

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 22 May 2013 at 6.00pm in Training Rooms 5/6, AFC Telford United Learning Centre, off Haybridge Road, Wellington, Telford**

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

**ALSO PRESENT:** Councillors G M Green (for planning application TWC/2013/0190), J.M. Seymour (for planning application TWC/2013/0166) and P R Watling (for planning application TWC/2013/0190)

#### **PB-110      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on Wednesday, 1 May 2013 be confirmed and signed by the Chairman.

#### **PB-111      APOLOGIES FOR ABSENCE**

Councillors N A Dugmore, R T Kiernan and G C W Reynolds

#### **PB-112      DECLARATIONS OF INTEREST**

In relation to planning application TWC/2013/0208, Councillors I T W Fletcher and V A Fletcher stated that they were members of St Georges & Priorslee Parish Council, but had not taken part in any discussion of the application by the Parish Council.

Councillor S A W Reynolds declared a personal interest – as Treasurer of the Parent Teacher Association at Teagues Bridge County Primary School - in relation to planning application TWC/2013/0246

In relation to planning application TWC/2013/0092, Councillor F M Bould stated that she was a member of Great Dawley and Dawley Magna Parish Councils, but had not taken part in any discussion of the application by the Parish Council.

#### **PB-113      DEFERRED/WITHDRAWN APPLICATIONS**

The Chair reported that item 7 on the agenda – ‘Invest in Telford – Planning Update’ was being deferred for further consultation. The report would be brought back to the next meeting on 12 June 2013.

#### **PB-114      SITE VISITS**

The Chair advised that Officers had recommended a site visit to land off Lightmoor Way, Horsehay which was subject to an outline application for 200 residential

dwellings with associated highways, open space and associated works. This application was to be presented to the Board for determination at the next meeting.

**RESOLVED** – that a site visit takes place at 4.30pm on Wednesday 12 June 2013 at land off Lightmoor Way, Horsehay in respect of planning application TWC/2012/0926.

## **PB-115      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/2012/0609, TWC/2013/0181, TWC/2013/0208 and TWC/2013/0246.

(a)            TWC/2012/0609 - Land at Former Woodlands Primary School, Wensley Green, Telford, Shropshire, TF7 5NW

This was a Council outline application for residential development for up to 87 dwellings with associated infrastructure including an attenuation pond. All matters other than access (ie appearance, landscaping, layout and scale) were “reserved matters” for consideration at a later stage via a separate application(s). Access was proposed to be from Mound Way and Park Lane and the proposal also included the creation of a new direct pedestrian link from Woodside Local Centre to the new Abraham Darby Campus via a toucan crossing across Ironbridge Road. This link would now be provided by the developer as part of the detailed design, and so was now removed from the planning obligations.

The applicant had noted that the new parking facilities to be created off Mound Way (subject to a separate planning application later on this agenda) would be provided through an undertaking rather than to a specific figure. The Parks and Open Space contribution of £150,000 remained the same, but the provision and maintenance of play facilities and open spaces near to the application site would be dependent on securing other funding sources.

Members commented on the loss of the playing pitches on the site, and the Planning Officer confirmed that Sport England were satisfied that the delivery of new playing fields at other school sites mitigated the qualitative loss at the application site, and that the provision of pitches on the new Abraham Darby/Woodlands Primary site had improved the community access arrangements. It was emphasised that this application was linked to the Building Schools for the Future programme which benefitted the whole Borough. In relation to a question concerning the contribution for new parking facilities off Mound Way (subject of a separate application TWC/2013/0181), it was confirmed that the funding would be provided from the capital receipt for the former Woodlands school site, but that some flexibility was being exercised. The Solicitor advised that the undertaking to provide parking facilities was a planning obligation that could be enforced.

**RESOLVED** – that with respect to planning application TWC/2012/0609, delegated authority be granted to the Development Management Manager to grant outline planning permission, subject to:

- a) the applicants entering into a Memorandum between departments of the Council (on terms to be agreed by the Development Management Manager) relating to a contribution of £150k towards the provision, maintenance or enhancement of play equipment, facilities or open space near to the application site; and the provision of new parking facilities off Mound Way;
- b) the conditions as set out in the report (with authority to finalise conditions being delegated to the Development Management Service Delivery Manager).

(b) TWC/2013/0092 - Queens Arms, Southall Road, Dawley, Telford, Shropshire, TF4 3LY

This was a proposal for the demolition of existing vacant public house and the erection of a two storey building to accommodate a ground floor retail unit (use class A1) and 7no. one-bedroom flats at first floor level. Councillor C B A Elliott, Ward Member, had requested that this application be determined by the Plans Board.

The Applicant's Agent, Mr T Wilkinson, spoke in support of the proposals. He advised that the applicants had sought to address any concerns that had been raised about the scheme. During the pre-application process, the roof had been re-designed to allay any concerns about the impact on neighbouring properties, and amendments made to access arrangements for the site further to concerns raised by the Highways Engineer. This included a new dropped kerb and reducing the height of the boundary wall along Hinksay Road.

Members welcomed the proposed re-use of this site, which was becoming an eyesore in its present condition. In response to questions from Members, the Planning Officer advised that the 18 proposed parking spaces were considered sufficient for use by both residents of the flats and customers of the retail unit, and that, if any problems arose with on-street parking in the vicinity, the Highways Engineer could be requested to consider the provision of double yellow lines.

**RESOLVED – that with respect to planning application TWC/2013/0092, planning permission be granted, subject to the conditions as set out in the report.**

(c) TWC/2013/0166 - The Old Barn, Malt House Bank, Little Wenlock, Telford, Shropshire, TF6 5BN

Councillor J M Seymour, Ward Member had requested that this retrospective application for change of use from a carpentry workshop (use class B1) to a mechanics workshop (use class B2) be determined by the Plans Board.

Councillor J Esp, representing Little Wenlock Parish Council, spoke to oppose the application. The Parish Council considered that the change of use could lead to possible inappropriate industrial uses in the future, and that the proposal contravened the Parish Plan. The existing class use was appropriate for a rural area, and there was no reason that another rural business could be found for these premises.

Councillor J M Seymour, Ward Member, also spoke in opposition to the application. There were concerns locally about having a B2 class premises close to a rural village, and what future activities the site might be used for – particularly if there was a change of landowner. It was requested that any change of use to B2 should be linked to the current tenancy rather than the landowner.

The applicant, Mr R Roberts, spoke in support of the application. He had been approached by a local person about using the premises as a small mechanics workshop. He felt it was an appropriate, small-scale use, and, given that the site was an outbuilding of his farm, he would not want any activity to cause any nuisance or eyesore.

The Planning Officer advised that the concerns regarding future use of the premises had sought to be addressed by imposing a condition to restrict the proposed B2 use to the applicant only. However, a personal consent could be used to distinguish between the applicant/landowner and the tenant, so that any approval was linked to the current tenancy. Members felt that this would be a sufficient safeguard against any future use that might be inappropriate for this site.

**RESOLVED – that with respect to planning application TWC/2013/0166, planning permission be granted, subject to the conditions in the report, and that authority be delegated to the Development Management Manager to impose appropriate conditions (which may include making the consent personal and/or temporary) to ensure that the use permitted by the consent is limited to reflect the current use which is taking place on the site.**

(d) TWC/2013/0181 - Land at Mound Way, Madeley, Telford, Shropshire, TF7 5HN

This was a Council application seeking full planning permission for the construction of a parking area on land adjoining Mound Way, Woodside. The proposals also included a new footpath to link the parking area to crossing points along Mound Way. The proposals would address ongoing parking and drop off problems related to the new Woodlands Primary School on Ironbridge Road in Madeley.

The Planning Officer reported that the original recommendation to include highways contributions was duplicated as costs had been addressed in respect of application TWC/2012/0609 (considered earlier on the agenda). An amended recommendation had therefore been circulated as part of the update report.

**RESOLVED – that with respect to planning application TWC/2013/0181, planning permission be granted, subject to the amended conditions contained in the update report.**

(e) TWC/2013/0190 - Park Inn, Ironbridge Road, Madeley, Telford, Shropshire, TF7 5JU

This was a full planning application for the erection of 7no two-bedroomed terraced houses following the demolition of the existing public house and outbuildings.

Councillor G M Green, Ward Member, had requested that this application be determined by the Plan Board and the application had subsequently been deferred at the meeting of the Board on 1 May 2013 to enable Members to undertake a site visit.

Councillor P R Watling, Ward Member, spoke to reflect the concerns of local residents who felt that the design of the development was not suitable for the site, with inadequate parking provision and the access to the rear being inadequate and dangerous to pedestrians and other vehicles. While the re-development of the site was welcome, it was requested that further discussions should take place with the applicant to secure a better scheme.

Councillor G M Green, Ward Member, welcomed investment in the area but expressed her concerns regarding highway safety with regard to access and visibility splays and insufficient parking provision. There were issues of safety for local children going to and from school, and the lack of parking provision could lead to further on-street parking problems close to a very difficult junction.

Mrs D Roberts, spoke on behalf of local residents to object to the proposals on the grounds of highway safety and inadequate parking provision. There were already traffic problems at the adjacent junction with Ironbridge Road due to parked cars and lack of visibility, and it was considered that this scheme would make matters worse.

The Applicant's Agent had registered to speak, but was not in attendance at the meeting.

The Planning Officer referred to the site visit that Members had undertaken, and that on balance it was considered that the scheme was acceptable, and that the applicant had tried to address any design issues.

Some Members expressed concern at the proposed access to the rear of the site, particularly the height of the boundary wall. This significantly reduced the visibility, and it was suggested that the wall should be lowered to make access safer. Other Members referred to the fact that the rear access had previously been used when the public house was operational, and that there was no record of any road accidents in the immediate area around the site. The Planning Officer advised that the scheme before Members was the best one that they had been able to negotiate with the applicant, and that the lowering of the boundary wall could have implications for residential amenity and privacy.

**RESOLVED** – that with respect to planning application TWC/2013/0190, planning permission be granted, subject to the conditions as set out in the report.

(f) TWC/2013/0208 - Land at Furnace Road, Telford, Shropshire

This was a proposal seeking full planning consent for 23no. affordable residential units including access, parking and associated infrastructure.

The Applicant's Agent, Ms S Worthington, spoke in support of the proposals. The application was on behalf of Sanctuary Housing Association, and would provide mostly social rented residential units and some for shared ownership. The applicant had worked hard with Council Officers on this scheme.

The Planning Officer reported that that there had been a lot of discussions with the applicant on landscaping, boundary treatment and design, and amended plans and additional details had been submitted. Additional comments on the amended proposal were contained in an update report. This included a request from Highways for a CTAAP Section 106 contribution of just over £28,000.

Members considered that the amended scheme addressed most of the concerns that had been raised about the development, and welcomed the tidying-up of a brown-field site and the provision of social housing units.

**RESOLVED** – that with respect to planning application TWC/2013/0208, delegated authority be granted to the Development Management Manager to grant planning permission, subject to the applicant entering into a Section 106 agreement for no less than 38% affordable housing, £11,000 towards off site leisure and play facilities, £28,019.96 to Highways in respect of CTAAP contributions and £2,000 for monitoring costs; and to the conditions as set out in the report.

(g) TWC/2013/0246 - Teagues Bridge County Primary School, Teagues Crescent, Trench, Telford, Shropshire, TF2 6RE

This Council application sought planning permission for three separate extensions to the existing School buildings: a 3 base classroom with associated toilet facilities; an entrance canopy; and a hall extension and store room.

The Planning Officer reported that comments from the Ecologist had now been received, and that additional Ecology informatives had been included in the proposed conditions, as shown in the update report.

**RESOLVED** – that with respect to planning application TWC/2013/0246, planning permission be granted, subject to the amended conditions as set out in the update report.

**PB-116 DELIVERING “INVEST IN TELFORD” THROUGH DEVELOPMENT MANAGEMENT**

As advised by the Chair earlier, consideration of this report had been deferred to a future date.

The meeting ended at 7.33 pm

**Chairman:** .....

**Date:** .....

**TELFORD & WREKIN COUNCIL**

**PLANS BOARD**

**12<sup>TH</sup> June 2013**

Schedule 1 - Planning applications for determination by Board

<b>TWC/2012/0926 Land off Lightmoor Way, Horsehay, Telford, Shropshire</b> Outline application with all matters reserved for up to 200 residential dwellings with associated highways, open space and associated works.....	<b>2</b>
<b>TWC/2012/0961 Land at, Orchard House, Tibberton, Newport, Shropshire</b> Erection of 10 dwellings and partial demolition of Orchard House to provide access ***Amended Plans Received*** .....	<b>24</b>
<b>TWC/2013/0207 Garages to rear of 44 &amp; 46 Dawley Road, Arleston, Telford, Shropshire</b> Erection of a two storey detached building containing 4no. flats with associated car parking and access ***** Amended plans received ***** .....	<b>40</b>
<b>TWC/2013/0281 Southall School, Rowan Avenue, Dawley, Telford, Shropshire, TF4 3PX</b> Erection of a sports hall with changing facilities, new Art Therapy block and amendments to existing school driveway to create 13no. new car parking spaces .....	<b>47</b>

TWC/2012/0926

Land off Lightmoor Way, Horsehay, Telford, Shropshire

Outline application with all matters reserved for up to 200 residential dwellings with associated highways, open space and associated works

**APPLICANT**

Bournville Village Developments

**RECEIVED**

22/11/2012

**PARISH**

Dawley Hamlets

**WARD**

Horsehay and Lightmoor

**OFFICER**

Kate Stephens

COUNCILLOR CLIVE MOLLETT HAS REQUESTED THIS APPLICATION BE DETERMINED BY PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Suitability of site for residential development; loss of allocated employment land; loss of green space; highways; impact on residential amenity

**THE PROPOSAL:**

This is an outline application for the erection of 200 new houses and public open space with all matters reserved for later consideration (namely access, scale, layout, appearance and landscaping). There would be 25% affordable housing providing a mix of properties for shared ownership and social rent. Access to the site is indicatively shown from the site's south east corner off the road that currently leads into the Doseley Pipeworks (now FP McCann) off Lightmoor Way.

The proposal also includes areas of formal and informal open space. An area to the rear of properties on Wellington Road is shown as more formal open space with an equipped play area and a half ball court, following residents' request that this area be kept an open space and not built on. Land along the eastern site boundary will be a swathe of informal open space with the retention of some hedgerows and trees. All existing properties that back onto the site will be separated from the new development by a narrow strip of informal open space/verge and estate road with no houses backing directly onto an existing property.

Whilst the site is owned by the Homes and Communities Agency (HCA), it does not form part of the original larger Lightmoor Village urban extension, which is a joint venture between the Bournville Village Trust (BVT) and the HCA to provide some 800 plus houses and which has outline planning permission. To date approx 300 homes at Lightmoor Village have been completed as well as a primary school, the Oak Tree Community Centre, BVT offices, shop units and a day care nursery. Other planned phases will require reserved matters applications before they can be built out. This current application site would be in addition to the original consented 800 homes.

The 8.07 ha site is currently allocated as a “committed” employment site in the Wrekin Local Plan Proposals Map with designated Green Network around its edges. The application would involve the loss of both these uses.

For information, members should also be aware of a separate outline planning application TWC/2012/0650 at the adjacent Doseley Pipeworks for some 450 dwellings, which is due to be determined shortly.

#### SITE AND SURROUNDINGS:

The 8.07ha site is currently grass land and several fields divided with hedgerows. The site is located on the western edge of the built up area of Telford and adjacent to the existing village area of Horsehay and Horsehay by-pass. The area has seen significant change over the last decade with the approval and implementation of the Lightmoor Village, a new housing development of some 800 houses, including the recent Woodlands housing development to the west.

The western boundary of the site adjoins existing housing along Wellington Road and Woodhouse Lane that are part of Horsehay village. The south eastern boundary adjoins a parcel of open space called The Meadow. Along the north eastern boundary is the former Johnston’s Pipeworks (now operated by FP McCann but which is also subject to an outline application for some 450 houses TWC/2012/0650).

In due course a future phase of the larger agreed Lightmoor Village will sit opposite the site to the east as the surrounding area is still underdevelopment. Hence the area’s semi-rural nature will change over time as the approved housing for the Lightmoor Village gets completed and built out towards this new application site.

#### PLANNING HISTORY:

A Section 7(1) planning permission for employment. Granted 1991

Other main applications relating to the larger Lightmoor Village development include:-

TWC/2011/0500 – Reserved matters for erection of 105 dwellings. Granted 2 Sept 2011

TWC/2010/0260 – Reserved matters for erection of 66 dwellings and land re-grading at Stocking park within phases 3 & 4. Granted 8 July 2011

W2009/0022 – Extension of the High Street (Lightmoor Way South) to connect village centre with the Ironbridge by-pass (reserved matters) Granted March 2009

W2007/1372 – Reserved matters to W2002/0392 for erection of 111 dwellings, 3 retail units, Bournville Village Trust offices, pubic house, estate roads, vehicular and pedestrian accesses and associated landscaping. Granted 28 Dec 2007

W2007/0716 – Reserved matters to W2002/0392 for 36 dwellings (plots 123-158 Phase 2B) Granted 11 March 2010

W2007/0456 – Variation of condition 6 outline W2002/0392 to amend master plan in relation to the boundaries of proposed primary school, sports pitches and residential area – Approved 10 Sept 2009.

W2006/0226 – Erection of 103 dwellings and associated roads and open space (reserved matters) Approved Sept 2006.

W2002/0392 – Outline for the development of a mixed use village for up to 800 residential and live-work units, employment, retail, leisure, education and community uses, together with open space and associated uses, car parking, infrastructure and services and landscaping – Granted 23 Sept 2003. This application was effectively superseded by W2007/0456

#### PLANNING POLICY CONTEXT:

National Planning Guidance:

National Planning Policy Framework (NPPF)

Regional planning Guidance:

The West Midlands Regional Spatial Strategy was revoked on 20<sup>th</sup> May 2013 and is no longer relevant

Saved Wrekin Local Plan Policies

Policy UD2 – Design Criteria

Policy UD3 – Urban Design Assessments

Policy UD4 – Landscape Design

Policy E9 – Non Employment Uses within Employment Areas

Policy H23 – Affordable Housing

Policy T4 – Development Principles

Policy OL3 – Green Network

Policy OL4 – Development in the Green Network

Policy OL11 – Woodlands and Trees

Policy LR4 – Outdoor Recreational Open Space

Policy LR6 - Developers Contributions to Outdoor Recreational Open Space  
Provision within New Residential Developments

LDF Core Strategy

Policy CS1 – Homes

Policy CS2 – Jobs

Policy CS3 – Telford

Policy CS11 – Open Space

Policy CS12 – Natural Environment

Policy CS15 – Urban Design

#### CONSULTATION RESPONSES:

##### Council's Parks & Open Spaces:

- Parks and Open Space believe it is essential that all new developments make full provision for the infrastructure/amenities and services which they create as new residents to the area will increase demand upon the existing

recreational resource. The proposed development will exceed the trigger level that would require on-site play provision in the form of a NEAP (Neighbourhood Equipped Area for Play).

- The council's approved play strategy highlights that a NEAP in this area needs to include 3 elements (equipped play for all age groups / Ball court and seating / wheeled sport). The current layout proposes the provision of an on-site LEAP (Local Equipped Area of Play) and a half ball court, which would partially meet the needs arising from the development, but there is no on-site wheeled sport included as part of this development proposal.
- However, an off-site contribution to improving provision for wheeled sport in the form of a half pipe skate park at Woodlands Park is accepted in principle, but as this is not part of the application a condition needs to be included for this off-site provision to obtain planning permission prior to the submission of the reserved matters application – this is to ensure the principle of an off site facility in the proposed location prior to agreeing the detailed design within any reserved matters application.
- A Landscape Management Plan for this large amount of open space needs to be agreed as part of any reserved matters application and prior to commencement of development and need to confirm who is responsible as well as the maintenance schedule and who is to fund the costs in the long term.
- The future reserved matters application for the Neighbourhood Park needs to ensure that the location of the half ball court is at least 30m away from property boundaries (and the LEAP 20m from residential dwellings).
- The LEAP element is not catering for older children and therefore the equipment in the LEAP needs to extend its age range through the provision of additional older children's play equipment. P&OS may be able to assist the applicant in developing the project for children's play as part of this proposal should they wish to contact us. The detailed design needs to look at the safety of users of open spaces in relation to the proposed suds system.
- P & OS would also like to identify the time scale programme of proposed implementation of the provision for a LEAP / ball court and off site skate park included within an agreed phasing plan.
- The master plan does not include an access path from the development to the proposed play area / half ball court – this needs to be incorporated in the detailed RM application. This also needs to be included within the off-site skate park (skaters don't skate on grass).
- Recommend a condition to require developers not to sell any properties overlooking the proposed play area 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 and this may assist in creating the phasing plan.
- In addition, there are trees proposed within the development - where these are located within highways to be adopted by the council, a sum of £350 per tree is required for the ongoing maintenance of this feature.

Council's Highways officer:

- No objections in principle subject to conditions. See summarised comments below:-
- The Application is Outline with all matters reserved for subsequent approval. Access is also reserved but the site levels would suggest the optimum position for access is generally as shown on the indicative layout. The LHA has no comments to make on the indicative layout at this time other than to say the level of internal connectivity is good and should be brought forward in the reserve matters submission when they are eventually prepared.
- The proposals relate to a residential development on land previously allocated for employment purposes and assessed for office use in the original Lightmoor outline application.
- The transport assessment has considered this proposal in light of the extant consent and has made some allowance for development on the adjoining Johnson's Pipes land (though this is subject to the respective landowners agreeing a right of access).
- Lightmoor Village is required to provide a new roundabout between the Horsehay Bypass and Lightmoor Way (ref.W2007/0456). An assessment of the capacity of that junction was included during the discharge of condition application submitted earlier this year and an allowance was made at that time for the possibility of development at this and the adjoining sites to prove the junction would work with future development aspirations should they occur. This assessment was accepted by the Local Highway Authority (LHA). Unfortunately it is not replicated in this Application so it may not be clear to other consultees that this assessment has been carried out.
- On the subject of the above junction works understand they are close to being triggered by completions on the wider Lightmoor site, and would expect this site to be counted in respect to the numbers of completions as well though they may have implications for the existing Outline Consent S106. Suggest a pre-occupation condition to cover this.
- The Horsehay Design Guide broadly follows many of the principles already set out for Lightmoor Village. My only comment relates to the Mews class of street as the LHA will not accept a bound gravel surface if the road is to be offered for adoption.
- The Council has previously secured money towards bus subsidy from a number of sites in this area with Lawley, the small site at Doseley (W2007/1252) and Lightmoor already contributing. The public transport provision for the south west of Telford will need to be reviewed in its entirety and therefore we will need to pool the contributions in order secure meaningful enhancements. If this site contributes at a similar rate per unit as the original Lightmoor site this would equate to £490 per unit at 2012 prices – for a S106.
- Therefore no objections in principle to the proposals subject to the following conditions requiring details of access, footways and drainage before development commences; before any dwelling is occupied new roundabout works are satisfactorily completed; and submit Travel plan before any houses are occupied (this will need £5,000 towards monitoring).

Council's Geotechnical engineers:

The slope on the Northern Boundary has to be demonstrated to be stable and this has previously been discussed with URS.

Council's Sustainability officer: There are some very positive sustainability aspects of the development, for example the design has been prepared to achieve a 'Code for Sustainable Homes' rating of 'Level 3'. Taking this into account it is recommended the above sustainability standards be 'conditioned' for the development.

Council's Drainage engineer:

Development should proceed in line with the recommendations of the Drainage Capacity Review produced by URS. A full FRA including a detailed drainage design should be included within the reserved matters application.

Environmental Health (Contaminated Land):

The desk top study recommends further work (SI and risk assessment, and subsequent follow on if necessary). If this work is not forthcoming for me to assess pre decision, I would recommend the standard contaminated land condition.

Environmental Health (Pollution Control):

- I have issues with the Noise Report that are not merely technical.
- The report relates to existing noise levels from the FP McCann site, which has full B2 with no restrictions. It is currently only operated on reduced hours as we are in a recession, but when the economy picks up increased hours are highly likely.
- The current occupiers are on a lease, so anyone could eventually move onto the site and noise levels could vary.
- The report also refers to the current Outline Application TWC/2012/0650, to develop the McCann site for residential – but this is merely an Application and has yet to be determined.
- If the FP McCann site is redeveloped for residential, the 400 plus dwellings will inevitably result in increased traffic noise, but no projections have been made in this respect.
- The Noise Report needs to address these issues before I can give informed advice on what Noise Attenuation Measures, if any, are required.

Officer note: The applicant's agent has responded to the Environmental Health Officer's concerns, but to date the EHO has not responded further.

Council's Arboricultural officer:

Initial tree issues. However, following clarification of issues relating to soil assessment for tree protection, a Ground Investigation Interpretive Report has been submitted and the agent has confirmed that the applicant intends to retain trees. The Arboricultural Officer finally comments as:-

- Given the information in the Ground Interpretive Report the soil generally comprises "slightly clayey sand" and this soil type is less likely to create shrinkable soil issues.

- A soil structure, comparison and pH assessment will be required at full planning stage for consideration in relation to new planting and landscaping.
- Root Protection Area calculations as set out in the Arboricultural Assessment are accepted however where the canopies of these retained trees, groups and hedgerows extend to breach the calculated fencing position, where possible the fencing should be adjusted to ensure these limbs and growth are not damaged by site preparation plant vehicles.
- The illustrative masterplan indicates that the hedgerow running 'through' the site in a NW / SE diagonal is to be retained, the AA plan does not indicate protection to this hedgerow.
- Within the 'centre' and to the 'north' of the site there appear two 'triangular' spaces indicated as 'amenity spaces' in a fixed location. Is it therefore possible to protect this area through fencing so as not to disrupt or alter the soil structures and compositions.

Council's Ecology officer:

- Hedgerows – some sections are going to be removed, but these are not classed as "important" under the Hedgerow Regulations and they have not been identified as primary commuting routes for bats. Buffer zones are to be provided around the hedgerows to ensure that local wildlife is not adversely affected.
- Bats - several mature ash and oak trees are present within the hedgerows and in the north-eastern, eastern and western site boundaries, but no bat roosts were identified in the surveyed trees. There is record of some bat foraging and commuting activity. The erection of bat boxes and the inclusion of a bat sensitive lighting scheme are recommended.
- Great Crested Newts - a large meta population of great crested newts is known to be present in the area. The terrestrial habitats on site provide foraging, sheltering and hibernating opportunities for great crested newts. As well as the potential to kill, injure and disturb great crested newts, there is a risk of isolating the populations from suitable breeding habitat. Where sections of hedgerow are to be removed to provide access points, off-set gullies and drop kerbs should be provided to minimise potential newt mortality and isolation. A Natural England European Protected Species development licence will be required to carry out the works.
- Reptiles – a small population of slow worms was found adjacent to the mature woodland belt to the north and east of the site. The enhancements which are to be provided along the eastern boundary (e.g. species rich grassland planting, scrub planting and the creation of hibernacula) and the retention of the hedgerows, with buffer zones, will mitigate for the loss of suitable habitats within the site and ensure connectivity to other habitats.
- Birds - the trees and hedgerows on site provide breeding and foraging habitat for birds, although the report did not record bird sightings. The ecology report recommends the erection of bird boxes on the site, and that vegetation removal takes place outside nesting bird season.
- Overall suggest conditions for nest boxes and pre-commencement badger survey, and informatives for Natural England licence, retention of mature trees, nesting birds, trenches, Japanese Knotweed and lighting.

Council's Urban Designer: No objection

Education officer:

It has been calculated that of the land detailed within planning application TWC/2012/0926 only 10% of the land would be applicable for an education contribution. Hence have reduced the total by 90% and would anticipate a contribution of £46,288 for this development.

Note: The applicant considers an education contribution is not required on this land, due to an agreement set out in a supplemental S106 agreement to application W2007/0456 that sought an amendment to the original Lightmoor outline application W2002/0392. The supplemental S106 agreement required an education contribution of £1,112,827 for the primary school, but the third schedule listed 3 nearby sites (the Horsehay land, the Falcon's Crest site and what is part of the southern end of the FP McCann site) that would not require an education contribution if they came forward for housing development if at the time all the education monies had been paid. The applicant considers that this money has been paid and hence the application site does not trigger an education S106 contribution.

This matter is being resolved and Members will be updated.

Shropshire Fire Services:

It will be necessary to provide adequate access for emergency fire vehicles. This issue will be dealt with at the Building Regulations stage of the development.

Dawley Hamlets Parish Council:

- Support the local residents who object to this proposal.
- The land was earmarked for industrial/employment development and allowed retention of the green network.
- This development will add traffic problems and will not address employment issues.

West Mercia Constabulary: No comment

Neighbour comments

12 letters of objection summarised below as follows:-

- Disruption to wildlife living in the field, such as field mice, voles, and the fox, which has a vixen and cubs. Furthermore birds of prey regularly hunt in this field and birds live in the trees and hedges. And the village's pets will be at risk when building commences.
- The development would destroy Horsehay as a community and Horsehay would cease to be a village as the development will engulf us and we will be swallowed up by Lightmoor and the BVT idea of a community when we already have our own identity.
- The surroundings roads cannot withstand pressure of increased traffic which this development would create.

- This new build would impinge on security - even with the small development at the bottom of the road there have been several break-ins of sheds and properties and this has only happened since building commenced several years ago in the area.
- The building will create noise pollution, and will be especially disruptive to those people who work shifts.
- Building dust will also affect us.
- With the building works come problems with the roads, with building debris such as brick ends, mud causing driving hazards.
- Property values would decrease due to the building work and new properties.
- The view of the countryside behind the field would be destroyed and we would become overlooked and lose our privacy.
- Light into all of the properties' south facing gardens would be destroyed, which is a bonus for our houses.
- The land they are building on is boggy, so when it is built on this would cause issues with our land due to surface run off onto our land.
- The original outline plan was for industrial use on this land with a bund being built a considerable distance from our house to obscure the development & the noise, thus leaving a large green belt between our house & the development.
- Loss of green space - this space is used by many people from both Horsehay & Lightmoor for leisure activities such as walking, horseriding, kite flying, model plane flying. we do not need a play area or a ball court (we can already see & hear one of those on the land that is already developed, can't think why you need 2 so close together) we believe that the 2 fields, if left as open space, would provide adequate space for unstructured leisure activities.

#### David Wright MP: Object

- Agree with residents that the buffer of open space should be left between the new development and existing properties in Horsehay.
- The roadway around the site seems very close to existing properties, so the green space around the development should be made wider – this will also enhance wildlife habitats and create recreational space around the new homes.
- The open space falls next to an area already experiencing development – would it not be better to protect existing homes?
- When the Johnson Pipes site is fully developed there is concern that traffic will be able to exit onto the roads around Woodhouse Lane area – look again at traffic flow issues and whether dead end route could be used to govern traffic flow.

#### British Driving Society: Object.

All restricted byways in and around Bournville's last development have been blocked off with bollards. Restricted by-ways allow walkers, cyclists, horse riders and horse carriage drivers to use them, but the bollards are stopping horse and carts – therefore Bournville should not be allowed to build anymore houses until they have complied with the law. Perhaps place S106 on future

development making sure there are safeguards for horses, cyclists and the disabled.

## PLANNING CONSIDERATIONS:

### Principle of Development: new housing vs. loss of employment land

The site lies within the built up area of Telford where both the Local Plan and Core Strategy seek to focus new development, so the principle of residential development is broadly supported. However, the site is currently designated as “committed employment land” with designated “Green Network” around its edges, as shown on the Wrekin Local Plan Proposals Map. Development of the site for housing and open space would involve the loss of both these designations. Hence a balance needs to be made between the loss of employment land with Green Network and the provision of new housing.

The NPPF is the most up to date national policy guidance that all development needs to be assessed against, especially if existing local development plans conflict with the national advice. Paragraph 14 of the NPPF states that there is a “*presumption in favour of sustainable development*” and “*For **decision-taking** this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted.*

The NPPF also contains twelve core planning principles from which there are some thirteen policy areas, the most relevant of which are:- Building a strong, competitive economy; Delivering a wide choice of high quality homes; Promoting sustainable transport; Requiring good design; Promoting healthy communities; Meeting the challenge of climate change, flooding and coastal change; and Conserving and enhancing the natural environment.

There is no longer regional planning advice or housing targets for Telford, as The West Midlands Regional Spatial Strategy was recently revoked. However, the Council is currently reviewing its Local Plan via “Shaping Places” and housing targets are being considered. With specific regards to housing the NPPF expects Local Planning Authorities to significantly boost their supply of housing (para 47) and that “*Housing applications should be considered in the context of the presumption in favour of sustainable development.*” (para 49).

At a local level, the principle of residential development is generally supported in this location as it is within the built up area of Telford, as defined by the Proposals Map of the Wrekin Local Plan. Core Strategy CS1 (Homes) indicates that Telford will be the location for the overwhelming majority of new homes identified to be built over the Plan period. Likewise Policy CS3

(Telford) states that “*Telford will be focus of the Borough’s spatial development...*” and “*...will accommodate the majority of new homes, jobs and services*” and refers to Lightmoor as a major area of housing growth.

The site has also been put forward for possible future residential development in the Strategic Housing Land Availability Assessment (SHLAA) and the latest published data from 2011 identifies the site as being available, suitable and achievable. The site lies approx 750m from the Lightmoor Village urban extension and would form a natural extension to it. New residents would benefit from the nearby Primary School, community centre and small row of shops (yet to be fully let and occupied) and new bus service that operates along Lightmoor Way. Hence the development is in a sustainable location in general accordance with both national and local policy.

However, the proposed development would result in the loss of committed employment land and reduce the ability of the site to contribute to the range of available employment sites within the Borough, which is one of the Core Strategy’s spatial development objectives. Employment, economic development and housing are also key requirements of the NPPF. The Core Strategy, which is more up to date than the Wrekin Local Plan, does not allocate or protect land for particular designations or uses. However, Core Strategy CS2 acknowledges that “*To address the current dominance of the manufacturing sector [in Telford] the need exists for greater diversifications in the range of employment sectors*” and the policy seeks amongst other things to “*establish and maintain a portfolio of sustainably located employment sites attractive to developers, operators and appropriate market needs*”.

It is necessary to look at the purpose behind the employment commitment in order to understand how to consider the implications of its loss. The site is owned by the HCA (formerly known as English Partnerships). In 1991 The Commission for New Towns granted consent for employment under Section 7(1) of the New Towns Act 1981, and since then the site has appeared as an employment “commitment” on the Wrekin Local Plan Proposal map. However, the site has lain vacant and undeveloped. The land had been earmarked for the future expansion of the adjacent Johnson Pipes concrete works (now operating as FP McCann). However, FP McCann is vacating the site and an outline planning application TWC/2012/0650 has been submitted for some 450 dwellings. Hence the expansion of the Pipeworks into this application site is therefore no longer required.

In addition, planning permission has already been granted for housing on two parts of the FP McCann site, with the Falcon’s Crest development is nearing completion, so there has already been some acceptance of the reduction in the employment land in the area. Also this general area has seen considerable change over the last decade as the area has become increasingly residential with the grant of some 800 dwellings at the Lightmoor Village, which is an urban extension for Telford, and the various phases are getting built out.

Wrekin Local Plan policy E9 seeks to safeguard allocated employment sites and to ensure the land supply is not eroded, although changes of use to Class A (retail) and D (leisure and uses such as libraries, medical centres etc) will be allowed in certain cases. However, the Wrekin Local Plan was adopted in 2000 and the employment situation needs to be updated. Telford & Wrekin Employment Land Review (Draft) Telford First 2006 concludes that “*the 2006 supply of over 210 ha is sufficient to meet the net change in land demand in all use classes under all scenarios in 2016 and in 2031*” and “*there may also be scope to transfer some land from employment to non-employment land uses*”. Therefore Telford does not have an identified shortage of employment land and officers do not consider there is significant conflict with this policy.

The employment site was earmarked for intended expansion of the adjacent Pipeworks, but this business is vacating the site and so its specific expansion need is defunct and the employment site has lain vacant since it was granted employment use in 1991. As such its loss would be difficult to defend as a reason for refusal at this present time, especially in light of the NPPF guidance. Officers consider that the passage of time and changes to the area over the last 25 years since the employment use was first granted would now make an industrial use on this site appear somewhat incongruous and inappropriate. Therefore officers contend that on balance the development of the site for some 200 houses, in spite of the site’s historical committed employment status in the Wrekin Local Plan, is acceptable and will not significantly undermine the Borough’s wider economic basis.

#### Green Network and Open Space

The proposed development will involve the loss of Green Network that runs around the edge of the site, which is designated under Wrekin Local Plan Policy OL3 and protected under WLP policy OL4 and Core Strategy policy CS11. Land is designated as Green Network because it fulfils one or more of six defined aims, set out in para 8.2.12 of the Wrekin Local Plan. In brief, the aims are (i) to maintain Telford’s image as an attractive place to live and work (ii) to retain and enhance the individual identity of different parts of the town (iii) to provide easily accessible ‘green lungs’ which relieve congestion and provide visual variety (iv) to provide open land to meet recreational needs (v) to protect, enhance and maintain Telford’s ecological and geological heritage and (vi) to provide open space linkages through which different parts of the town can be joined. The existing Green Network on this site was intended to make Telford a more attractive place and also protect the amenities of residents from the industrial activities on the committed employment site and serve as an amenity “buffer” around the committed yet undeveloped employment land when the Wrekin Local Plan was adopted in 2000.

Council planning policy OL4 does allow development in the Green Network in certain instances, provided that the development meets the criteria set out within Policy OL4 of the WLP, namely that:

- *there are exceptional circumstances;*
- *it contributes or is complementary to the aims of the Green Network;*
- *and*

- *environmental and community benefits are an integral part of the proposal.*

Core Strategy policy CS11 has a similar purpose as it seeks to protect informal and formal “*open spaces in the Borough from unnecessary development*”. It identifies that “*Telford & Wrekin is characterised by its green and open spaces in both its urban and rural areas...Open spaces and countryside underpin the quality of life in the Borough*”. Like saved policy OL4, policy CS11 will allow development where it can be demonstrated that “*There will be significant community and environmental benefits delivered by the proposal*”. NPPF advice in paragraphs 73 and 75 states: “*Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well being of communities*”.

Officers would contend that there are exceptional circumstances relating to the defunct buffer zone (i.e. the area has become predominantly residential and the adjacent employment site is closing down, not expanding) and that the proposed development will actually provide a wider community benefit due to the overall improvement to the quality, type and amount of green space and still ensure that the new green space will continue to contribute or be complementary to the aims of the Green Network.

The proposed layout includes different types of open space. With regards informal open space there will be a slimmer “buffer” of informal green space along the entire south and western site boundary so that the existing residential properties continue to have some degree of separation from the new development. On the eastern side of the site (adjacent the FP McCann site and access road) some of the existing field area will be made into a swathe of informal open space that will also serve as a green gateway into the new estate. Some residents have objected to the reduction in the width of the green network buffer. However, officers would contend that the original need for the green buffer around the site (to preserve residential amenity from industrial activity) is now defunct as the local industrial company is vacating the adjacent site and won't be expanding onto the Horsehay land. Also the proposed residential use is more compatible and akin to the adjacent existing residential use, so the need for an amenity buffer to separate contrasting uses is less critical.

The proposed layout also proposes new areas of more formal open space on land to the rear of properties along Wellington Road and Woodhouse Lane with the provision of an equipped play area (LEAP) and a half ball court. Whilst this provision should ideally comprise three elements - equipped play for all age groups; ball court and seating, and wheeled sport - the developer is proposing an off-site contribution for wheeled sport in the form of a half pipe skate-park at Woodlands Park (back of Lightmoor Primary School and Community Centre) and the Council's recreation officers consider this acceptable.

Therefore, whilst there will some loss of designated Green Network officers consider that this will be off set by the greater variety of informal and formal

open space for a wider range of ages. Hence the proposed housing development will result in an overall improvement to open space provision in the area that will have a wider community benefit and still meet the aims of the Green Network and Open Space policies and the NPPF guidance.

The half ball court will need to be sited at least 30m away from the nearest property boundary in any reserved matters application, and the LEAP 20m away. Also the range of play equipment will need to be expanded to cater for a range of ages, but this can be conditioned. The applicant has agreed to provide and thereafter maintain the equipped play provision, ball court and all the areas of open space on the estate that do not form part of individual properties. Therefore in this case, there will be no requirements for S106 contributions or maintenance payments.

### Traffic and Highways

The Council's highways officer has advised that given the levels of the site the position for the site access indicated on the illustrative masterplan is generally acceptable. He makes no detailed comments on the indicative layout (as that would happen when a reserved matters application is submitted) other than to say the degree of internal connectivity is good and should be brought forward in the reserved matters applications when they are eventually prepared. Standard highways conditions are suggested as well as S106 contributions for £5,000 for Travel Plan monitoring, approx £490 per dwelling towards a bus subsidy for Lightmoor and £350 for any tree in an adopted highway.

### Design and residential amenity

The NPPF has as one of its 12 core planning principles to "*secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*". Another principle is for development to "*take account of the different roles and character of different areas promoting the vitality of our main urban areas....*". Para 56 of the NPPF advises that "*Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*" WLP policies UD2 and UD3 and Core Strategy policy CS15 all seek to promote good design and good concepts of "place making" to create "*Attractive, responsive and adaptable environments in which to live, work and play and are essential to creating sustainable local communities*" (para 9.76 CS15).

This is an outline application that seeks to establish only the principle of development and broad parameters. Matters relating to the detailed design of dwellings, the position of windows and the overall layout of the estate etc will be submitted and considered in any subsequent Reserved Matters applications in due course.

However, the agent has prepared a Design Guide as part of their Design & Access Statement. From their analysis of the site's constraints and opportunities an indicative masterplan layout has been produced that demonstrates that a mix of dwelling types can be delivered on the site that would result in a medium density of approximately 20-30 dwellings per hectare with a mixture of terraces, mews, detached & semi-detached houses.

Properties would be of a traditional brick and pitched roof construction, and most would be 2 storeys in height but with some three storey units at appropriate locations.

The reduction in the green buffer around the site has already been discussed. The reduction in the buffer will not significantly adversely affect existing residents as they will have residential use behind or beside them, instead of an industrial use. The road around the site with the narrower verge still gives separation between existing and new properties. Whilst the design details of the scheme will be submitted later in any subsequent reserved matters application, the illustrative layout plan seeks to arrange dwellings in such a way as to avoid direct overlooking/loss of privacy of existing properties and with adequate separation and orientation of properties. The outlook from some of the existing properties, particularly those closest to the site's boundaries, will experience a change in their outlook as the field is built on. However there is no right to a view and officers would contend that looking at new houses instead of a new industrial development would be generally preferable.

The layout also takes advantage of the site's southern aspect where possible to maximise the sun's orientation and enhance the site's sustainability. The development shows open space to the rear of properties on Wellington Road, following the applicant's consultations with local residents prior to the submission of the application. To reduce noise to residents a reduced facility is proposed (half ball court and equipped play area) instead of a full NEAP that would usually be required. Residents also refer to the noise and disturbance during construction and debris and mud on the roads. There will inevitably be noise and disturbance associated with any new development (including the industrial development that already has consent on the land) and this is to be expected. However, the impositions of certain conditions can help address these concerns. Officers consider that overall the amenity of existing residential properties will not be significantly adversely affected by the proposed new residential development.

The designers have integrated existing landscape features into the scheme by the retention of hedgerows where possible in accordance with WLP policy UD4 which expects landscape to be integrated into any design layout from the outset. There are also three character areas across the site based on the general topography with one area on the "slopes" of the site, another along the main central "spine" of the site and the other called the "neighbourhood green" closest to the properties along Wellington Road. There would be a mix of parking solutions across the site including garages, in-curtilage parking either from front or rear, communal parking (public and private courtyards), and on-street parallel parking.

Officers are satisfied that the proposed indicative layout demonstrates that a suitable design layout, with mix of housing types and density, provision of informal open space and equipped children's play area, and a mix of road types will provide a form of development that will not be out of keeping with the surrounding existing and new housing development in the immediate area

and will not result in significant detriment to residential amenity and as such the proposed illustrative layout is considered acceptable to go forward to be worked up into a detailed scheme in any subsequent reserved matters application.

### Noise

The Council's Environmental Health officer expressed concerns that the applicant's Noise Assessment has not taken into account a possible increase in noise levels that could occur should the adjacent FP McCann industrial operations intensify or another industrial operator took over the site (and planning permission for residential was not granted on the FP McCann site). He additionally advised that if residential planning permission was granted for the FP McCann site, that the increased residential traffic noise should also be considered.

The applicant's agents have responded that they accept that other more noisy industrial uses could operate from the FP McCann site, but it is not possible to measure noise levels for something that is not there or is unknown. At the moment noise levels are low, with the dawn chorus making night time noise levels exceed the WHO guidelines of 42dB. To help consider a noisier industrial scenario, the agent has used noise data submitted with the original Lightmoor outline application (W2002/0392) when the FP McCann site (then Johnson Pipes) site was fully operational with concrete crushers etc. At that time there was a noise 'spike' of 58dB close to the FP McCann site boundary. The Environmental statement submitted with the original Lightmoor application advised that further noise assessments should be carried out as individual parcels of land came forward and that potential mitigation measures include a buffer of some 15m width adjacent to the FP McCann site.

The agent advises that if the Lightmoor application had been submitted now, noise levels would fall within NEC A of the now defunct Planning Policy Guidance Note 24 on noise, indicating that no further noise mitigation measures are necessary. The illustrative masterplan shows the nearest properties to the FP McCann site boundary are some 15m away. The agents are therefore satisfied that there are no noise concerns for the site from industrial noise.

With regards noise from extra residential traffic, the agent has responded by comparing existing traffic usage on Lightmoor Way by residents and construction traffic, with the traffic volumes that could arise from the Johnson Pipeworks/FP McCann site if it became 450 dwellings. Lightmoor Village currently has 305 dwellings complete and occupied (eventually 800 dwellings), as well as the Oak Tree Community Centre, the day care nursery, Lightmoor Primary School, BVT's offices, Bournville House Extra Care accommodation that all generate daily car movements. In addition, construction traffic has been using Lightmoor Way consistently over several years. Until the opening of the junction onto the A4169 (Ironbridge By-Pass) last year, ALL of this traffic used the stretch of Lightmoor Way connecting to the A5223 to the north-west of the village - far exceeding the likely movements on the FP McCann access road.

Also by comparison is the nearby Round House Park residential development that fronts onto Lightmoor Way, where at least 50% of vehicles accessing Lightmoor Village (including construction traffic) use this stretch of road PLUS lorries accessing the FP McCann site. The dwellings are set approx 6-8m back from the road behind a hedgerow and grassed verge, but are closer to the road than the majority of the proposed new dwellings on the Horsehay land. The Round House Park dwellings have been occupied for over six years and there have been no issues with noise. In the event of the David Wilson Homes development being able to access the site via the FP McCann access road, the nature of this road and traffic usage will be very similar to Lightmoor Way - that is, it would be a normal, everyday residential access road that has an acceptable noise environment for residential development

The Council's Environmental Health officer has not responded to the agent's rebuttal, but planning officers are satisfied that there is no significant issue of noise that needs to be mitigated against. In any event the illustrative site layout shows a green swathe of public open space along the eastern site boundary with the FP McCann site which results in houses being set away from the FP McCann boundary and the scenario should be no worse than existing dwellings fronting Lightmoor Way.

#### Ground conditions

The applicant has undertaken a desktop review of the site's ground conditions. The site's previous use as agricultural land would indicate it is not contaminated. The Council's Environmental Health officer (contaminated land) has advised a standard contamination condition as there would need to be some site investigation and risk assessment.

With regards ground stability, there is a steep slope adjacent to the site on the north east corner which forms part of the site boundary with the David Wilson housing development under construction (Falcon's Crest). The slope is part of a former quarry and the slope forms the back gardens of some of the Falcon's Crest homes. The applicant's engineers recommend no buildings are built within 10m of the slope edge on the application site and the Council's geotechnical engineers are satisfied that slope stability has been demonstrated. Hence the illustrative layout shows no buildings within 10m of the site boundary here and this can be conditioned to ensure at Reserved Matters stage that this 'no-build' zone is adhered to.

The site is not located within an area of archaeological significance. However, the applicant undertook desk top and geophysical surveys and did some intrusive site investigations and these have confirmed there are no features of archaeological importance on the site.

The site does not lie within a flood risk zone. The Council's drainage engineer has recommended that development should be in accordance with the applicant's Drainage Capacity Review and at reserved matters a detailed drainage design is submitted - this can be conditioned.

### Ecology and trees

The proposed scheme, as shown on the illustrative masterplan and the Planning Statement, indicate that some existing hedgerows and trees will be retained where possible. This will aid with maintaining biodiversity and help “mature” the site. This is in general accordance with NPPF paragraph 109 (Section 11 Conserving and enhancing the natural environment) which includes references that “*The planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes...; recognising the wider benefits of ecosystems services; minimising impacts on biodiversity...*”.

The site is not a designated or protected wildlife site. The applicant’s ecology survey and the Council’s Ecology officer are satisfied that there is no protected flora or fauna on the site that that would prevent development and which cannot be dealt with by conditions and informatives. Some trees will be retained on site. Initially the tree officer had concerns about root protection and soil analysis, as there could be issues with soil shrinkage and impacts on houses, but further ground investigation works have satisfied the tree officer. The imposition of appropriate conditions will ensure that retained trees and hedges are protected during construction. This ensures the development is in general accordance with WLP policy OL11 and CS12.

### Affordable housing

The applicant is proposing 25% affordable housing provision, with 80% as social rented and 20% as shared ownership. The Council’s housing officer is satisfied with the overall %, which is the same across the rest of the Lightmoor Village, and the tenure split and has recommended that the S106 clauses include reference in the allocation of the shared ownership properties that priority is given to local residents (or those with a strong local connection) for an initial marketing period (to be agreed). The location of affordable housing would be expected to be located around the site to create a mixed community and an affordable plan would be required as part of the S106.

### Conclusion

The proposal would involve some policy conflict with Green Space policy OL4 and involve the loss of a committed employment site. However, officers consider that there are material considerations that make the proposed residential development acceptable in spite of this.

The site lies within the boundary of the built up area of Telford, where the principle of residential is broadly supported by the Council’s Core Strategy policies CS1 and CS3 that focuses development within Telford, as well as NPPF.

The development involves the loss of a committed employment site that was historically intended for the expansion of the adjacent former Johnson Pipeworks (now FP McCann), but this business is vacating the site and so its specific expansion need is now defunct. Whilst there is some policy conflict with WLP policy E9, the Borough has adequate employment land supply such that the loss of this site will not significantly undermine the Borough’s wider

economic basis. It would therefore be difficult to defend loss of employment land on this site as a reason for refusal at this present time, especially where the NNPF expects applications for housing development to be considered in the context of the presumption in favour of sustainable development.

Whilst there will be some loss of designated Green Network, this will be offset by the greater variety of informal and formal open space for a wider range of ages, with areas of informal and more formal equipped play provision set out around the site (and a half skate pipe provided off-site at Woodlands park) and a more attractive configuration and arrangement. Some of the informal open space areas are contiguous with hedgerows and trees that are to be retained and hence ensure wildlife/biodiversity provision. This will result in an overall improvement to open space provision in the area that will have a wider community benefit than the existing Green Network around the site, and still meet the aims of the Green Network and Open Space policies, and this is a material consideration. Hence the proposed residential development, with its informal and formal open space areas, accords with national planning guidance, the aims of the Green Network and the Council's Open Space policies.

The illustrative layout indicates that an acceptable form, layout and density of residential development can be achieved on the site with 25% affordable housing that will not be out of keeping with the surrounding area with its existing and large-scale new housing development at Lightmoor Village. Whilst the design details of the scheme will be submitted later in any subsequent reserved matters application, the illustrative layout plan seeks to arrange dwellings in such a way as to avoid direct overlooking of existing properties and with adequate separation and orientation of properties. The layout also takes advantage of the site's southern aspect where possible to maximise the sun's orientation and enhance the site's sustainability. Matters relating to drainage, ecology, landscaping, access and roads can all be adequately dealt with by condition and the subsequent reserved matters applications.

On balance the development of the site for some 200 houses, in spite of the site's historical committed employment status in the Wrekin Local Plan, is acceptable. The area has become predominantly residential over the last decade and residential use of the site is compatible with the existing surrounding uses as the Lightmoor Village gets built out. The loss of employment land in this location will not significantly undermine the Borough's wider economic basis, as new housing is also to be focused in Telford, and there will be wider community benefits arising from the improved open space provision. It is therefore considered that there are material considerations in this instance that serve to justify the development, notwithstanding that there is some policy conflict.

**RECOMMENDATION:** Delegate to the Manager of Development Management to GRANT PLANNING PERMISSION subject to the applicant signing a S106 agreement to provide 25% affordable housing, £5,000 towards Travel Plan monitoring, £490 per dwelling towards public bus transport

subsidy, £350 per tree planted in the adopted highway, £3,000 for S106 monitoring, and to the following conditions and any others officers subsequently deem necessary:-

1. A01 Time limit for outline
2. A03 Time limit – submission of RM
3. B001 Standard outline – all RM
4. B003 General details required
5. BCustom RM in accordance with...
6. B011 Samples of materials
7. B012 Sample brick panel
8. B045 Travel plan
9. B046 On-site construction
10. B047 Mud on road
11. B057 Land contamination
12. B121 Landscaping design
13. B127 Landscape management plan (15 years)
14. B155 Details for LEAP/NEAP
15. Bcustom Foul & surface sustainable drainage
16. Bcustom Trees – protective fencing
17. Bcustom Badger survey
18. C030 Drainage done before completion
19. C38 Development in accordance with plans
20. C070 Trees – no burning
21. C071 Trees – soil levels
22. C072 Trees – materials storage
23. C118 LEAP/NEAP occupancy
24. Ccustom Nesting/roosting boxes
25. Ccustom Ground stability no build zone
26. Ccustom Skate park provision
27. Ccustom Distance from play equipment
28. Ccustom Roundabout highway works
29. Ccustom Level 3 code sustainable homes
30. D02 Domestic garages: no business use
- I40 Conditions
- I06 Section 106
- I23a Bat boxes
- I24a Great Crested Newts
- I25b Nesting birds (construction)
- I25c Bird boxes
- I25e Trenches
- I25k Bats and birds
- I25m Nesting birds (vegetation)
- I25n Lighting
- I26 Wildlife & Countryside Act
- I27 Wildlife & Countryside Act
- I32 Fire Authority

#### REASON FOR APPROVAL:

The proposal would involve some policy conflict with Green Space policy OL4 and involve the loss of a committed employment site. However, officers consider that there are material considerations that make the proposed residential development acceptable in spite of this.

The site lies within the boundary of the built up area of Telford, where the principle of residential is broadly supported by the Council's Core Strategy policies CS1 and CS3 that focuses development within Telford, as well as NPPF.

The development involves the loss of a committed employment site that was historically intended for the expansion of the adjacent former Johnson Pipeworks (now FP McCann), but this business is vacating the site and so its specific expansion need is now defunct. Whilst there is some policy conflict with WLP policy E9, the Borough has adequate employment land supply such that the loss of this site will not significantly undermine the Borough's wider economic basis. It would therefore be difficult to defend loss of employment land on this site as a reason for refusal at this present time, especially where the NPPF expects applications for housing development to be considered in the context of the presumption in favour of sustainable development.

Whilst there will be some loss of designated Green Network, this will be offset by the greater variety of informal and formal open space for a wider range of ages, with areas of informal and more formal equipped play provision set out around the site (and a half skate pipe provided off-site at Woodlands park) and a more attractive configuration and arrangement. Some of the informal open space areas are contiguous with hedgerows and trees that are to be retained and hence ensure wildlife/biodiversity provision. This will result in an overall improvement to open space provision in the area that will have a wider community benefit than the existing Green Network around the site, and still meet the aims of the Green Network and Open Space policies, and this is a material consideration. Hence the proposed residential development, with its informal and formal open space areas, accords with national planning guidance, the aims of the Green Network and the Council's Open Space policies.

The illustrative layout indicates that an acceptable form, layout and density of residential development can be achieved on the site with 25% affordable housing that will not be out of keeping with the surrounding area with its existing and large-scale new housing development at Lightmoor Village. Whilst the design details of the scheme will be submitted later in any subsequent reserved matters application, the illustrative layout plan seeks to arrange dwellings in such a way as to avoid direct overlooking of existing properties and with adequate separation and orientation of properties. The layout also takes advantage of the site's southern aspect where possible to maximise the sun's orientation and enhance the site's sustainability. Matters relating to drainage, ecology, landscaping, access and roads can all be adequately dealt with by condition and the subsequent reserved matters applications.

On balance the development of the site for some 200 houses, in spite of the site's historical committed employment status in the Wrekin Local Plan, is acceptable. The area has become predominantly residential over the last decade and residential use of the site is compatible with the existing surrounding uses as the Lightmoor Village gets built out. The loss of employment land in this location will not significantly undermine the Borough's wider economic basis, as new housing is also to be focused in Telford, and there will be wider community benefits arising from the improved open space provision.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and representations that have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework and local policies in the Wrekin Local Plan and Core Strategy. It is therefore considered that there are material considerations in this instance that serve to justify the development, notwithstanding that there is some policy conflict.

TWC/2012/0961

Land at, Orchard House, Tibberton, Newport, Shropshire  
Erection of 10 dwellings and partial demolition of Orchard House to provide access \*\*\*Amended Plans Received\*\*\*

**APPLICANT**

Gladstone & May Development Ltd

**RECEIVED**

05/12/2012

**PARISH**

Tibberton and Cherrington

**WARD**

Edgmond

**OFFICER**

Sarah Clifton

This application was presented to members at Plans Board 27<sup>th</sup> February 2013 and was granted subject to the applicant entering into s106 agreement for £26,944 towards primary and education provision, £4,800 to Parks and Open Spaces and 40% affordable homes.

The original calculation for the primary education provision did not include the usual discount applied for the 4 affordable dwellings. This figure has been re-calculated by the Councils Education Officer which results in a reduction in the contribution to a figure of £16,166 towards primary education provision. Officers consider that this is reasonable following discussions with the applicant and is considered an acceptable level of contribution to off set the demand created by this development.

**RECOMMENDATION: Based on the conclusions of the main report below and subject to this update, the recommendation to Plans Board on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT PLANNING PERMISSION subject to the applicant entering into a s106 agreement for £16,166 towards primary education provision, £4,800 to Parks and Open Spaces, 40% affordable homes and subject to the conditions (to be agreed and determined as appropriate) detailed below in the main report.**

The original report and update are enclosed as follows:-

Update

Since the report to members and in receipt of a revised plan, officers consider the information below to be relevant

Additional neighbour comments:

- Little change to previous plans
- Layout still cramped

- Site was previously used as pasture for geese, horse, sheep and hens in the past 15years
- The site was an orchard until was burnt down approximately 2 years ago
- Works to improve the appearance of Orchard House should be included in the application
- No direct bus service to Telford
- Closure of the child minding business means a loss of jobs
- 6 out of the 4 have not been identified by the housing needs survey
- Surface water drainage and sewage
- Potential flooding

Additional consultee comments:

Tibberton and Cherrington Parish Council:

Concerned with increase volume of traffic and potential drainage/sewage and flooding problems.

Drainage:

Whilst I still require the submission of additional information (micro drainage calculations in electronic format and details on future ownership) the surface water rate of discharge from the site is being restricted to the greenfield rate of 5 l/s for the 1 in 100 year +30% storm event.

Subject to the additional information being approved the proposed development meets current design requirements imposed on development by Telford and Wrekin Council. Unfortunately if discharging the site to soakaway is not a viable option, and if the site is restricted to greenfield rates, a developer may still have a right to connect to the STW public sewer network. I understand that there are issues associated with the capacity of the existing 150mm combined sewer, however STW are obliged to make offsite improvements to the network to facilitate future development.

I therefore find myself in a difficult position in which I am unable to object to the proposed development. Suggest a pre-commencement condition in order to afford STW time to investigate the capacity of their system and make the necessary improvements.

Severn Trent:

Recommends that revisions are made to the surface water plans for the site before approval to ensure that it is sustainable and does not cause flooding to downstream properties. If the site is approved request the following condition to added to ensure that we have sufficient time to provide the larger infrastructure necessary to cope with the additional flow and prevent flooding to other residents of Tibberton.

Condition:

No development should commence until written confirmation is provided by the Local Planning Authority that any necessary off site drainage improvements have been completed by Severn Trent Water, or that there is

no need for the to be provided to cater for foul and surface water flows from the site following Severn Trent Water investigations.

Environment Agency:

The Parish Council have received correspondence from the Environment Agency confirming that the proposal falls within the EA's standing advice criteria. Therefore the EA have not been involved in statutory consultation with the LPA. The letter from the EA confirms the EA do not have any concerns with the proposed development.

With regard to the issues of drainage and flooding, officers acknowledge the concerns of residents and the parish and further consideration has been given to the comments received from Severn Trent Water, the Environment Agency and the Councils Drainage Engineer. Officers consider that the scheme will not result in flooding as it is not in a flood risk area. The preferred drainage solution for the site is for surface water to be dealt with within the site with the use of soak ways, but if this option can't be accommodated, and confirmed by condition the imposition of a second condition allows Severn Trent to assess impact o public sewer network and make necessary upgrades as required by legislation to accommodate future development. This is considered sufficient to ensure the development can be adequately drained in accordance with policy H6 of the Wrekin Local Plan

Highways Officer:

With receipt of the amended Proposed Site Layout, Drg. PL001A Rev. E, it seems the majority of my concerns have been mitigated.

However the turning head has been relocated as part of this proposal and is no longer shown on the plan as having a block paved construction leaving the road north of plot 4 without any block paved areas. I would ask the applicant to implement a block paved area to the north of the turning head in order to maintain the concept of the shared surface design throughout the street.

Therefore I ask for the following conditions:

- C13 – Parking/Loading/Unloading and Turning
- Prior to commencement of development details shall be submitted to and approved in writing by the Local Planning Authority indicating Full Road Construction including Longitudinal Cross Sections, Details of Block Paved Areas and a satisfactory means of Highway Drainage. Works shall thereafter be implemented in accordance with the approved details.
- The development shall not take place until full access details to include the layout, construction, transitional access feature and visibility splays, have been submitted to and approved by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby approved is commenced or the buildings occupied.

- The development shall not take place until details of an additional blocked paved area is implemented to the north of the turning head have been submitted to and approved by the local Planning Authority. The agreed details shall be fully implemented before the use hereby approved is commenced or the buildings occupied.

I would also ask for the following informative: I11

Arboricultural Officer:

Following receipt of the amended plan, I would like to change my recommendation to support subject to conditions and make the following comments;

Clarification is needed with regard to the hedge to the south of Plot 9 as at this time the Oak tree appears to be in open space. Any fence installation within the RPA of all trees on site should be hand dug within the RPA. If consent is afforded to the application the following conditions will need to be imposed;

- B130 Tree Protective Fencing. As shown on Drawing Number 1003 of the Tree Protection Plan produced by Future Arbor.
- B132 Tree 'No Dig' with regard the pile and raft foundation design of the garages of Plots 6 & 7 and hand dig for fence posts.
- C70 No Burning
- C71 Trees- Soil Levels
- C72 Material Storage
- C73 Hedge Protection.

Whilst the amended site layout Rev D satisfied Highways there was still outstanding concerns relating to the proximity to the protected Oak tree. A further amended plan Rev E has adjusted the position of the turning head south in the development to ensure it is away from the protected tree root protection zone. Whilst ensuring retention of manoeuvrability for refuse vehicles and retaining adequate gardens for new properties; officers therefore consider this layout acceptable. The layout is supported by officers and conforms to policy UD2, CS15, OL11 and the NPPF.

Agents Submission of additional information:

Site and Surroundings

Orchard house is currently owned by the applicant however is rented out and operates as a registered Child Minding Nursery that does not have planning consent. The applicant intends to refurbish and sell Orchard House and has given the current occupiers (who were made aware that this application was

imminent at the start of their occupancy) a period of notice to vacate the premises. They have since found new premises with an expected move by 28 March.

#### Other Matters

Concerns have been raised in reference to Orchard House and the loss of the Child Minding Service. However, it has always been clear to the existing tenants that they would need to relocate in the near future, either for this development or for refurbishment and sale of Orchard House; having been given notice, they have already found a new tenancy which will be commencing on 24<sup>th</sup> March. Officers acknowledge the agents clarification on the issue of the current use of Orchard House and maintain the assertion that the closure of this facility is not within the control of the LPA and therefore is not a planning consideration.

### **IN LIGHT OF THE ABOVE THE OFFICERS RECOMMENDATION REMAINS UNCHANGED.**

**RECOMMENDATION: Based on the conclusions above, the recommendation to Plans Board on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT PLANNING PERMISSION subject to the applicant entering into a s106 agreement for £26,944 towards primary and education provision, £4,800 to Parks and Open Spaces, 40% affordable homes and subject to the conditions (to be agreed and determined as appropriate).**

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

A04 Time Limit

B10 Details/Samples of Materials

B012 Brick Panel Sample

B120 Details of Enclosure

B130 Tree Protective Fencing. As shown on Drawing Number 1003 of the Tree Protection Plan produced by Future Arbor.

B132 Tree 'No Dig' with regard the pile and raft foundation design of the garages of Plots 6 & 7 and hand dig for fence posts.

BCUSTOM Severn Trent Confirmation

BCUSTOM Full Road construction Details

BCUSTOM Layout, Construction, transitional access feature and visibility

BCUSTOM Details of an additional blocked paved area

BCUSTOM Drainage Condition Electronic calculations

B150 Site Environmental Management Plan

C007 Windows set 75mm

C13 Parking/Loading/Unloading and Turning

C017 On site Construction

C38 Development in accordance  
C70 No Burning  
C71 Trees- Soil Levels  
C72 Material Storage  
C73 Hedge Protection.  
CCUSTOM Full Road Construction Details  
CCUSTOM Access details

D01 Removal of PD to properties with limited garden depth.  
D08 Windows Obscure Glazed  
DCUSTOM Erection of Nest Boxes

Informatives;  
I11 Highways  
I23Bats  
I24aGreat Crested Newts  
I25aNesting Birds (Vegetation)  
I25eTrenches  
I25g Replacement/ Enhancement Planting  
I32 Fire Authority

I40 Conditions  
I41 Reason for Permission  
RACUSTOM Reason for approval  
RANPPF1 Proactive Statement

The proposed development is acceptable sustainable development that conforms to guidance in the National Planning Policy Framework, as it is located in one of the three identified villages for development as set out in the core strategy; the plot is an acceptable form of development and is not an encroachment into the open countryside. Officers consider that this latest guidance for the presumption in favour of sustainable development is sufficient to outweigh any saved policy objections. Furthermore, although the layout is somewhat cramped the design of the proposed dwellings is of a good standard and will be in-keeping with the character of the area and will not detract from the architectural merits of existing properties in this part of Tibberton. The development will provide a number of different sized dwellings, without having an adverse impact on neighbouring properties due to the decent separation distances and boundary treatment. Sufficient outdoor amenity space is retained for the adjoining dwelling and adequate private garden will be provided for the proposed dwelling. A safe and appropriate access to the site can be achieved as well as suitable provision of on site parking. In addition the development will provide 40% affordable homes as well as a contribution towards off site leisure and play facilities and primary education.

Main report:

OBJECTIONS: Yes

MAIN ISSUES: Principle of Development, Scale and Design, Character and Appearance, Impact on Adjoining Residential Amenity, Highway Safety, Drainage.

PROPOSAL:

This application seeks full planning permission for residential development to the rear of Orchard House in Tibberton. The application seeks consent for a 10 houses that will provide a mixture of 4no. 3 and 6no. 4 bedroom units and garages.

The proposal seeks to demolish the Northern part of Orchard House to allow for a new access road and turning head.

Originally the permission was sought for an alternative layout however following concerns with layout, highways, parking provision and the retention of a TPO tree plans have since been amended to address these issues. Consultees and neighbours have recently been re-notified.

SITE AND SURROUNDINGS:

The application site currently forms part of the curtilage for Orchard House and its garden. The garden is somewhat untidy comprising of various structures; the site is currently being used as a paddock. The land located to the east of the paddock is open fields.

Orchard house is currently owned by the applicant however is rented out and operates as a registered Child Minding Nursery that does not have planning consent. The applicant intends to refurbish and sell Orchard House and has given the current occupiers a period of notice to vacate the premises.

The application plot is surrounded on 3 sides by existing housing. A mixture of house types situate along the main lane and in cul-de-sacs located north and west of the site. These cul-de-sacs are known as Middle Croft Road and Great Croft Road.

The applicant has stated that the garden has not been used for any agriculture throughout that time, and historical tax returns can demonstrate this.

NO RELEVANT HISTORY:

PLANNING POLICY CONTEXT:

National Planning Policy  
National Planning Policy Framework

Local Development Core Strategy

CS1 Homes  
CS7 Rural Area  
CS15 Urban Design  
CS10 Community Facilities

Saved Local Plan Policies  
UD2 Urban Design  
H9 Location of Housing  
H10 Scale of Development  
H24 Affordable Housing in the rural area  
LR1 Provision of Community Facilities

#### CONSULTATION REPOSES:

Tibberton and Cherrington Parish Council: objects and states that the density would be inconsistent with policy UD2. The parish believe the need for accommodation can be met within the existing housing stock in Tibberton and do not agree with the findings contained within the Parish Needs Survey. Development fails to comply with policy H10. The Parish question the sustainability of Tibberton and states there is little existing capacity in the parish for further employment and many essential services and amenities. There are concerns with Highway safety and drainage as well as the loss of a child-minding service. Request a reptile survey be undertaken for the Common Lizard due to the nature vegetation found on the proposed site.

Shropshire Fire Service: Supports subject to Access for Emergency Fire Service Vehicles, Water Supplies for Fire Fighting and Sprinkler Systems in formatives

Parks and Open Spaces: Parks and Open Space believe 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. There are some nearby recreational facilities (Tibberton Playing Fields) in need of improvement in order to maximise the capacity and meet the need arising out of this development. Request £600 per 2 bed properties (or above) open market dwelling and £300 per affordable home is required to comply with to LR1 of the Wrekin Local Plan.

Arboricultural: According to Drawing No. PL001A Revision B; the proposed access road / turning head appears to be constructed within a metre of the trunk of the only preserved tree on site (T4). The access is encroaching just under half of the recommended root protection area of the tree. The Arboricultural Assessment prepared by Future Arbor on the 22<sup>nd</sup> of October 2012 has stipulated that the HERAS fencing and subsequent Construction Exclusion Zone that will protect the rooting environment of the tree will extend into the site by 6.7 metres at it farthest point.

Foreseeable problems include branches damaged or broken by delivery vehicles or bin lorries, future disruption to the road surface by roots of the tree or tree decline followed by tree death caused by constructing a road within the root protection area of the tree. The garages for Plots 6 & 7 are still encroaching into the RPA of T5 and will need to be moved eastward out of the RPA. Given the available size of development land the current proposal is unacceptable and therefore I object.

Contaminated Land: no comment

Urban Design: This revised proposal does not satisfy Policy UD2, because it is not considered to be of sufficient design quality, nor does it relate positively to its context, proposing dwellings that are not of an appropriate form, massing, orientation and layout. If 10 units is the required number to make this scheme viable, then it is suggested that the following options are considered;

- The 6 detached units are made smaller, changing the current form and massing to fit comfortably on the site to minimise the problems of overlooking and privacy to existing and new neighbouring units and create good appropriately sized gardens.
- Look to reduce the level of affordable housing provided, thereby facilitating option 1.
- Consider fully rather than part demolishing Orchard House to create one or two new units that could create additional breathing space within the remainder of the site.
- Potentially creating a turning head further towards the point of access to reduce the space currently allocated to the highway within the scheme.

Education: Given the number and type of dwellings education seek a contribution of £26,944 towards primary education facilities in the vicinity of the development.

Drainage: Whilst the drainage layout and calculations that have been submitted are acceptable in principal, details on the future ownership of the proposed drainage system along with microdrainage calculations in electronic format should be submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied. Reason: To ensure satisfactory drainage of the site and to avoid flooding.

West Mercia Constabulary: no objections subject to a Secured by Design Condition

## NEIGHBOUR CONSULTATIONS

10 direct neighbour letters and two site notices have publicised the application. 14 raised objections and 3 have written in support.

Letters of objection refer to the following:-

- There isn't a demand for a development of this scale
- No street lighting
- Very little local employment
- Very few community facilities or services
- Noise and disturbance from construction works
- Increase in traffic
- Drainage and flooding
- Loss of community service
- School is oversubscribed
- High density development
- The layout is out of character with surrounding area
- Loss of open space
- Site is tight and cramped

Letters of support refer to the following:-

- Benefits to the local community
- Support local economy
- Village needs more diverse age demographic to benefit the village
- Affordable housing will allow younger people to stay in the village

#### ADDITIONAL RE-CONSULTATION:

Consultees have been re-notified of the amended plan therefore it is anticipated that additional responses will be received by the date of the Plans Board meeting and Members will be fully updated at the meeting.

Highways: With receipt of the amended Proposed Site Layout, Drg. PL001A Rev. D, it seems the majority of my concerns have been mitigated however I would ask for the following conditions:

-C13 – Parking/Loading/Unloading and Turning

-Prior to commencement of development details shall be submitted to and approved in writing by the Local Planning Authority indicating Full Road Construction including Longitudinal Cross Sections, Details of 'No Dig' zones, Details of Blocked Paved Areas and a satisfactory means of Highway Drainage. Works shall thereafter be implemented in accordance with the approved details.

-The Development shall not take place until full access details to include the layout, construction, transitional access feature and visibility splays, have been submitted to and approved by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby approved is commenced or the buildings occupied.

-Informative I11

Ecology: With receipt of the habitat suitability assessment it can be confirmed that great crested newts are unlikely to be affected by the development. The pond closest to the site and two further away were calculated as moderately suitable to support great crested newts. However, if they are present, they are unlikely to use the development site as terrestrial foraging habitat as there is much greater quality habitat in the fields around the ponds. The development is not considered likely to present a risk to the viability of any local population.

Therefore no further survey is required, and a precautionary approach should be sufficient to remove any remnant risk. This can be covered by an informative.

No objections subject to a nest boxes condition and the following informatives:-

Great Crested Newts

Bats

Nesting Birds (Vegetation)

Trenches

Replacement Planting

#### PLANNING CONSIDERATIONS

- Principle of development
- Amenity
- Highways
- Design
- Drainage
- Ecology, Biodiversity and Trees
- Other Matters
- Section 106 Contributions

#### PRINCIPLE OF DEVELOPMENT

The proposal is for 10 new houses with garages and a new access road. National and local planning policy outlines new development should be focussed in sustainable locations which have the benefit of a range of services and facilities. It also states that LPA's should promote sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities. Tibberton constitutes a sustainable location and is one of the three key rural settlements in the Borough where development will be focussed to meet local needs, as set out in policy CS7 of the Council's Core Strategy. New housing is therefore considered acceptable in Tibberton.

Core Strategy policy CS1 requires that the spatial distribution of new homes be consistent with the spatial development strategy stating that housing needs in the rural area will be met by approximately 170 new dwellings. This figure is derived from evidence provided by the Telford & Wrekin Housing Needs Study, with its inclusion in local policy also reflecting national planning policy

framework requirements to assist in safeguarding the countryside from encroachment and limit the number of new dwellings in rural areas. This threshold has already been met from dwellings already built or having received planning permission.

The proposed development would therefore exceed the need identified for the rural area contrary to CS1 in terms of the scale of development proposed. . Although the number of dwellings has exceeded the provision of 170 dwellings over the plan period the housing officer has stated that there is still a parish need for house types in this area. The proposed 40% affordable housing is in line with policy requirements for 40%. The Tibberton and Cherrington Parish Housing Needs Survey Report published in March 2011 identifies a current affordable housing need and in addition to this the Housing Officer supports this type of development at this site. The proposal would incorporate 40% affordable housing provision, which is line with the Core Strategy advice, and is considered by officers sufficient to outweigh the issue of exceeding the rural housing numbers.

Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality. Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment.

In addition to the above it must be noted that from 28<sup>th</sup> March 2013 the National Planning Policy Framework will be one year old. This means Council's without an up-to-date Local Plan will have applications judged by their degree of conformity with the NPPF, and a presumption in favour of sustainability should be applied. The Wrekin Local Plan saved policies therefore have to be given less weight when considering planning applications.

Officers acknowledge that the proposed development does not constitute an infill plot and therefore fails to accord with policy H10 of the Wrekin Local Plan. Policy H10 resists new development unless special circumstances can demonstrate an exception to this policy objection. Therefore the principle issue for consideration is whether sufficient weight can be given to the material matters which would outweigh planning policy and therefore justify a departure from Local Plan Saved Policies.

Although the site would not comply with criteria set out in policy H10 of the Wrekin Local Plan the site would reflect the character of established development within the village. The development would somewhat reflect residential cul-de-sacs located northwards and would sit in line with the existing north easterly building line. Furthermore, the proposed development would be located within a suitable settlement and would provide 40% affordable dwellings, in accordance with both the NPPF and policy CS7 of the Core Strategy. The site in which the development is proposed was the former

garden/paddock to Orchard House and is not agricultural land therefore it is considered any new development would not encroach into the open countryside or extends the rural boundary. The development would be located to the west of an existing agricultural field which Officers considers to act as a divide between the existing paddock and the rural open countryside land to the east.

In addition to the above changes in policy it should be noted that the site was identified as suitable site for residential development in the 2010 Strategic Housing Land Availability Assessment. Officers therefore consider some weight should be attached to these findings in assessing this application. Further to this the council carried out a housing needs survey in 2011 that identified a further need for 3no 3 bedroom homes in Tibberton either rented or shared ownership. Although this document was not published some weight should be given to its findings.

Officers therefore conclude that there is sufficient other material considerations and benefits to the scheme which outweigh the non conformity to policy H10 and consider that this site is suitable for residential development.

#### AMENITY

The proposed development would provide adequate parking provision as well as sufficient rear garden space. Adequate separation distance would remain between the proposed houses and those existing properties adjacent to the site to ensure neighbouring amenity is protected., with properties with shorter separation distances set at oblique angles to avoid impacts to amenity.

In regards to neighbouring amenity the Council accept that the adjacent properties would be subject to a loss of view. However these impacts would not be significant. Clearly the views across the open countryside which are currently enjoyed from these habitable room windows will be affected. However, there is no 'right to a view' under planning legislation. The distance between plots are considered adequate and it should be noted that utility rooms, garages and conservatories are not habitable rooms and thus this distance is not considered relevant. Thus, officers consider that they could not refuse this application on the grounds of adverse impact upon the amenity of the adjacent dwelling.

#### HIGHWAYS

The proposed development would provide access off the main lane and along the side of number 67 and Orchard House. The site would provide parking in the form of garages and parking spaces. With the receipt of an amended plan highways support the application subject to conditions relating to parking, loading and turning and access and full road construction details.

#### DESIGN

It is considered that the design and appearance of the proposed properties would relate positively to its context, and would incorporate many architectural details which are present on some of the more traditional Duke of Sutherland

the neighbouring dwellings, such as brick eaves and verge detailing, and brick arches above doors and windows and sympathetic facing materials. Officers consider the proposed design to be acceptable and in keeping with the surrounding area.

Officers acknowledge neighbouring concerns as well as objections made by the Councils Urban Design Officer and whilst officers do consider the site to be somewhat cramped, do not consider the layout is a sole reason to warrant a refusal when considering the overall benefits the scheme would bring to the area. The proposed development will provide 4 affordable homes in a suitable settlement in accordance with CS7 and conform with the National Planning Policy aims to boost the supply of housing in a sustainable location.

#### DRAINAGE

Concerns have been raised with regard to flooding and the proposed drainage methods. However officers can confirm that the development falls within the Environment Agency's criteria for Standing Advice and the Drainage supports the application subject to a condition requesting electronic calculations.

#### ECOLOGY, BIODIVERSITY AND TREES

Objections have been received concerning the loss of Wildlife and potential harm that will be caused. The applicant has recently submitted a Habitat Suitability Assessment which has been attached to the file. The Council's ecologist has reviewed the assessment and concludes that great crested newts are unlikely to be affected by the development and therefore supports the application subject to a condition and informatives.

To the east of the site positions a tree that is protected by a Tree Preservation Order, the proposed site plan shows the retentions of this tree as well as a no dig zone to ensure that no harm is caused during development.

#### SECTION 106 CONTRIBUTIONS

The applicant has agreed to enter into a Section 106 agreement for the whole site in relation to affordable housing in accordance with policies H24 of the Wrekin Local Plan and CS7 of the Core Strategy. A contribution towards off site leisure and play facilities (£4,800) and primary education (£26,944) is required due to the number of units proposed. These contributions amount to a total of £31,744.

#### OTHER MATTERS

Concerns have been raised in reference to Orchard House and the loss of the Child Minding Service. Officers acknowledge that if approval is granted the service will have to re-locate. Whilst officers sympathise it should be noted that the owner of Orchard House could at any time serve notice on the existing tenants and sell the property. Therefore officers do not consider this loss to be a significant material consideration in this case.

Furthermore neighbour's have stated that the application fails to comply with Policy CS11 of the Core Strategy. Officers acknowledge these comments

however should note that this particular site does not constitute as open space. The site is privately owned and not available for use by the public.

## CONCLUSION

Overall, on balance, officers consider that the proposed development is acceptable sustainable development that conforms to guidance in the National Planning Policy Framework, as it is located in one of the three identified villages for development as set out in the core strategy; the plot is an acceptable form of development and is not an encroachment into the open countryside. Officers consider that this latest guidance for the presumption in favour of sustainable development is sufficient to outweigh any saved policy objections. Although the layout is somewhat cramped the design of the proposed dwellings is of a good standard and will be in-keeping with the character of the area and will not detract from the architectural merits of existing properties in this part of Tibberton. The development will provide a 4no.affordable homes and a number of different sized dwellings without having an adverse impact on neighbouring properties due to the adequate separation distances and boundary treatment. Sufficient outdoor amenity space is retained for the adjoining dwelling and adequate private garden will be provided for the proposed dwelling. A safe and appropriate access to the site can be achieved as well as suitable provision of on site parking.

**RECOMMENDATION:** Based on the conclusions above, the recommendation to Plans Board on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT PLANNING PERMISSION subject to the applicant entering into a s106 agreement for £26,944 towards primary and education provision, £4,800 to Parks and Open Spaces, 40% affordable homes and subject to the conditions (to be agreed and determined as appropriate).

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

- A04 Time Limit
- B10 Details/Samples of Materials
- B012 Brick Panel Sample
- B120 Details of Enclosure
- BCUSTOM – Drainage Condition Electronic calculations
- B150 Site Environmental Management Plan
- C007 Windows set 75mm
- C13 Parking/Loading/Unloading and Turning
- C017 On site Construction
- C38 Development in accordance
- CCUSTOM Full Road Construction Details
- CCUSTOM Access details
- D01 Removal of PD to properties with limited garden depth.
- D08 Windows Obscure Glazed
- DCUSTOM Erection of Nest Boxes

Informatives;

I11

Fire Service Access for Emergency Service, Water Supplies for Fire Fighting, Recommended Minimum Flow Rates and Location of Fire Hydrants and Sprinkler Systems.

I23Bats

I24aGreat Crested Newts

I25aNesting Birds (Vegetation)

I25eTrenches

I25g Replacement/ Enhancement Planting

I32 Fire Authority

Proactive Statement

I40 Conditions

I41 Reason for Permission

As a result of re-consultation it should be noted that additional comments may be added to the list above and presented to members in the form of an update.

The proposed development is acceptable sustainable development that conforms to guidance in the National Planning Policy Framework, as it is located in one of the three identified villages for development as set out in the core strategy; the plot is an acceptable form of development and is not an encroachment into the open countryside. Officers consider that this latest guidance for the presumption in favour of sustainable development is sufficient to outweigh any saved policy objections. Furthermore, although the layout is somewhat cramped the design of the proposed dwellings is of a good standard and will be in-keeping with the character of the area and will not detract from the architectural merits of existing properties in this part of Tibberton. The development will provide a number of different sized dwellings, without having an adverse impact on neighbouring properties due to the decent separation distances and boundary treatment. Sufficient outdoor amenity space is retained for the adjoining dwelling and adequate private garden will be provided for the proposed dwelling. A safe and appropriate access to the site can be achieved as well as suitable provision of on site parking. In addition the development will provide 40% affordable homes as well as a contribution towards off site leisure and play facilities and primary education.

TWC/2013/0207

Garages to rear of 44 & 46 Dawley Road, Arleston, Telford, Shropshire  
Erection of a two storey detached building containing 4no. flats with  
associated car parking and access \*\*\*\*\* Amended plans received \*\*\*\*\*

**APPLICANT**

D M Tams

**RECEIVED**

14/03/2013

**PARISH**

Wellington

**WARD**

Arleston

**OFFICER**

Diane Ferriday

COUNCILLOR ANGELA McCLEMENTS HAS REQUESTED THIS  
APPLICATION BE DETERMINED BY MEMBERS OF PLANS BOARD.

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, Impact on residential amenity,  
Character and appearance of the area and highway safety.

THE PROPOSAL: The application site was previously owned by the Council  
who charged rent for the siting and use of garages. Approximately 2 years  
ago the land was sold by the Council as it was not considered viable to  
maintain. Presently some garages are still being used by local residents  
although they have been advised they have no legal right of access.

The application is for the erection of a two storey detached building containing  
4no. two bedroomed flats; two on each floor. Within the site is an informal  
footpath linking Dawley Road to Festival Gardens to the south which will be  
retained thorough the site. The two storey detached building will be sited to  
the north/west of the site with secured car parking to the south adjacent to the  
footpath. Each flat will have its own separate entrance via a gateway with a  
low brick wall providing privacy and protection to the frontages and amenity  
area to the rear enclosed with close boarded fencing. A communal enclosed  
bin storage will be sited adjacent to the building.

The site will provide communal parking for 7 cars; separated from the re-  
positioned footpath by low railings. The red boundary site includes 2 parking  
spaces at the entrance to the site adjacent to Dawley Road. These parking  
spaces are existing and used by the local residents.

**SITE AND SURROUNDINGS:**

The site is approached via a narrow access drive off Dawley Road and  
currently houses 8 single detached garages spread sporadically around the  
site, bounded by hedging and serving 4 properties. It opens out into a piece  
of land housing 8 single detached garages which are dated built of corrugated  
iron and spread sporadically around the site; In addition an informal public  
footpath crosses the site linking Dawley Road to Festival Gardens. The land  
ascends to the south and is untidy due to lack of maintenance since the Local

Authority sold the land. Some of the residents of adjacent properties still use the garages and have created informal access points from their own gardens. The site is bound by trees and hedging providing screening for the adjacent properties.

The immediate properties are mature semi-detached dwellings which include chimneys, flat roofed canopies above the front doors and white upvc windows and doors. They are within reasonable sized plots with established landscaping.

Local shops are within 155m and a local school about 400m from the site. Several bus stops are located along Dawley Road providing links around Telford.

Wellington district centre is approx 1.5miles distance with mixed uses and good transport links.

#### PLANNING HISTORY:

PE/2013/0174 – Proposed residential development

#### PLANNING POLICY CONTEXT:

##### Core Strategy:

CS1 Homes

CS9 Accessibility and Social Inclusion

CS15 Urban Design

##### Wrekin Local Plan:

H6 Windfall sites in Telford & Newport

UD2 Design Criteria

National Planning Policy Framework (NPPF)

#### CONSULTATION RESPONSES:

Wellington Town Council: No objection in principle but enquire about loss of parking spaces and alternative parking for residents in Dawley Road

Highways: Support subject to conditions relating to parking, loading, unloading and turning and informative on legal agreement for any changes at Dawley Road.

Drainage: Support subject to conditions relating to foul and surface water drainage, soakaway test or alternative method of disposal.

Ecology: Support subject to informatives regarding Nest boxes, Lighting, and Enhancement planting.

Building Regulations & Planning Manager: Support subject to informative on. Fire Safety Guidance

Rights of Way: No comment

Cllr A McClements: Objection on the grounds of

- Safety issues along footpath/narrow lane
- Noise & visibility – overlooking other properties
- Not appropriate access for emergency vehicles.

Following neighbourhood consultation four letters have been received.

3 object on the following grounds;

- Loss of parking on Dawley Road
- Residents will park further along Dawley Road which will lessen visibility for oncoming traffic
- Increase of traffic along the narrow lane/footpath raising safety issues
- Noise pollution from new residents and frequent use of lane
- Loss of access from the land to rear garden
- Loss of value to property
- No objection to single property on site.

1 supports the application but has concerns about lack of privacy to their rear garden and the limited access to property during construction period.

#### PLANNING CONSIDERATIONS:

##### Principle of Development:

The site is allocated as 'white land' in the Wrekin Local Plan and can therefore be considered for residential development in accordance with CS1 of the Core Strategy and 'saved' policy H6 of the WLP. National Planning Policy Framework advises that 'housing applications should be considered in the context of the presumption in favour of sustainable development' with an emphasis on developing previously used sites before greenfield.

A bus route and bus stops are within close proximity of the site; local shops with a convenience store are within 155m from the site and a local school within 400m of the site. The site is considered to be within a sustainable location suitable for residential development. In addition the site will provide appropriate affordable homes complying with the fundamental principle of policies CS1 and CS9 of the Core Strategy and 'saved' policy H6 of the WLP.

##### Site Layout and Design:

The existing site ascends north to south by approximately 2 metres. The proposed new building will be sited on raised ground levels at the north end of the site and the ground levels to the south reduced. The building plots following follow the building line, and will be south fronting, overlooking a the communal car park with communal amenity at the rear of the building, following similar pattern to that adjacent to the site. Consideration was made during pre application discussions towards a building at the end of the road front; acting as a definitive stop to the highway, however due to site

constraints including the footpath the proposed building sits along side the existing dwellings, respecting the character of the surrounding area.

The building will house 4 flats, 2 on each floor. A central flat roof porch will provide entrance to the flats at first floor level; the flats on the ground floor will have their own private entrance.

Flats 1 and 4 will have private amenity areas directly to the rear accessed from bedrooms; flats 2 and 3 will have private amenity areas further behind these which will be accessed along the side of the building.

Following a request to consider the characteristics of the immediate neighbouring properties and surrounding area, amended plans were submitted reflecting these were submitted with a roof pitch at 45<sup>0</sup>, inclusion of chimneys, flat roof canopies over the entrance doors and artificial stone head and cills to windows and doors. The design of the building will therefore compliment the adjacent properties and visually enhance the existing site.

An enclosed bin store area will be sited to the side of the site enclosed with close boarded fencing.

The site is within a residential estate where gardens join back to back. The proposed building will be located between no. 44 Dawley Road and 4 Primrose Grove. No. 44 Dawley Road is the nearest adjacent property to the proposed works; however it has no principle windows on the west side overlooking the site and the proposed development will not impact on the 45 degree guidance as a distance of approximately 14m from the principle windows on the front southern elevation is achievable. Other properties are a reasonable distance away, therefore in terms of loss of light there is no significant detrimental impact to surrounding properties.

It is accepted that there will be an increase in noise levels once the flats are occupied; however it is anticipated that these levels will not be excessive to the point of having a detrimental impact on the amenity of these two properties that currently experience normal day to day noise of the immediate neighbouring properties.

A small single bathroom window is proposed on both side elevations at ground and first floor levels. These windows can be conditioned to be obscure glazed and fixed to ensure privacy. There are windows at first floor level at a distance between 7 to 9m from the northern boundary looking towards the gardens of 44 Dawley Road and 4 Primrose Grove; however these existing gardens are both splayed and do not run directly back to back with the proposed site; there is existing hedging and several trees along the northern boundary which will lessen any impact and any approval can be conditioned to ensure landscaping is maintained.

There is scope to bring the proposed building slightly forward; however the scheme aims to get a balance of front and rear amenity space with a frontage enclosed with a brick wall and gate to create a kitchen garden in line with

adjacent properties. On balance it is therefore considered that the siting and design of the building will not have a detrimental impact on the amenities of the adjacent neighbouring properties in terms of overlooking.

The use of this site within an existing residential area is considered appropriate for residential development and will compliment an otherwise untidy area of land which serves no importance as it currently stands.

The proposed development is therefore considered to comply with policy CS15 of the Core Strategy and 'saved' policy UD2 of the WLP.

### Highways

The site is approached via a narrow lane; the surface of which is uneven. The Design & Access statement reads that the surface of the existing access drive will be improved. A condition can be attached to ensure this is the case. The lane is a private road and will remain as such; therefore if any future residents wish to make use of the Council's roadside bin collection service they would need to take their bins to the kerbside on Dawley Road.

At the entrance to the site, adjacent to Dawley Road are existing parking spaces; the original scheme involved new curb lines and footpaths within these areas; however following concerns by residents about the loss of these parking spaces and comments from Highways stating they did not support the changes as it would involve an arduous legal process the applicant has submitted amended plans with the parking spaces and alignments remaining as existing. This lessens any impact on existing parking for residents along Dawley Road.

The lane is currently used by local residents to gain access to the garages within the site. It is not considered that the proposed development with 8 communal parking spaces will have a detrimental impact on the amenities of local residents as the increase in traffic will not be significant. Furthermore the application will provide sufficient on site parking facilities, and will not have a significant impact with the displacement of vehicles currently using the site,

Manual for Streets specifies emergency vehicles should be able to serve properties within 45m; from the site entrance at Dawley Road a distance of 45m takes you to the front end of the communal parking therefore this criteria can be met.

Concerns have been expressed about the loss of the footpath within the site which is well used and provides a link to the local shops and schools. The footpath is not part of the adopted highway network being an informal route with no highway status. However, the application plans show a definitive footpath route within the site linking the estate from Dawley Road. It will be bound by low railings to provide a safe route through the site for local residents. Officers considered this will provide a safe and secure route rather than the informal approach which currently exists.

### Landscaping

The site has the benefit of trees and established hedging on all boundaries, the applicant has stated that the trees will remain where possible and any lost during construction will be replaced. Conditions can be mitigated to ensure retention and replacement along with details of all hard and soft landscaping. This is considered acceptable.

### Ground constraints

The site is within a coal mining area which may contain unrecorded coal mining related hazards therefore an informative can be added to ensure that the Coal Authority are contacted if any coal mining feature is encountered during development Land contamination, and drainage, slope stability, .. To ensure satisfactory drainage, and alleviate risk of flooding, conditions will be mitigated to ensure a sustainable drainage scheme is set in place before occupation. The issue of slope stability has been addressed with the proposed levelling of the land. Therefore it is considered that land can be adequately developed without any land constraints.

### Conclusion:

The proposed development is within a sustainable location suitable for residential development. The development will provide appropriate mix of housing types within this locality and the scale design and appearance is considered acceptable within the site and responds well with the immediate surrounding area. The development is not deemed to have a detrimental impact on residential amenities or highway safety; the proposal will ensure the informal pedestrian route is retained and natural surveillance provided. In addition the site can be adequately drained and remediated from past uses. Therefore the proposed development complies with both local and national policies.

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

### Conditions

A04	Time
B11	Samples of materials
B62	Drainage
B64	Soakaway Test
B65	Soakaways more than 5m
B121	Landscape Plan
B133	Tree Replacements
BCustom	Details of railings, secure footpath
BCustom	Details of access road surface finishes
C13	Parking, loading, unloading and turning
C074	Tree Protection
C38	Development in accordance with plan Nos.
D08	Windows secure glazing

## Informatives

I11	Access
I17	Coal Authority (Standing Advice)
I25	Nest boxes, Lighting, Enhancement Planting
I32	Fire Authority
I40	Conditions
I41	Reasons for Grant of Permission

### REASON FOR APPROVAL:

The proposed development is within a sustainable location suitable for residential development. The development will provide appropriate mix of housing types within this locality and the scale design and appearance is considered acceptable within the site and responds well with the immediate surrounding area. The development is not deemed to have a detrimental impact on residential amenities or highway safety; the proposal will ensure the informal pedestrian route is retained and natural surveillance provided. In addition the site can be adequately drained and remediated from past uses. Therefore the proposed development complies with both local and national policies.

TWC/2013/0281

Southall School, Rowan Avenue, Dawley, Telford, Shropshire, TF4 3PX  
Erection of a sports hall with changing facilities, new Art Therapy block and amendments to existing school driveway to create 13no. new car parking spaces

**APPLICANT**

Telford and Wrekin Council

**RECEIVED**

16/04/2013

**PARISH**

Great Dawley

**WARD**

Dawley Magna

**OFFICER**

Libby Harper

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Community facilities, Green Network, Design, amenity and trees

**PROPOSAL**

This proposal seeks permission to secure three components of development, that being firstly for the erection of a combined two court sports hall with changing facilities and a Student Support Base building on a single level, this is proposed to be positioned on the existing sports field. This building is proposed to contain specific accommodation and facilities to meet the schools requirements for students and users of the facility with diagnosed conditions and disabilities.

Secondly, a single storey 2 classroom new Art Therapy building linked to the existing teaching accommodation adjacent to Southall Road.

Thirdly, amendments are proposed to the existing school driveway to create 13 no. new car parking spaces - for the use of staff only, therefore being accessed either before or after pupil access and egress of the site. This addition is sought in order to increase visitor capacity in the existing car park, and alleviate congestion as there is increasing pressure on the current car park capacity. The creation of additional spaces would allow easier community access to the sports hall facility during extended hours.

**SITE AND SURROUNDINGS**

Southall School is located on Southall Road, accessed from Rowan Avenue. The access road is channelled between the rear of residential properties of neighbouring Beames Close and Southall Road. Part of the access road is designated as parking for mini buses only and, a grass verge lines either side of the road with a range of planting on the western side. The site then opens up to the existing car park for the school, with a play area to the west and school playing fields (including sports pitches and play equipment) and Multi Use Games Area (enclosed with fencing) to the east.

The principal school building lies adjacent to the play area, circa 1970s brown brick and white metal windows construction, with a modern cedar clad and rendered addition to the south. The school is largely single storey, extending to around one and a half storey towards the middle of the existing school and to the rear, accommodating the dining hall space and dance/drama space. Three demountable buildings, a range of play equipment and seating areas are located on the southern portion of the site. A range of trees and planting is present across the site, as indicated on the site plan submitted.

The site is subject to a sizeable slope up from Southall Road, with a retaining wall feature at the south western perimeter. The site levels across the breadth of the existing structures, with a modest slope upwards across the existing car park (west-east) and existing sports pitches (south-north).

The existing driveway is bounded by a range of close boarded and panel fencing, and a wall, with planting behind. The land fronting Southall Road is bounded by green railings, with green palisade fencing to the south 2 metres in height. The northern boundary adjacent to the playing fields is well screened with a range of established trees and hedging in place. No. 27 Beames Close is the closest property, with its side elevation bounding the school grounds; a non-habitable window is positioned at the 1<sup>st</sup> floor. The western boundary adjacent to the rear of properties off Cooke Drive is a more mixed arrangement, comprising a range of hedging, trees, wooden and wire fencing. A more open view arrangement exists in parts compared to other boundaries on the site; habitable windows look out on to the playing fields.

The playing fields and area to the south of the principal school building are defined as Green Network,. A Public Right of Way, being part of the South Telford Way, lies to the immediate south of the site. A wooded slope lies beyond the footpath, this banks up steeply and forms part of the adjoining Southall Road Wood County Wildlife Site (Shropshire Wildlife Trust).

A wooded bank is also positioned on the opposite side of Southall Road, again forming part of the Green Network designation in the local area.

The surrounding area is therefore green space in nature to the south and west of the site, whilst largely residential in nature elsewhere. Dawley District Centre is located around a mile away, with Telford Town Centre beyond.

## SUMMARISED CONSULTATIONS

### Standard consultation responses

Great Dawley Parish Council: *No Comment*

Development Plans: *Comment*

- Most of the west and south of the site is within the Green Network (school playing fields), proposed sports centre within the Green Network boundary
- Development Plan policies most relevant to the determination of this application include Wrekin Local Plan policies OL3, OL4 and OL5 and policy CS11 of the Core Strategy – protection of Green Network with

development only allowed where there are exceptional circumstances, if it contributes to or is complimentary to the aims of the Green Network or where there are environmental or community gains to be made

- Supporting text of the Wrekin Local Plan states that exceptional developments include community and recreational facilities - could be argued that the proposal for a sports building and an art block are of community benefit. The supporting text of OL5 which relates to extensions and redevelopment in the Green Network states that:  
*“The Council is aware of the importance of not restricting the extension of uses such as schools, hospitals or employment areas whose grounds contribute to the aims of the Green Network. Provided that the function of the Green Network is not significantly affected, the proposals for redevelopment or extension of these facilities will be permitted.”*
- The proposal will meet the requirements of policies CS11, OL4 and OL5 whereby community benefits are to be delivered as an integral part of development proposals in Green Network land. This also meets the requirements of paragraph 74 of the National Planning Policy Framework.

Highways: *Support subject to conditions*

No objection to the principle of the proposal, condition requested finished parking details.

Drainage: *Support subject to conditions*

Request for conditions covering surface water drainage and securing greenfield run off rates

Arboricultural: *Object*

- Proposal suggests the removal of a number of trees and affects other trees within the influencing zone for tree health and retention
- Concerns over the 13 parking spaces perpendicular to the boundary of the site, may cause harm to adjacent trees through the excavation works. It is felt that placing these parking spaces at a diagonal to the boundary fence will increase the rooting area available for the trees, minimise disruption to the existing area, creating a ‘construction exclusion zone’ where needed to account for the neighbouring trees.
- Main structure building shows the necessity for the removal of 6 established trees whilst attempting to retain an existing tree at the frontage of the Sports Hall (directly to the north of the MUGA on site). The loss of this tree should be considered and mitigated with a feature tree that will compliment the frontage to this building (of a good size, structure and species to have an instant impact) and also go some way in mitigating for the loss of other trees through development on this site
- A point of reference is raised by the officer, noting a current insurance claim with regard to a neighbouring property, and that any conditions to settling this claim may require the installation of a root barrier at the furthest north eastern corner of the playing field
- Object to this application on the grounds of loss of trees, detriment to neighbouring privately owned trees and lack of mitigation for tree loss.

Shropshire Fire Service: *Comment*

Request for consideration of Shropshire Fire and Rescue Service's *Fire Safety Guidance for Commercial and Domestic Planning Applications*.

Sport England: *No Objection*

- Area of the school site on which the application proposes to construct a 2 court sports hall and student support base is a playing field, as defined in relevant planning legislation. Sport England have considered the application in the light of its playing fields policy
- From the information provided it is clear that the school does not currently have fit for purpose indoor sporting provision. Delivering the sports hall at the site is considered to have potentially significant benefits to pupils, as it will provide new and improved opportunities for a range of sporting activity
- Consideration has been given to the potential role of the facility as a wider community resource but acknowledge that the existing local stock and new provision to be delivered is considered to appropriately meet demand within the local population

Sport England also provide a view on potential detriment to sport arising from impact on the playing field, identifying that the sports hall building would have a direct impact in the loss of approximately 750sqm of existing grass playing field. There may also be secondary impacts in the way that the building may alter the overall flexibility of the playing field to meet different sporting needs. As detailed in the 'Sports Provision Statement', it is understood that the playing field has a football pitch of approx. 73 x 40m in size in the winter and an athletics tracks including a 100m 'straight' in the summer months. It is understood that the playing field is more used as an informal games area rather than for formal sports to suit the identified needs of the students. Sport England conclude that these uses and the general markings could be accommodated on the remaining area of playing field if the proposed buildings works are permitted. When looking at the potential impact of the building on the overall flexibility of the playing field, it is noted that the triangular shape of the area already limits the potential for different sporting use. It could not for example accommodate a larger football pitch or a further pitch and could also not accommodate a minimum size cricket pitch

- In conclusion, within the context of the above observations, it is felt that the potential benefits to sport realised by these proposals do outweigh the limited sporting detriment that would occur through the loss of this grass playing field site. As such, Sport England considers the proposals are consistent with exception E5 of the organisations policy and therefore does not wish to raise an objection to this application.

Neighbour consultation responses

Following consultation one letter of support and one letter of comment have been received (parallel responses from the same household), the representations made can be summarised as follows:

- Maturing trees on site and in close vicinity to the new sports hall, concern over how much damage roots can do to building foundations (aware from personal experience due to subsidence from oak trees elsewhere on site)
- Trees have decades of growth in them so hope arboricultural implication assessments have been adequately done in relationship to this new construction.

#### RELEVANT HISTORY

W2004/1558 Erection of an extension along with internal alterations to convert a Mixed Infants and Secondary School into a Secondary MLD (Moderate Learning Difficulties) School. Full Granted 17/03/05

#### RELEVANT POLICIES

National Planning Policy Framework (NPPF)

Core Strategy:

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS11 Open Space

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

OL3 Green Network

OL4 Development in the Green Network

OL5 Extensions and Redevelopment in the Green Network

LR1 Provision of Community Facilities

#### PLANNING CONSIDERATIONS

##### **Nature as a Community Facility**

The proposed development at Southall School forms part of the Building Schools for the Future (BSF) programme securing the redevelopment of Telford & Wrekin schools. This scheme represents an extension to an existing community facility school for students with Moderate Learning Difficulties, seeking the replacement or improvement of provision in order to maintain the quality of the education that is delivered at the school. The Design & Access Statement defines the need for each component of the scheme. With reference to the Sports Hall, the statement outlines the position that existing sports learning is taking place within the current dining room. A new facility would facilitate improved learning opportunities for the school and scope for wider benefits for the community, together with improving the existing dining facility.

The new Student Support Base is proposed to be relocated from an existing demountable unit on site, to provide a permanent and improved facility to support the school learning ethos, and help deliver a learning life skills programme, together with supporting those students with diagnosed conditions and disabilities.

A parallel position is proposed for the new Art Studio and Therapy base, seeking its relocation from existing demountable buildings, again to provide improved facilities to support learning in a core subject, together with integrating these subjects more visually back into the main school buildings.

These proposals are set within the context of Policy CS10 *Community Facilities*, whereby the provision of improvements to existing community facilities to meet the needs of local residents will be supported, in conjunction with CS9 *Accessibility and Social Inclusion* which aims to improve social inclusion and accessibility by making sure that everyone is afforded reasonable opportunity to access schools and sports facilities. The provision of new and enhanced facilities at the school is therefore strongly supported by adopted policy.

A number of additional benefits would also be derived from the new provision; relocating uses from the temporary buildings on site would facilitate provision of supplementary teaching space through freeing up demountable buildings on site. Whilst this proposal does not establish formal arrangements for provision of a wider community resource (particularly in terms of beyond the operational hours of the school), it is understood that the school is keen to ensure the use of the facility by the community, and to explore the scope for this over time as an added potential benefit.

### **Development on green space**

The components of this application are subject to consideration against the green space policies of the adopted planning framework, with the position of the proposed Sports Hall and Student Support Base falling within the Green Network, that being part of the school playing fields.

Saved policy Policy OL3 of the Wrekin Local Plan seeks the protection of the Green Network in order to achieve the six aims of this designation. Elaborating on this position, OL4 states sets out the exceptional circumstances where development on the Green Network can be allowed, if it contributes to or is complimentary to the aims of the Green Network or where there are environmental or community gains to be made. This latter criteria being mirrored in Policy CS11 whereby development on open space will only be permitted if it can be demonstrated that there will be significant community and environmental benefits delivered by the proposal.

Not seeking to restrict the extension of schools is particularly highlighted in the supporting text of OL5, the plan further states that exceptional developments include community and recreational facilities.

Having regard to the position outlined above, it is clear that this proposal seeks to deliver a number of enhancements to a community facility (both in its role as a school with a range of benefits for pupils, and potential community use over extended hours). Further, its role extends to being a recreational facility through provision of a Sports Hall. Bearing in mind this position, and

the sustainable location of the site, it is considered that the merits of the scheme are such that any detrimental impact derived through development on green space is appropriately justified, a conclusion reached by Policy colleagues with no objection from Sport England. This also meets the requirements of paragraph 74 of the National Planning Policy Framework.

OL5 also covers the requirement to secure other environmental benefits such as landscaping; this will be covered in the next section of this report.

## **Design of the Scheme**

The proposed Sports Hall and Student Support Base comprises a single storey building generally matching the existing school, extending to a height of just over 8m (accounting for the presence of the slope on site) on around half the building to accommodate dimensional standards for specific sport provision to be undertaken on the proposed 2 courts. Notably, the existing school building is already subject to variation in height with the inclusion of the dining hall and dance/drama studio. The position of the building on the site has been led by the presence of public sewers crossing the land, and the need to ensure an appropriate level of easement, its orientation follows the line of the existing buildings on site and neighbouring MUGA.

It is considered that the design of this building appropriately provides a link both with the original school building through the proposed use of charcoal bricks, whilst also linking with the newer element of the school with the inclusion of modest elements of timber cladding. Translucent panels have been added to the upper tier metal clad areas to minimise massing and add light to the façade. A material change from base to high level has also been introduced to emphasise the horizontal lines of the lower storey and generate a light weight visual massing. The two uses have been integrated to one building to create a larger ground floor mass in an attempt to offset the scale of the Sports Hall.

The position of the proposed Art Therapy block is set forward from the existing building, spanning both the newer and older part of the school in a replicated orientation; the design also seeks to adopt a role of integrating the components of the building. A mix of charcoal brick (for aesthetic and functional reasons, together with material life span and durability reasons), render to match existing, and a modest level of timber cladding, being proposed. The cladding has generally been implemented to entrance areas of the new buildings in order to help increase legibility for users. The position of the building is closer to the slope down to Southall Road than the existing building, and in this respect, appropriate slope stability declaration information has been submitted to the LPA.

Overall, it is considered that the proposed materials, scale, orientation and massing appropriately fits within the context of the existing school, the surrounding green space and housing in accordance with Policy UD2.

Bounding the northern boundary of the existing playing fields is an established hedge and bank of landscaping; conversely the eastern edge is subject to mixed forms of boundary treatment with properties being largely exposed in parts. No changes are proposed to this latter boundary. These properties are positioned over 60m away, maintaining a significant separation distance. There is a potential impact from lighting of this building where this would be introduced to the rear of the building (eastern elevation) and sides (north and south elevations), and can be appropriately covered by a condition to ensure the protection of the amenity of neighbours on Cooke Drive and the nearest neighbours on Beames Close.

An objection has been raised by the tree officer relating to the excavation and disruption required to facilitate the delivery of the 13 new parking spaces perpendicular to the boundary of the site. In this respect, the LPA has considered requiring the new car parking spaces be provided in a diagonal (echelon) form in order to overcome the concerns raised. However, this has not been requested by the highways officer, such that an alternative routing of vehicles using these spaces would be required through delivery of this arrangement. It is therefore considered that this issue can be satisfactorily dealt with through the imposition of a no dig construction condition for the trees along the driveway, thus minimising damage to the trees present, and in turn seeking to address the concern raised by the trees officer.

A lack of mitigation for tree loss has also been raised, the tree survey submitted identifies the necessity to remove seven established trees (T1-T7) associated with the Sports Hall and Student Support Base, and one for the Art Therapy block (T17).

The LPA are in agreement that the loss of these trees should be appropriately mitigated – soft landscaping is a key feature of this site. The proposed scheme includes the introduction of soft landscaping to the front of the Student Support Base, beyond this it is recommended that a condition be imposed to cover replacement of these two trees. For the additional tree lost, this should compliment the frontage to the Sports Hall and Student Support Base building (of a good size, structure and species to have an instant impact). A further condition is required to ensure the protection of trees to be retained during the duration of demolition and construction phases in accordance with the recommendations of the Tree Survey.

In conclusion, the development is in the urban area of Telford where the principle of development is acceptable and the site is in a highly sustainable location. The proposed development is considered appropriate in terms of the proposed materials, scale and massing to provide new and enhanced provision of a community facility. The site is large enough to accommodate the development and the proposal would not have a detrimental impact on the amenities of the adjoining properties subject to the imposition of appropriate conditions. The scale and form of development would respect the character and context of the school, surrounding green space and residential area. The proposal therefore accords with national planning guidance, local Core

Strategy policies CS9, CS10, CS11 and CS15, together with Wrekin Local Plan policies UD2, OL3, OL4 and OL5.

RECOMMENDATION to GRANT PLANNING PERMISSION subject to the following conditions

1. A04 Time limit
2. B10 Details of materials
3. B62 Surface water drainage
4. B75 Brownfield run-off rate
5. B130 Trees – protection fencing
6. B132 Trees – no dig method
7. B133 Trees – replacements (T1 and T17)
8. C12 Car Parking
9. C38 Development in accordance with plan Nos.
10. CCustom - Lighting

#### Informatives

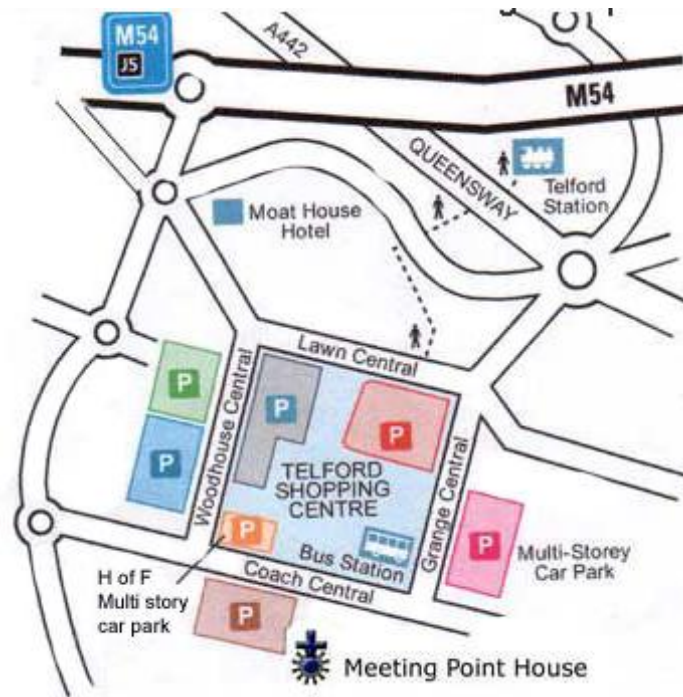
- I40 Conditions
- I41 Reasons for Grant of Permission
- I32 Fire Authority

#### REASON FOR APPROVAL:

The development is in the urban area of Telford where the principle of development is acceptable and the site is in a highly sustainable location. The proposed development is considered appropriate in terms of the proposed materials, scale and massing to provide new and enhanced provision of a community facility. The site is large enough to accommodate the development and the proposal would not have a detrimental impact on the amenities of the adjoining properties subject to the imposition of appropriate conditions. The scale and form of development would respect the character and context of the school, surrounding green space and residential area. The proposal therefore accords with national planning guidance, local Core Strategy policies CS9, CS10, CS11 and CS15, together with Wrekin Local Plan policies UD2, OL3, OL4 and OL5



**Meeting Point House**  
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Meeting Point House is situated off Junction 5 of the M54. Meeting Point House is opposite Wilkinsons and adjacent to Telford Town Park.

**From Birmingham** exit at Junction 5 M54, take the second exit off the first round about on to Forge Gate. Forge Gate becomes Lawn Central. Take the third exit at the next roundabout on to Grange Central. At the next roundabout take the second exit (turning right onto Coach Central). Town centre parking is available on the left and Meeting Point House is located opposite Wilkinsons and adjacent to Telford Town Park.

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**From Telford Train Station.** There is a bus link from the station to Telford Shopping Centre every 6 minutes from 7:30am to 6:30pm. For bus times and more information, contact Shropshire Travel Link on 01952 200 005. Taxis are available outside the station. Walking time from the Train Station is approximately 15 minutes and from the bus station 10 minutes.

For more details visit [www.meetingpointhouse.co.uk](http://www.meetingpointhouse.co.uk)