.g. nurseries, renewable energy, composting schemes.

In relation to the 'exceptional circumstances' element identified in Policy OL4 of the Local Plan, the applicants contend that the lack of a five year land supply, the need for extra care and affordable housing and lack of a green network review should reasonably be considered as constituting exceptional circumstances that would allow for development of the site.

The Local Planning Authority does not entirely concur with this view. The Annual Monitoring Review states that the RSS target is for the delivery of 5850 houses over the next five years. Currently there is permission granted for a total of 8604 dwellings within Telford, which more than adequately addresses the supply issue.

Turning to the extra care facility, The Councils Care and Support Strategy (2006) identifies a limited amount of extra care facilities in the Borough, and identifies a need to provide a further 500 additional home up to 2021. Extra care housing provides independent living for older people in their own home, with access to care and support services twenty four hours a day. Schemes typically also provide a range of communal facilities, some of which may also

be available for use by others in the local community. To date, less than half of the 500 homes have been completed in Telford & Wrekin, with most of these in the south of the borough. This scheme will increase the provision of homes in the north (where this is a high number of older people) and contribute towards the agreed target. It also has the potential to provide a resource for the wider local community and a hub for the delivery of outreach services. Officers consider that the need for an extra care facility is evident and are supportive of the principle of an extra care facility in this location to serve Wellington. This need is also evident with two letters of support from registered social landlords, who would be keen to operate such a facility in this location. In addition to the extra care facility meeting a general need. The developers have proposed that 30 of the units will be affordable, whilst the mix of affordable housing has not yet been agreed; to meet housing demand a higher proportion of social rented tenure would be preferable to Officers.

In relation to the second element identified in Policy OL4 that makes allowance for development to be permitted where community and environmental benefits are an integral part of the proposal, the applicants contend that currently enclosed/private land will be brought into community/recreational use and ecological/biodiversity interest will be enhanced. The applicants propose to set up a private management agreement to ensure that the quality and appearance of the proposed green space after development will be maintained in perpetuity. Officers consider that this will offer some compensation for the loss of Green Network land and with an agreement will ensure that the green space is maintained and accessible for the wider public in perpetuity.

It should be noted that following withdrawal of the previous scheme there has been a reduction in the amount of the site to be developed and now approximately 50% of the site (3.6 ha) is to remain as open land. This will include enhancements in terms of maintenance and species, i.e. trees to compensate for losses in order to create the development pockets.

Whilst the level of accessibility to access and use the site for recreational purposes is an area of disputed between the landowners and local residents, officers consider that the proposal would formally create accessible open space for use of new and existing residents with the added benefit of full management of the area.

Officers consider that if this proposal was just a standard residential scheme, that there would be insufficient community benefits to outweigh the harm of the development to the green network. However, the open market residential development is needed for viability purposes to provide an extra care facility on the site, which is identified in housing strategy as a type of specialist housing, which is in demand, and other approved schemes have not yet provided for sites in the north of the borough and in particular Wellington, which has an aging population and generating this demand. It is therefore considered that the inclusion of the extra care facility is the key factor in providing a community benefit for this proposal, and along with the environmental and ecological benefits of the development is sufficient to

outweigh the loss of approx half of the site, and green network in this locality in accordance with Policy OL4 of the Wrekin Local Plan.

### Landscape and Visual Amenity

The applicants contend that the site is of low/medium landscape sensitivity and high/medium housing capacity and is confirmed in the Telford and Wrekin Landscape Sensitivity and capacity study. From a landscape perspective, sensitively located housing, along with landscape proposals which would lead to a better quality retained open space and inclusion of new features such as a LEAP and wet lands, would not be considered to have a detrimental impact on the visual landscape amenity of the area. Officers acknowledge that the proposal offers significant enhancements to parts of the site as retained as an exception to policy OL4, it is considered that this element is sufficient to outweigh and compensate for the loss of 50% of the green network and the loss of 25% of the semi natural and natural land, and the proposal is therefore considered to comply with OL4 and aims of NPPF.

### Trees:

There have been a number of objections raised by residents to the development on the grounds of loss of trees and the impact this will have on wildlife and ecology.

The site has a number of trees, there is mature woodland at the centre of the site, where the trees are protected and there is silver birch woodland to the east of the site, which is covered by the group protection order. The Arboricultural Officer has assessed the silver birch woodland and considers that these trees do not fit the criteria for protection and has no objection in principle to the loss of some of these trees, subject to a high level of mitigation planting and future management, which can be secured through conditions. It should be noted that the previous scheme involved a large proportion of this wood proposed for removal to create development pocket and associated drainage attenuation. This has been significantly reduced to now only include a small area of development equivalent to 6 dwellings. The layout identified that the centre woodland is to be retained and managed. The visual appearance and future ecological benefits of all the woodland has been subject to concerns raised by local residents.

Whilst it is considered in isolation that the trees do not meet protection requirements, the wider consideration of the setting, potential for bat roosts and ecological enhancement, also need consideration. On the previous scheme it was considered that the other benefits of this woodland had not been adequately addressed and it was considered and loss of this woodland should be resisted on grounds, that this woodland is intrinsic to the semi-natural and natural character of the land as identified and considered for protected in accordance with PPG17.

Officers now consider that the retention of the majority of the wood, including trees of importance for ecological purposes and trees to the perimeter to

retain the green character of the site are the significant difference with this proposal and overcomes issues of loss of some of the semi-natural area of the site. Whilst there will be some tree removal necessary, this is to be mitigated through enhancement planting elsewhere on the site, in accordance with detail in the ecological and landscape management plan, and this can be adequately controlled through conditions.

#### Ecology:

On the previous scheme the Councils Ecologist and Shropshire Wildlife Trust raised concerns over the supporting survey work and mitigation strategy in terms of protected species on the site and required further works to be undertaken.

This application is supported by additional survey works and a comprehensive ecological mitigation strategy and landscape management plan. It is noted that neighbours have raised concerns about the level of surveys undertaken and timings of surveys, however Officers are content that the additional information provided is adequate and in accordance with guidance.

The Councils Ecologist has reviewed the reports and has the following comments: Badger activity on the site is concentrated within the central woodland, where three setts have been identified. Their level of use between 2009 and 2011 was seen to fluctuate. Julian Brown Consultancy, who undertook an additional badger survey on the site, concludes that these setts are likely to be part of a territory that has a main Sett located off-site and that the social group is relatively small.

The horse grazed grassland in the eastern corner of the site has been assessed as 'providing the best quality foraging habitat on the site...due to the maintenance of a short sward by grazing.' Off-site foraging is highly likely, given the relatively poor habitats available on-site. The survey report takes the assessment of Julian Brown Consultancy and maps the most likely commuting routes off-site. The Ecological Mitigation Strategy includes mitigation to maintain badger access routes during construction. Julian Brown Consultancy recommends that 'due to the dense nature of across large parts of the site...a winter sett survey [should be] undertaken, when reduced vegetation cover would ease the location of setts.'

Bioscan, however, said that 'surveys of the site have been extensive and the likelihood of an unidentified sett being present is considered remote at this stage. It would, however, be recommended to resurvey the site for evidence of badger activity

At the detailed design stage and if necessary also at the commencement of on-site works, to ensure that any future changes in badger activity, in particular the creation of any new setts, are identified and a revised mitigation scheme developed if necessary.' This is included in the Ecological Mitigation Strategy.

Officers are content that the mitigation proposed in the accompanying strategy is appropriate at this stage and this is to be controlled through conditions.

Bat activity surveys were carried out in 2009, 2010 and 2011. Common and soprano pipistrelles were the most frequently recorded bat foraging or commuting on the site

With noctule, brown long eared and unidentified Myotis species also recorded. The most important foraging areas were the 'central east-west path and woodland/grassland interface. Three trees, located within the central woodland block, were identified as having medium or high bat roosting potential. Whilst the woodland is intended for retention, without a condition to retain this specific oak there would be nothing to prevent individual trees (e.g. Tree 2 and Tree 3) being removed for access, woodland management or health and safety etc.

The Bat Conservation Trust Guidelines state that it should be assumed that high potential trees are used by bats at some point during the year. This means if this tree is to be removed then destruction of a bat roost for the purpose of development is likely to occur.

The Ecological Mitigation Strategy states that 'all trees with low roosting potential or higher are also proposed for retention within the parameters plan and can be protected through conditions. Since the trees are to be retained, there will be no impact on roosting bats and any breach of the Habitat Regulations is avoided. Officers consider that the protection of these trees can be adequately controlled through planning conditions.

A full reptile survey was carried out in May 2008 which found no evidence of any reptiles on the site. The report concludes 'there is limited scope for colonisation of the site due to the lack of potential wildlife corridors to the site from suitable reptile habitat in the wider area.'

The trees and hedgerows on site provide lots of opportunities for bird nesting. As well as common bird species, dunnock and bullfinch were recorded on the site during the survey. These are BAP species and Amber list birds of Conversation Concern.

There is a barn owl record to the east of the site, but the report concludes that the site is unsuitable to support a resident pair, is 'largely unsuitable for foraging', 'subject to high levels of recreational disturbance' and 'isolated from other suitable habitat in the wider countryside'.

The invertebrate assessment by Colin Plant Associates concludes that 'based on the habitats present on the site, the site is unlikely to support a notable invertebrate assemblage.' Recommendations are made in the report for further survey to inform future compensation and enhancement measures as part of the detailed development proposals, for example to inform planting schemes and seed mixes such that habitats capable of supporting an equivalent mix of invertebrate species are present post-development.'

The Landscape and Biodiversity Management Strategy, however, doesn't include any wildflower seed planting apart from around the SUDs.

Given the conclusions of the Colin Plant Associates survey and the other enhancements to the site which will benefit invertebrates (e.g. marginal planting, ornamental planting and retention of standing deadwood), Officers consider that further invertebrate assessment is not necessary.

The site lacks any standing water of the type typically required for amphibians to breed successfully. Flowing water, such as that found within the small stream on the site, is not considered to provide a favourable breeding habitat for amphibians, in particular great crested newts *Triturus cristatus*. On this basis, further amphibian Survey was 'scoped out'.

Consideration has been given to other mammals, such as brown hare and hedgehog, and the report concludes that these are unlikely to be present.

The three 'key ecological constraints that have influenced the design of the development parameters plan for this site ... are: key habitat resources that contain the majority of the floral interest on the site, such as the block of more ecologically notable secondary woodland at the centre of the site; the presence of badgers, and use of the site by bats for foraging and commuting.

The Ecological Mitigation Strategy contains the following mitigation, compensation and enhancements:

- re-survey of the site for evidence of badger activity at the detailed design stage and

If necessary also at the commencement of on-site works, to ensure that any future changes in badger activity, in particular the creation of any new setts, are identified and a revised mitigation scheme developed if necessary

- retention of the central woodland block (except for a section at the eastern end for access
- retention of all but one of the hedgerows
- retention of the majority of the other secondary woodland
- retention of two of the three areas of primary importance for bat foraging and commuting and all but the very eastern extent of the third area of primary
- retention of the secondary area of importance for bat foraging associated with the

Small grassland in the north-eastern woodland block

- timing works outside bird nesting season
- a minimum 30m stand off from the badger setts during the construction phase
- consideration of the need to maintain badger access routes during the construction

Phase to ensure that access to off-site foraging areas is maintained.

- implementing measures to prevent badgers being trapped in earthworks, e.g. by placing wooden boards in foundations at a shallow angle overnight during construction

- eradication of Japanese knotweed on the site
- creation of new hedgerows
- new tree planting
- creation of areas of short turf in amenity areas such as gardens and public open space
- use of native species, preferably of local provenance for any new tree planting and/or soft landscaping outside of the formal landscaping areas/gardens. Some should be selected on the basis of their provision of nuts and fruit
- planting a row of trees along the new access road
- an updated reptile survey if the site is not cleared before 2013, i.e. five years after the 2008 reptile survey
- a re-survey of the trees proposed for removed if the site has is not cleared before 2016, i.e. five years after the 2011 survey
- management and enhancement of the new and retained habitats on site, as set out in the Landscape and Biodiversity Management Strategy to improve the structural and floral diversity and quality of the habitats on site

The Ecological Mitigation Strategy recommends the installation of 20 bird boxes/bricks and 20 swift nest boxes. Officers also recommend the installation of 10 sparrow terraces. Twenty bat boxes/bricks are also recommended in the Mitigation Strategy. Officers consider that for a site of this size 30 boxes would be reasonable. In addition, a number of invertebrate boxes should also be erected. The applicants have agreed to this enhanced level of mitigation and this can be controlled through an appropriate condition.

Given all the above, officers consider that the proposed development will result in the loss of some areas of the site used for foraging for ecological purposes, but the main areas of high ecological value are to be retained and through the ecology mitigation strategy this loss will be adequately compensated and enhanced. This minimised impact on biodiversity and net gain is in accordance with national guidance in NPPF.

This guidance is clear that planning permission for development should only be refused on grounds of impacting on biodiversity and ecology when significant harm can not be avoid and mitigated or compensated. In this case officers do consider that the proposed mitigation is adequate to compensate for the harm generated by the proposed development.

#### Open space and play facilities:

A number of residents have raised concerns that the loss of land to development will hamper the enjoyment of this site for children and play. The Council is aware of the benefits of open space and play facilities for the benefit and health of children and the wider community and acknowledge that the proposed development will lead to a loss of informal play space and create an additional demand for formal play facilities. Based on the indicative mix of development, the scheme will generate in excess of 200 child bed spaces. Policy LR6 of the Wrekin Local Plan sets out these requirements for a Neighbourhood Equipped Play Area (NEAP), which incorporates a children's play area with approx 8 pieces of equipment including a youth

shelter and other seating, an area of kick about space or hard surfaced area for ball games and wheeled sports facilities, and should incorporate a 30m buffer from the activity zone to adjacent dwellings.

The development layout indicated the provision of a LEAP (Local Equipped Area for Play) and pre-application discussions have considered that a commuted sum to improve facilities at the nearby Windsor Road NEAP could be sufficient to address the demand created by the proposal. This is to be secured through a Section 106 agreement.

The NPPF states that access to high quality open space and opportunities for sport and recreation can make an important contribution to the health and well being of communities. Furthermore, existing open spaces should not be built on unless;

- there is an assessment to show the land is surplus to requirement,
- the loss would be replaced by equivalent or better provision, or
- the development needs outweigh the loss.

Officers consider that the proposed development will increase formal access to this land, include equipped play facilities and retain areas of the site with informal usage, as well as contributing to improvements of other sports and recreational facilities off site within the Arlestone Ward. Officers therefore consider that the loss of land is replaced by better provision both on and off site and therefore conforms to the guidance in NPPF.

#### Highways:

The application has been supported by a Transport Assessment and a draft travel plan for the extra care facility, in accordance with guidance in NPPF. Third party representations have raised a number of issues with regards to the level of additional traffic the site would generate, concerns with Arlestone Lane, traffic speeds, condition of road and congestion at junctions.

The Local Highways Authority is satisfied that the submitted information demonstrates that the development will not have an adverse impact on the local highway network, subject to conditions. The junction capacity studies demonstrate no significant development traffic implication on the 'Bucks Head' junction at peak periods, factoring in a future assessment until 2020. Furthermore, the equipment at this junction is up to date.

The new access on Arlestone Lane based on the areas for development is expected to generate only a small number of additional peak hour trips south along Arlestone Lane, and these levels are not significant to justify any reason for concern.

Whilst it is reasonable that major developments which have impacts on the highway network compensate for this, it is not the purpose of planning obligations to remedy existing deficiencies. A Section 106 agreement is however required for the maintenance of the new junctions created by the development of £10,000, £600 for a new signal controlled pedestrian crossing

and £5,000 for the support and monitoring of the travel plan in association with the extra care, as a direct impact of the development.

Officers consider that the site is well served by public transport. The indicative design of the proposal demonstrates a wide range of pedestrian and cycle links, with connections to Wellington, Telford Town Centre and Wellington Retail Park to access shops and services, and there are other facilities available at Arleston local Centre within short walking distance of the development. Furthermore, the proposed extra care will have integrated facilities available to the new and existing community. The development has exploited opportunities for sustainable transport modes in accordance with NPPF guidance.

It should be noted that whilst the access points into the site are acceptable there are concerns relating to the internal highway networks as shown on the indicative masterplan, as it does not fully comply with Manual for Streets guidance and relating to integration of the existing vehicular access serving Serchem Ltd into the layout. Should outline planning permission be granted these issues will need to be fully considered and resolved at the reserved matters stage. There are no officer concerns in relation to the highway considerations detailed in this report.

#### Drainage and Flooding:

The application has been supported by a Flood Risk Assessment, which confirms that the site is in Flood Zone 1 with low risk of flooding as confirmed by the Environment Agency and the Council's Drainage Engineer. The risk of flooding is from pluvial events and surface water runoff and is therefore considered acceptable, and in compliance with guidance in NPPF.

The proposal includes the discharge of surface water to a ditch course within Arleston Village this ditch is culverted under numerous driveways and contains silt and debris. Improvement works in the form of de-silting and repairs to pipe crossings would be desirable to ensure the ditch is capable of receiving the flows without any risk of flooding. However, as the developers have the right to discharge into this 'stream' and the supporting information confirms that the rate of discharge will be to green field rates, as per existing. Furthermore, the 'stream' is on third party land therefore the Local Planning Authority can not insist that such works are undertaken.

In response to these issues the applicants have undertaken a basic survey of the 'stream' and consider that improvement works could be undertaken for £5,000. They are therefore offering a bond for £5,000 to be held by the Council by which owners of the stream can draw down upon to undertake works to de-silt and do repairs. This is to be controlled through the S106 agreement. This bond is not a requirement to mitigate for a drainage implication of the proposal, but is a community benefit to reflect and address concerns raised by local residents.

#### Heritage and Archaeological issues:

Archaeological remains relating to the medieval settlement of Arleston may survive within the application site. An archaeological assessment has been undertaken and it is considered that there are no remains present, so there are no archaeological constraints to development on site.

Arleston Manor adjacent to the site is Grade II\* Listed building, and there are three other Grade II Listed Buildings within Arleston Village. The manor house is set down and well screened by existing vegetation; the setting of the building has been affected by the development of 14 dwellings within the grounds of the property. This proposal seeks to maintain the significant mature wooded area which maintains a physical separation between the proposal and the Manor building. The Council's Conservation Officer considers that this layout is acceptable to preserve the setting of all the listed buildings; however the quality of the proposed built environment would need to respond to the character of the building with high quality design to accord with guidance in NPPF.

Officers consider that technical issues relating to Conservation and Archaeology have been sufficiently addressed and conditions can adequately control the issues raised.

#### Geotechnical Issues

The site has a legacy of mining history which has been investigated. There is still potential of shallow mining issues however this can be mitigated through a condition. There is a historical well on site, which will need identifying and works undertaken to ensure no stability issues. There are two historical ponds on site which have been filled and have potential for contamination and will require further testing to see if there needs to be further mitigation to protect human health. This issue can be resolved through conditions.

Officers consider that technical issues relating to ground conditions including land contamination have been sufficiently addressed and comply with guidance in NPPF subject to conditions which can adequately control the issues raised.

#### Air Quality and Noise

The application is supported by a noise assessment which states that the majority of the site is within NEC category B – Where noise should be taken into account when determining planning applications and where appropriate, conditions impose to ensure an adequate level of protection against noise.

The previous proposal indicated that part of the site zone for housing development, was within NEC category C, where planning permission should normally be granted. Where it is considered that permission should be given for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise. The dominant sources of noise in the area are associated with

traffic passing along the M54 to the south of the site and Dawley Road to the west.

The previous supporting noise report stated that the development zone adjacent to Dawley Road can have noise impacts mitigated through sound installation. The Councils Environmental Health Officer concurs that such measures would adequately mitigate noise impacts inside the dwellings; however there was no detail of measure to ensure that garden spaces would have adequate protection from these noise sources.

This planning application has been supported by further information within the noise report; the parameters plan has been amended to move the residential development away from the Dawley Road and will include the use of an acoustic barrier. These measures have ensured that the proposed development is all within NEC category B area. Your officers consider that noise issues have been fully resolved in accordance with NPPF, which seeks to preserve amenity for future residents.

The issue of noise, air and traffic pollution in relation to the construction phase of the development has been raised as an objection to the proposal. Whilst this is a legitimate concern as construction can be disruptive to amenities, this can be adequately mitigated through conditions to control issues such as hours of operation location of compounds, access routes, road cleaning etc.

#### Air Quality

The application is accompanied by an air quality assessment. There are potential impacts from on-site construction plans and equipment, with dust generated through the development construction stage. In addition there will be additional road traffic, both during construction and post occupation. The report concludes that there are negligible impacts. Your officers consider that air quality issues have been fully resolved in accordance with NPPF, which seeks to preserve amenity for future and existing residents.

#### Mix of development and Affordable Housing

Although this is outline consent and details of housing layout numbers and locations have not been submitted for consideration, the supporting information does include indicative plans that demonstrate that the development is capable of including a mix of residential development with varying sized accommodation to reflect the housing need for the locality. The proposal also includes a 50 bed extra care facility. Which is a housing scheme to assist older people to remain active and have independent living; it offers a range of facilities and services to assist in this aim.

This element of the proposal would include a mix of 1 and 2 bed self contained units of accommodation with a mix of rented, shared ownership and leasehold occupation. The additional facilities particular to this kind of development includes communal lounge and kitchen/catering facilities, pampering facilities, treatment and changing facilities and staff facilities. All

residents would be required to have some level of care package of a minimum of an hour and a half, to support living, which will be determined on individual needs of occupants. The communal facilities of such development would be available for use by the wider community, i.e. the restaurant.

The provision of an extra care housing scheme, with a significant affordable housing element, is supported in principle by the Strategic Housing Officer, as there is an identified need for this form of provision in Wellington/North Telford. The proposed location of the scheme meets a number of the essential requirements for Extra Care housing. The affordable housing element of the extra care should largely be for social rent as opposed to a 50/50 split between social rent and shared ownership to meet local requirements.

### Design Principles

As the application is outline, with only access matters submitted for consideration, only the issue of the principles of design can be considered at this stage.

The master plan submitted with the application demonstrates that the site can adequately accommodate 103 dwellings. There is a mix of development proposed, ranging from 2 to 4 bedroomed dwellings and a 50 bed extra care facility to a maximum of three storey height.

The dwellings are grouped in character areas responding to the movement and landscape strategies. The first two character areas are located to the north west of the site, which is higher density to respond to the adjacent context of properties adjacent to the site in Kingsland etc. and will have terraces and small frontage to ensure continuity and enclosure of public spaces.

The south west of the site is lower density and the character changes for semi formal, suburban form which responds to the topography and shape of land. The north east area of the site has a similar density to the south west however, given the changing topography the character changes to informal rural form to reflect Arlestone village.

It is considered that the proposed development as defined in the master plan and design and access statement generally respects and responds positively to the context and could depending on details provide a high quality and distinctive area. The development has a mix of build form and hard and soft landscaping elements which respects and integrates with the topography of the site whilst preserving local historical features.

Numerous neighbour objections have been received concerns about the issues of building heights, and proximities to existing buildings and the potential for overlooking and loss of privacy therefore associated. The applicant to assist on reflecting these relationships have produced a selection of cross sections relating to the indicative layout. It should be noted that the

applicants do not have a full topographical survey of the existing properties and there are some inaccuracies with ground levels within plots and neighbours have produced other cross sections.

Officers consider that having regard to all the indicative cross sections and given that at this stage siting of buildings is not a matter for consideration, there is adequate information to ensure that the zones of land to be developed can be done so to provide adequate separation, in conjunction with the screen planting to protect the amenities of existing occupiers in terms of loss of light and privacy and that subsequent detailed reserved matters applications will need to carefully consider that individual relationships once siting of buildings is proposed.

Whilst the Highways Engineer has reservation with regards to the internal layout in terms of complying with Manual for Streets the proposal will exploit permeability of the site and maximises links through the site to the surrounding area. It is therefore considered that the design principles accord with policies UD2 of the Wrekin Local Plan, CS15 Urban Design and principles in NPPF. Accordingly, it is considered that sufficient attention has been given to the development proposal from a design perspective

The proposed development includes positive sustainable aspects in terms of Level 3 of the code for sustainable homes and BREEAM very good for the extra care facility. This level of commitment to sustainable development can be secured through conditions and officers consider this would be beneficial to achieve.

#### Planning obligations

The development as proposed would have a direct impact on local services in the vicinity; these can be mitigated and compensated through planning obligations. The scale and nature of this development requires the following contributions:

- |  |   |
|--|---|
| Highways                                       | - £10,000 maintenance of new junction<br>- £600 new traffic signal controlled pedestrian crossing<br>- £5000 support/monitoring of Travel Plan for Extra Care facility<br>- |
| Education                                      | - £208,794 for primary education provision in local vicinity  |
| Public Art                                     | - £10,000 for commission and erection either on site or in local vicinity or creation of piece of public art outside or within the extra care facility to this same sum.    |
| Section 106 and conditions monitoring - £3,500 |   |
| Open space and play facilities                 | - provision of an on site LEAP and commuted sum of £90,000 for improvements to nearest NEAP at Windsor Road, Arleston. Open space is to be                                  |

maintained by a private company funded by new residents, in accordance with the landscape and biodiversity management plan which accompanies the proposal.

Affordable Housing – 30 extra care units mix to be agreed. This equates to 29% provision, which although below the policy of 38% due to the specialist nature of extra care and demand for affordable units within such use is considered by officers as acceptable to meet housing needs demand.

In addition to meeting the needs generated by the development the developers are offering a £5000 bond to be administered by the Council for drainage works to the stream in Arleston Village.

#### Other issues:

Third party representations have raised concerns relating to the need for such development given the large number of sites with planning permission in the local vicinity. The Local Planning Authority can not consider the need for development or suggest alternative locations for development other than in zoning within the Local Plan but must consider each application on its own merits with regards to the relevant planning policies and other material considerations.

The proposed development will also have economic benefits through the creation of 30 new and permanent jobs in relation to the extra care facility. The development will also support a number of other jobs within the construction industry.

### **CONCLUSIONS**

The site is located approx 1.8km south east of Wellington district centre; it has good accessibility to public transport and local facilities and services at Arleston Local Centre. The site is therefore considered to be in a sustainable location for new development. Therefore in accordance with NPPF there is a presumption in favour of in sustainable locations.

The proposed development will retain 50% of the site as open space and undeveloped land and include environmental improvements with enhancements to allow the creation of community uses and access with new footpath and cycleway link, creation of formal recreational facilities, enhancement and protection of ecological habitats and management of woodlands and other open space. The proposal also offers community benefits with the creation of an extra care facility which includes 30 affordable housing units, highways improvements, contributions for educational purposes, accessibility to heritage assets and creation of jobs through

construction, operation of the extra care facility and wider landscape and open space management

Officers acknowledge that certain elements of the scheme will have benefits such as the extra care facilities to meet demands of the local area and enhancement to the retained open land through management. Since the previous application there have been amendments to the scheme and additional surveys and information provided with regard to ecology protection and benefits, these assertions have now been sufficiently addressed and appropriate evidence provided. It should be noted that, some of the applicants' considered 'benefits' of the site are actually mitigation for the impact of the development on existing services and facilities, i.e. education and highways. It is the view of your officers that the level of commitment has been improved and now meets policy requirements and on balance it is considered that the community and environmental benefits of the overall proposal are in accordance with the exceptions within Wrekin Local Plan Policy OL4.

It is acknowledged that local residents are opposed to the loss of green network and consider that it is fully protected as is, however it should be noted that policy does allow for some development, 50% of the site is to be retained as open land, including enhancement and the development pockets to the east of the site are sensitive to the existing semi-natural woodland, and will largely retain the external views into the site from the wider area.

The proposed development includes an extra care facility of 50 units, which would assist in meeting the Council's target to provide 500 units. Of these units 30 would be affordable units with a mix of size and tenure. Clearly there is a demand for such facilities. On the previous proposal your officers were not entirely convinced that the proposal is located in a sustainable location. Further information about links to the community and provision of facilities within the site has been provided to reassure your officers that this site is in a sustainable location. Furthermore, officers are satisfied that on the basis of viability with the reduced open market units to a maximum of 103 dwellings, the provision of seven 30 "affordable" Extra Care units is reasonable.

The provision of the extra care facility is considered a major community benefit of the proposal and outweighs the total protection of the green network in this location. Given this, it is important to ensure that extra care facility is provided, as a standard housing development would not offer sufficient benefits to be considered an exception to green network protection policies. The open market housing is only acceptable in order to make the scheme financially viable to prove the extra care facility. To this end, no more than 20 open market dwellings can be occupied before works start on the facility and no more than 75 occupied before the facility is ready for occupation. Officers consider that these timings are appropriate and realistic in terms of building programmes and cash flows for the development, which is of particular importance in the current economic climate.

Technical issues such as highways, flooding and drainage, heritage, archaeology and ground conditions have been satisfactorily addressed and can be mitigated through conditions and planning obligations. The development will have an impact on services such as play facilities, public art and education which has been acknowledged by the applicant and works have commenced on drafting a S106 agreement to secure the appropriate mitigation for the development.

The previous scheme had outstanding technical issues which had not been satisfactorily addressed in terms of ecology, trees and noise. This application is accompanied by sufficient supporting information to ensure that the proposed development will not adversely impact on protected species through loss of habitat and amenities of future occupiers in relation to noise impacts from the M54 and Dawley Road.

There are good aspects to the proposal as described in this report. On balance the loss of Green Network and open space is balanced by the community and environmental benefits of the proposal and promotes growth and creates and supports jobs and economic growth, in accordance with the principles of NPPF for the presumption in favour of sustainable development.

**RECOMMENDATION:** Approval subject to signing of a Section 106 agreement for 30 affordable housing units within the extra care facility, provision of open space and play facilities, including a contribution of £90,000 for improvements to nearest NEAP at Windsor Road, Arleston. Highways contributions of £10,000 for maintenance of new junction, £600 for new traffic signals controlled pedestrian crossing and £5000 for support/monitoring of Travel Plan for the Extra Care facility. Education financial contribution of £208,794 for primary education provision in the local vicinity. Public Art either £10,000 financial contribution for commission and erection either on site or in local vicinity or creation of piece of public art outside or within the extra care facility to this same sum. Section 106 and conditions monitoring contribution of £3,500 and subject to the following conditions:

1. A01 Time Limit
2. A03 Submission of Reserved Matters
3. B002 Reserved matters outstanding
4. B003 Reserved matters details
5. B008 Appearance details
6. Bcust Highways
7. Bcust Highways
8. B005 Travel Plan
9. B050 Shallow Mining
10. B052 Untreated Mineshafts
11. B057 Land Contamination
12. Bcust Well Investigation
13. Bcust Foundation details
14. B062 Foul and Surface Water drainage
15. B110 Archaeological Investigation
16. C130 Tree Protection

17. C131 Services in root protection areas
18. C133 Details of Trees for removal
19. B145 Lighting Strategy
20. B150 Site Environmental Management Plan
21. C050 Noise Attenuation
22. C071 Soil Levels in Tree root protection zone
23. C072 Burning/storing in tree root protection zones
24. C101 Erection of ecology boxes
25. Ccust Ecological Mitigation Strategy
26. Ccust Retention of trees of ecological value
27. Ccust Landscape and Biodiversity Management Plan
28. C113 Extra Care BREEAM
29. C115 Play space details
30. Ccust Open Space details
31. C38 Development in accordance with plans
32. D06 Restriction on use of extra care facility.

## INFORMATIVES

S106 agreement  
 Sustainable Urban Drainage  
 Contaminated Land  
 Protected Species  
 Bats  
 Nesting Birds  
 Updated survey  
 Trenches  
 Fire Authority  
 Conditions

### Reasons for approval

The Local Planning Authority considers that proposed development of an extra care facility, which is supported by a maximum of 103 open market dwellings for financial viability reasons is an appropriate community benefit, which when accompanied by the proposed environmental and ecology benefits are considered sufficient to out weigh the loss of approximately 50% of the green network site in this location in accordance with policy OL4 of the Wrekin Local Plan and guidance in NPPF.

The proposal has demonstrated that this is sustainable development with good access to public transport and local facilities and services. The proposal involves positive improvements to the built and natural environment and promotes economic growth and supports job creation, in accordance with the principles of NPPF and the presumption in favour of sustainable development

Technical issues such as highways, flooding and drainage, heritage, archaeology and ground conditions have been satisfactorily addressed and can be mitigated through conditions and planning obligations. The development will have an impact on services such as play facilities, public art

and education which can be controlled through a S106 agreement to secure the appropriate mitigation for the development.

TWC/2012/0261

Land off, Wrekin Course, Wellington Road, Wellington, Telford, Shropshire  
Construction of a new carpark with 40 spaces and hardstanding to site a  
mobile cafe (Amended plans received)

**APPLICANT**

Mr Peter Holt

**RECEIVED**

30/05/2012

**PARISH**

Little Wenlock

**WARD**

Wrockwardine

OBJECTIONS RECEIVED: Yes

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

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

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

**SITE AND SURROUNDINGS:**

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

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

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

#### PLANNING HISTORY:

None

#### PLANNING POLICY CONTEXT:

National Planning Guidance

National Planning Policy Framework

Saved Wrekin Local Plan Policies

UD2 Design Criteria

OL2 Designated Areas

LDF Core Strategy

CS7 Rural Area

CS12 Natural Environment

CS15 Urban Design

#### CONSULTATION RESPONSES:

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

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

Wellington Town Council: no objection

Highways: Following amendments to the plans to incorporate the area of land to the north into the red line site area and clarification regarding visibility splays from the site, there are no objections subject to the Applicant entering into a S106 agreement to provide £5000 towards a Traffic Regulation Order

and associated enforcement measures to eliminate the on road parking on Wellington Road.

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

Geotechs: no comment

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

Ecology: objects to the application and makes the following comments:

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

Sustainability: no comment

Shropshire Wildlife Trust: objects on the following grounds:

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

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

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

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

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

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

#### Impact on character/visual impact

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

#### Sustainability/Alternative solutions

- Wellington Civic Society wishes to encourage more people not cars to visit The Wrekin
- Application lacks analysis of current car parking capacity, how existing space could be better used, demand for parking at different times of day, week and year
- Other options should be investigated if there is a need for additional parking

- Wellington Regeneration Partnership would like to see park and ride from Wellington car parks instead
- Parking is only occasionally a problem- Park and ride would be best solution
- Site not identified as solution by local authority or relevant agencies
- Forcing visitors who currently come very frequently, into an (eventually charged) carpark discourages them from enjoying healthy exercise
- Adverse impact on local economy of Wellington, which promotes 'Walkers are Welcome', as few visitors to the Wrekin would pass through Wellington

#### Highways issues

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

#### Viability of proposal

- Catering van unacceptable – increase in litter/waste – what provision made? Will it eventually become permanent built café?
- Legal requirement to provide sanitation facilities at the outset of the catering facility's operation?
- Responsibility on operators of catering van for security is unviable
- More details on days and hours that catering van will be available need to be provided, to establish availability of car park
- Cost of maintaining site's security is required
- Are funding arrangements available to continue free use of car park after 3 year rent-free period? What means are proposed to discourage roadside parking? Who will enforce against roadside parking?
- Further planning creep – development and special events, if permitted
- Evidence of need for allotments?
- It is noted on the application that the field has poor fertility. It would hardly then make good allotments. Also likelihood of vandalism unless whole site was security fenced which would add to the ugliness of the development

#### Ecological impacts

- Adverse impact on vast numbers of frogs and toads migrating in the spring and autumn to and from the reservoir
- Adjacent to historic bluebell woods and large population of badgers
- Drainage issues – tarmacing area will cause future problems of water lying in winter

- Impact of increasing visitor numbers on the whole of the ecology of The Wrekin – details of how this can be mitigated must be provided

#### PLANNING CONSIDERATIONS:

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

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

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

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

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

area of the field, and the layout and surfacing, with proposed landscaping are considered appropriate. The majority of the field will remain open and unchanged.

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

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

The catering van would be an ancillary part of the car park and it is intended that this would be removed each evening and the site secured. The principle of having a facility providing refreshments is long established with the former Forest Glen at the existing car park, and the existing café on the track up to the Wrekin. A number of concerns have been raised about how the facility will be managed and the responsibility on the catering provider to lock the car park at the end of the day. Officers consider the principle of the catering van is acceptable but that the Applicant needs to clarify how this will be managed. This can be dealt with by condition. There are currently no plans to charge for car parking, and the existing car park adjacent to The Wrekin is free of charge.

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

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

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

REASON FOR APPROVAL:

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

W2008/0473

Former Dale End Garage, Dale Road, Coalbrookdale, Telford, Shropshire.  
Erection of 10no. dwellings; comprising 6no. two bedroom apartments, and  
4no dwellings, with associated works and access \*\*\*AMENDED  
DESCRIPTION AND PLANS\*\*\*

**APPLICANT**

Morris Property

**RECEIVED**

10/04/2008

**PARISH**

The Gorge

**WARD**

Ironbridge Gorge

**THIS APPLICATION WAS DEFFERED BY MEMBERS OF PLANS BOARD  
ON THE 11<sup>TH</sup> JUNE 2008 and 2<sup>ND</sup> JULY 2008 TO RESOLVE THE ISSUES  
WITH REGARD TO FLOODING AND THE ENVIRONMENT AGENCY.**

OBJECTIONS: Yes.

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

**PROPOSAL:**

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

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

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

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

#### SITE AND SURROUNDINGS:

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

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

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

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

#### HISTORY:

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

W2007/1305: Withdrawn

#### PLANNING POLICY:

Telford & Wrekin Core Strategy

CS1: Homes

CS5: District and Local Centre's in Telford

CS14: Cultural, Historic and Built Environment

CS15: Urban Design

Wrekin Local Plan

UD2: Design Criteria

H6: Windfall Sites in Telford and Newport

HE2: Demolition in Conservation Area

HE3: New Development in Conservation Areas

## SG1: World Heritage Site National Planning Guidance

### National Planning Policy Framework

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

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

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

PPG16: Archaeology and Planning

PPS25: Development and Flood Risk

### CONSULTATION RESPONSES:

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

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

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

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

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

Geotechs: Originally requested details (supporting drawings and calculations) regarding the proposed retaining structures proposed that there are no

supporting drawings or calculations for. However during course of application process and amended layout, considers some additional information is still required however should be simple to overcome with regard to retaining structures.

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

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

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

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

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

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

Following extensive consultation with the EA since 2008, amendments to the

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

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

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

Local Representations:

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

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

- Building of 3 storeys of living accommodation is excessive, given that the accommodation has been raised by in excess of 2.4 metres from above the pavement. Development should be restricted to two storeys of living accommodation. We believe that the proposed development would create precedents in a Conservation Area.
- The boundary fence shown between Innwood and the Development is unacceptable, as it would create a 3 metre high boundary along two sides the property.
- The Developers own the Workshop shown on the site plans, but have not currently included it in the proposed development. We consider that planning approval should not be granted without including the Workshop within the Planning Application.

## PLANNING CONSIDERATIONS

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

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

### Flooding and Drainage

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

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

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

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

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

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

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

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

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

#### Design & Residential Amenity

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

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

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

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

#### Access and Parking

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

#### Archaeology

The site is potentially one with considerable archaeological significance due to the site being the lower forge ironworks. The findings of the evaluation

carried out in 2006 confirmed the survival of such remains. Further information had been submitted early in the process to address the archaeologist concerns, and accordingly it is considered the proposed site can be adequately developed subject to conditions.

#### Land Contamination

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

#### Slope Stability

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

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

**RECOMMENDATION:** to GRANT delegated authority to the Development Management Manager to approve the application subject to further information relating to retaining structures on site, any further drainage

conditions, and a S106 for contribution of £600 per unit towards the provision of off site Leisure and recreation facilities, in addition to the following conditions:

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

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