

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 24 September 2014 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Telford Whitehouse), Watling Street, Wellington, Telford TF1 2NJ**

**PRESENT:** Councillors J C Minor (Chairman), N A Dugmore, E J Greenaway, A S Jhavar, A A Meredith, L A Murray, B J Thompson (as substitute for J Loveridge) and C R Turley.

**ALSO PRESENT:** Councillor A J Eade (for planning application TWC/2014/0273)

#### **PC-032      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 3 September 2014 be confirmed and signed by the Chairman.

#### **PC-033      APOLOGIES FOR ABSENCE**

Councillors K R Guy and J Loveridge

#### **PC-034      DECLARATIONS OF INTEREST**

With regard to planning application TWC/2014/0699, Councillor B J Thompson commented that he was a member of Wrockwardine Wood and Trench Parish Council but, as he had not taken part in any previous discussion regarding the application, he would not be withdrawing from the meeting for that item.

#### **PC-035      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PC-036      SITE VISITS**

None.

#### **PC-037      PLANNING APPLICATIONS FOR DETERMINATION**

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report.

- (a)              TWC/2014/0273 - Land adjacent The Barns, Church Aston, Newport, Shropshire

This was an outline application for the erection of 26 dwellings with associated access, infrastructure and accommodation works. All other matters were reserved for further application. Councillor A J Eade, Ward Member, had requested that the application be determined by the Planning Committee.

Councillor Eade addressed the Committee in terms of a lack of five year deliverable housing land supply, development of greenfield land, and the impact on the village. He noted the applicant had addressed the fears of local residents regarding over-development by reducing the number of proposed units and added that if Members were minded to support the application he would seek consultation with the Parish Council regarding the proposed off-site play area and welcome the contribution towards off-site affordable housing provision.

The Applicant's Agent, Mr A Williams, spoke in support of the application commenting upon all parties' constructive approach to the application and highlighting the amendments which had been made to the original submission. He noted that the principle of development had been established, contributions for affordable housing provision and recreation were offered, hedges would be retained and that there was no objection from Parks and Open Spaces, Highways, Drainage or the Tree Officer. He noted the presumption in favour of sustainable development embedded in the National Planning Policy Framework (NPPF) and also the low density, high quality nature of the proposals. He also commented that small developments were normally more quickly commenced and delivered than their larger counterparts and that interest in the scheme had already been established.

The Planning Officer commented on the national five year deliverable land supply issue, sustainability in relation to the NPPF and drew attention to aspects of the report detailing access and highways, amended layout and S106 contributions. She concluded with clarification of the recommendation relating to the S106 contribution for off-site affordable housing.

In response to questioning, the Planning Officer went on to clarify that design and access statements would not normally be submitted as part of reserved matters applications, hence the Urban Designer's comments were limited in regard to character analysis this has been addressed by imposing a condition for more information to accompany any subsequent reserved matters application to address the character of the area; it was usual practice to consult with the Parish Council regarding recreation facilities; the principle of development was informally established during the pre-application advice stage but this was caveated as an officer opinion only pending the Committee's decision; the position with regard to off-site affordable housing contributions was fully set out in the report and contributions would be sought from Section 106 obligations.

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

**RESOLVED** – that with respect to planning application TWC/2014/0273 the Development Management Manager be authorised to grant planning permission subject to:

- (a) the applicants/landowners entering into a Section 106 Agreement that includes the provision of:
  - (i) A sum of £459,000 in lieu of 35% on-site affordable housing provision in the Newport and/or Church Aston area

- (ii) **A contribution of £84,611 towards education facilities in the vicinity of area**
  - (iii) **A contribution of £600 per 2 bed unit (and above) towards off-site play and recreation (totalling £15,600)**
  - (iv) **A contribution of £800 per unit towards Highways Infrastructure improvements to the A518 within the Newport Area (totalling £20,800)**
  - (v) **Planning monitoring contribution of 5% of total sum (totalling £6050)**
- (b) **the conditions set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).**
- (b) TWC/2014/0687 - Land North of Dunelm, Rodington Heath, Telford, Shropshire

This was an outline application for the erection of 6 dwellings with associated access on land to the north of 'Dunelm' in Rodington Heath. All other matters (including appearance, landscaping, layout and scale) were reserved for further application.

Councillor D Johnson, on behalf of Rodington Parish Council, spoke to oppose the proposals in term of development in the rural area, housing need and sustainability. He referred to other plans for housing in the area, including one at pre-application stage for 14 homes and the Council's Shaping Places local plan. He referred to the lack of facilities in the area and poor public transport links.

The Applicant's Agent, Mr S Jones, addressed the Committee in support of the application noting the lack of technical objection and the proposed affordable homes. He noted that small schemes could be quickly delivered and pointed to the low density of the proposals, highway benefits, local employment opportunities and policy compliance.

The Planning Officer drew attention to aspects of the report relating to the presumption in favour of sustainable development at the heart of the NPPF, access and the removal of the hedgerow to improve visibility splays, drainage and Section 106 obligations.

Some Members expressed concerns regarding non-compliance with the NPPF in terms of sustainability, particularly due to the lack of local amenities, and the enforceability of proposals to allocate affordable housing to people with a local connection. Conversely, other Members acknowledged the need for housing in the rural area.

The Legal Advisor commented upon the successful implementation of agreed Local Lettings Plan mechanisms in other rural areas, and the support of the Council's Housing Officer in encouraging further use of the mechanism.

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

**RESOLVED** – that with respect to planning application TWC/2014/0687 the Development Management Manager be authorised to grant planning permission subject to:

- (a) the applicants/landowners entering into a Section 106 Agreement that includes the provision of:
  - (i) Provision of on-site affordable housing constituting 40% of total number of units (2 dwellings)
  - (ii) A contribution of £600 per 2 bed unit (and above) towards off-site play and recreation (totalling £3,600)
  - (iii) £3000 towards improvements to the 30mph Gateway Features when entering Rodington Heath
- (b) the conditions set out in the report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).
- (c) TWC/2014/0699 - Land Adjacent to 1 Talbot Close, Wrockwardine Wood, Telford, Shropshire

This proposal sought full planning permission for the erection of two 3 bedroom detached dwellings and two 3 bedroom semi-detached dwellings to be built on land at the junction of Plough Road and Talbot Close.

Members were generally welcoming of the application which would improve the aesthetic of the area. Some concern was expressed regarding highway safety which the Planning Officer advised would be appropriately addressed by the Highways Officer through proposed traffic calming measures.

On being put to the vote, it was unanimously:-

**RESOLVED** – that with respect to planning application TWC/2014/0699 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement for financial contributions of £6,500 towards implementing a Traffic Calming Feature on Plough Road to the West of the Plough Road and Talbot Close Junction; and further subject to the conditions set out in the report.

The meeting ended at 6.47pm

Chairman: .....

Date: .....

**TELFORD & WREKIN COUNCIL**

**PLANNING COMMITTEE**

**15<sup>th</sup> October 2014**

Schedule 1 - Planning applications for determination by Planning Committee

<b>TWC/2010/0828 Land at Ironstone, Lawley, Telford, Shropshire</b> Variation of condition 16 of outline planning permission W2004/0980 to exclude the areas comprised within reserved matters application ref TWC/2010/0627 and within plots G4 and G5 as defined within the phasing plan drawing number 006 rev L from the effect of condition 16 (amended description) .....	<b>2</b>
<b>TWC/2014/0484 Land West of The Cedars, Rodington, Telford, Shropshire</b> Outline application for the erection of up to 14no. dwellings with associated access, services and infrastructure (All other matters reserved).....	<b>9</b>
<b>TWC/2014/0673 Land rear of, 2 Church Walk, Dawley, Telford, Shropshire</b> Erection of 1no. detached bungalow with associated car parking and access.....	<b>22</b>
<b>TWC/2014/0756 Land adjacent 1-3 Castle Lane, Hadley, Telford, Shropshire</b> Reserved matters application for the erection of 3no. terraced dwellings with associated parking landscaping and access.....	<b>29</b>
<b>TWC/2014/0758 Land fronting Haybridge Road shops, Haybridge Road, Hadley, Telford, Shropshire</b> Installation of GKN Sanky artwork (Part retrospective) .....	<b>35</b>
<b>TWC/2014/0762 22 Priestland Terrace, Furnace Lane, Trench, Telford, Shropshire, TF2 7JJ</b> Change of use of open space to private garden land and creation of new access with dropped kerb and associated driveway (Part Retrospective).....	<b>39</b>

TWC/2010/0828

Land at Ironstone, Lawley, Telford, Shropshire

Variation of condition 16 of outline planning permission W2004/0980 to exclude the areas comprised within reserved matters application ref TWC/2010/0627 and within plots G4 and G5 as defined within the phasing plan drawing number 006 rev L from the effect of condition 16 (amended description)

**APPLICANT**

Henry Davidson Developments Ltd

**RECEIVED**

23/12/2010

**PARISH**

Dawley Hamlets, Great Dawley, Lawley and Overdale

**WARD**

Dawley Magna, Horsehay and Lightmoor, Lawley and Overdale, Wrockwardine

**OFFICER**

Kath Whitfield

**PURPOSE OF THIS REPORT:**

The purpose of this report is to seek members' agreement to a Deed of Variation of the existing S106 agreement for Lawley Sustainable Urban Extension relating to the Lawley School and community facilities (Facilities Building). The changes are basically to amend key dates, which in turn will alter when education payment instalments are paid to the Council. The changes will aide cash flow and facilitate the construction of the access road ahead of the proposed hotel/restaurant. There is no change to the total amount to be paid (£3,600,000).

**BACKGROUND:**

Outline planning permission W2004/0981 was granted on 21<sup>st</sup> October 2005 for Lawley Sustainable Urban Extension comprising of 3,300 dwellings, employment and commercial and leisure facilities, a new school and associated recreational space and landscaping. This application was accompanied by a S106 agreement which required various monies for a variety of facilities - details are set out in the table attached to this report.

In December 2011 the outline planning permission was varied to alter condition 16 with regard to works to the motorway junction. This resulted in a reissued outline planning consent under reference TWC/2010/0828.

The original s106 agreement has been subject to a Supplemental Agreement and a series of Deeds of Variation over time as a result of various viability and phasing issues. The attached table sets out the original requirements and the latest variations already agreed by members.

Reserved Matters application TWC/2014/0419 was approved on 14<sup>th</sup> August 2014 for a primary school, playing field and community facilities. The Council has already entered into a Design & Build contract with Shepherd Construction. Construction is due to start early next year and the building is expected to be open and ready for use by January 2016.

#### PROPOSAL:

This report seeks an agreement for a Deed of Variation to alter the timings of when the education payments should be paid and splitting the "School Expansion sum" into two instalments instead of a single payment. The proposed variations are listed and explained below, but are also shown in the table at the end of this report:-

- a) Amend definition of "Facilities Construction Date" to read 31 January 2016. The "Facilities Construction Date" is effectively the date when the premises is ready to be used for educational and community uses. This was originally set as 30 August 2009, and has already been amended to August 2015 (by a Deed of variation dated 28/9/12). Under the current proposed changes this date would be amended to 31 January 2016.
- b) Amend land transfer date to read "no later than 31 December 2014". Under Schedule 3 paragraph 2 of the S106, the facilities land was to be transferred to the Council by 30 August 2009. This date has already been amended to 1 April 2012 (by a Deed of variation dated 28/9/12) and the land has not yet been transferred from the HCA to the Council. Under the current proposed changes this date would be amended to read "no later than 31 December 2014".
- c) Amend Schedule 3 paragraph 8 to pay School Expansion Sum in 2 instalments. Currently the School Expansion Sum of £600,000 is to be paid in one sum upon the practical completion of the Facilities Building. However, the proposals seek to amend this and pay the amount in two instalments - first instalment of £400,000 paid on completion of the school (by 31 January 2016) and second instalment of £200,000 within 24 months of the first instalment (i.e. by Jan 2018).
- d) Amend the definition of "the Facilities Land" site area to 2.153 hectares. The S106 currently specifies the area of land for the Facilities Building as being no more than 1.722 hectares (4.26 acres). However, as a result of the land transfer the site has been made larger and this enlarged site it into line with the site area that formed the reserved matters application for the school - hence the definition needs to be amended accordingly.

For information, as a result of changing the land transfer date above, the triggers for paying the £3 million “Facilities Contribution” will automatically change due to the wording of Schedule 3 paragraphs 3.1 - 3.3. The £3million was always to be paid in three equal instalments at 12 monthly intervals from when the land was first transferred to the Council. If the land transfer date is amended to 31<sup>st</sup> December then the first £1 million of these payments would be paid before the end of December 2014 and be as follows - first £1 million by 31 Dec 2014, second £1 million by 31 Dec 2015 and third £1 million by 31 Dec 2016.

#### SITE AND SURROUNDINGS:

Lawley Sustainable Urban Extension lies to the west of Telford Town Centre, south of the M54 and east of ‘old’ Lawley Village. The Lawley SUE is being built out in phases over some 20 years, but not in numerical phase order. Phases 1a, 1b, 2 (Lawley Square), 3, 4 and 6 have been commenced and some are nearing completion and as of the end of June 2014, 897 dwellings have been built. The Extra Care community facility adjacent to the proposed school has now been completed and is being occupied and Phase 8 (that will extend between Lawley Square and the M54) is intended to commence in Spring 2015 once reserved matters approval has been sought.

#### RELEVANT PLANNING HISTORY:

W2004/0981 – Outline planning permission to include access for Lawley Sustainable Urban extension comprising of 3300 dwellings, employment, commercial and leisure facilities, a new school and associated recreational space and landscaping. – Approved October 2005

TWC/2010/0828 – Variation of conditions on outline application W2004/0981 with regards to timing of works to motorway junction improvements – Outline granted with amended decision notice

TWC/2014/0419 - Reserved Matters for a primary school, playing field and community facilities. Approved 14<sup>th</sup> August 2014.

#### PLANNING POLICY CONTEXT:

Wrekin Local Plan

LR1- Provision of Community Facilities

Core Strategy

CS5 - District and Local Centres in Telford

CS8 - Regeneration

CS10 - Community Facilities

## National Planning Policy Framework

### PLANNING CONSIDERATIONS:

As members are aware the current economic climate is impacting on residents, businesses and Local Authorities. Against this backdrop the Council is trying to stimulate the economy and support growth within the Borough. The proposed alterations to the s106 are to aid cash flow for the provision of the school and the access road.

Time has lapsed since the section 106 agreement was written and the timescale for the provision of the school has been delayed. The school is a vital part of the overall Lawley SUE and its imminent construction is to be encouraged. Officers consider it appropriate and necessary to update the s106 to reflect the changes to the key dates and are supportive of the resultant change to the trigger dates for the payment of the education money. The changes will bring the school to fruition, aide cash flow and facilitate the construction of the access road ahead of the proposed hotel/restaurant.

**RECOMMENDATION:** That the section 106 Agreement be varied as follows, and with any other legal wording changes necessary to make the s106 agreement legally binding:-

- amend definition of “Facilities Construction Date” to read 31 January 2016;
- amend land transfer date to read “no later than 31 December 2014”.
- amend Schedule 3 to allow the School Expansion Sum to be paid in 2 instalments - £400,000 paid on completion of the school (by 31 January 2016) and second instalment of £200,000 within 24 months of the first instalment(i.e. by Jan 2018).
- amend the definition of “the Facilities Land” site area 2.153 hectares.

Table of S106 requirements for Lawley Sustainable Urban Extension

Contribution	Original S106	S106 Variations	Proposed further changes
Facilities Building (i.e. primary school & community facilities)	Facilities Construction date (i.e. completion date) - Aug 2012  Land transfer date - 30 Aug 2009  £3 million payable in 3 equal instalments	Aug 2015. (VAR Sept 2012).  Land transfer date - 1 April 2013 (VAR Sept 2012)	31 Jan 2016  31 Dec 2014  £3 million payable in 3 equal instalments starting from Dec 2014,

	<p>starting 12 months from when Aug 2009 when land first transferred to Council.</p> <p>The "Facilities Land" site area is 1.722 ha</p>		<p>2<sup>nd</sup> instalment by Dec 2015 and 3<sup>rd</sup> instalment by 31 Dec 2016. Amend to be 2.53ha</p>
Lightmoor Education (i.e. for Lightmoor primary school)	£300,000		
School Expansion sum	£600,000 payable when new school practically completed		Pay in 2 instalments:- £400,000 on completion of school (Jan 2016) & £200,000 within 24 months of completion (i.e. by Jan 2018).
Affordable housing	25% (of which 12% social rented and 13% shared ownership)	<p>Local Centre accepted £180,000 for Extra Care instead for of 25%. (VAR Dec 2011).</p> <p>Phases 3 &amp; 4 affordable reduced to 15% - of which 5% social rented and 10% shared ownership (VAR Sept 2012).</p> <p>Phase 6 affordable reduced to 15% (VAR July 2013).</p> <p>Buildings 1 &amp; 2 in Lawley Square reduced to 0% (VAR July 2013).</p>	
Bus subsidy	£880,000 payable in 4 instalments with 1 <sup>st</sup>	Payment trigger amended so that 1 <sup>st</sup>	

	instalment on 250 <sup>th</sup> occupied dwelling. 3 @ £285,000 1 @ £25,000 and thereafter at 12 monthly intervals	instalment (£285,000) due on 400 <sup>th</sup> occupied dwelling. 3 @ £285,000 1 @ £25,000 and thereafter at 12 monthly intervals (VAR 28 Sept 2011)	
Traffic Management Sum (for UTMS)	£175,000 payable on 260 <sup>th</sup> dwelling.	Sum reduced to £87,500 to be paid in 2 instalments of £43,750.  1 <sup>st</sup> instalment on 400 <sup>th</sup> occupied dwelling.  2 <sup>nd</sup> instalment when sports pitches due (i.e. 800 <sup>th</sup> occupied dwelling) (VAR 28 Sept 2011)	
Sports Pitches sum	£600,000 payable 2 years from commencement.	Payment trigger amended to be paid on occupation of 800 <sup>th</sup> dwelling (VAR Sept 2012).	
Rock Road NEAP	£65,000 capital £65,000 commuted sum		
Ironbridge Way LEAP (Phase 7)	£45,000 capital £30,000 commuted sum payable on 1 <sup>st</sup> occupation on this phase.		
Lawley Village LEAP (Phases 1a/1b)	£45,000 capital £30,000 commuted sum payable on 1 <sup>st</sup> occupation on this phase.		
Newdale NEAP	£92,000 capital		

(Phases 3 &4)	£90,000 commuted sum payable on 1 <sup>st</sup> occupation on this phase.		
Upper Newdale LEAP (Phase 8)	£45,000 capital £30,000 commuted sum payable on 1 <sup>st</sup> occupation on this phase.		
Princes End NEAP	£87,000 capital £85,000 commuted sum.		
Sustainable Development To be used for initiatives e.g. recycling, energy .	£100,000 payable on 1,000 <sup>th</sup> occupied dwelling		
Compliance Officer	£153,000		

TWC/2014/0484

Land West of The Cedars, Rodington, Telford, Shropshire

Outline application for the erection of up to 14no. dwellings with associated access, services and infrastructure (All other matters reserved)

**APPLICANT**

JRO Griffiths & Sons,

**RECEIVED**

10/06/2014

**PARISH**

Rodington

**WARD**

Wrockwardine

**OFFICER**

Libby Harper

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, access, impact on character of village and residential amenities, S106 contributions and affordable housing provision.

**THE PROPOSAL:**

This outline application seeks planning permission for the erection of 14no. dwellings with associated access on land to the west of The Cedars, Rodington. Access is sought for approval – comprising a new junction, however all other matters including appearance, landscaping, layout and scale are reserved for later approval.

The scheme proposes 6 affordable units amounting to 43% affordable housing provision comprising a mix of rented accommodation (4 units) and shared ownership (2 units), with the remaining 8 units as open market. The application material advises that the Wrekin Housing Trust were contacted in 2013 when the site was first considered for development and it was confirmed that they would be interested in the 6 affordable units proposed. If outline consent is granted, the applicant or developer would engage with Wrekin Housing Trust (or another Housing Trust) when drawing up detailed proposals for the site to ensure that the units meet the local need. The application has been submitted following pre-application discussions where the Local Planning Authority advised that the principle of some form of residential development could be supported.

The application has been accompanied by an indicative layout suggesting a mix of 8no. detached properties and 6no. semi-detached properties - no indication of the size of each property has been provided, a Planning Statement, Design and Access Statement, Highways and Drainage Report, Ecology Report, and latterly an updated Ecology Report.

**SITE AND SURROUNDINGS:**

The application site is located on the north western edge of Rodington and extends to approximately 1.74 hectares forming part of an agricultural field, the site fronts the road running between Rodington and on to Rodington Heath on two sides (south and west). The boundary treatment along these edges comprising a mix of established native hedge, estate railings (signs of wear and tear) and an agricultural access within the southern boundary. The site rises up from the road sitting in an elevated position, then being relatively flat in form.

The site sits to the west of an existing detached bungalow The Cedars bound by here a mix of close board fencing with trellis above and established landscaping; opposite the listed Rodington House Farm, and associated residential barns Courtyard Barn, Loft House Barn and Field House Barn. The village cemetery is sited to the north west behind a bank of trees, with Rodington Village Hall, a playing field and play area to the west on the opposite side of the road. The northern edge of the site is open in form, with the remainder of the field and neighbouring fields beyond. The village comprises a mix of dwellings in terms of age, style and design.

#### PLANNING HISTORY:

There is no planning application history recorded against this site, the following pre-application enquiries apply:

PE/2014/0064 Residential development comprising 12 dwellings (6 open market, 6 affordable)

PE/2011/0112 Residential development

Nearby:

TWC/2014/0570 - Erection of 2no. dwellings with associated parking and landscaping land west of Loft House Barn. Full Granted 01/10/2014

#### PLANNING POLICY CONTEXT:

National Planning Guidance:

National Planning Policy Framework

Core Strategy:

CS1 Homes

CS7 Rural Area

CS9 Accessibility & Social Inclusion

CS11 Open Space

CS12 Natural Environment

CS13 Environmental Resources

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

- H9 Location of New Housing
- H10 Scale of New Development
- H22 Community Facilities
- H23 Affordable Housing
- OL12 Open Land and Landscape on  
– Contributions from New Development
- OL13 Maintenance of Open Space
- LR4 Outdoor Recreational Open Space
- LR6 Developer Contributions to Outdoor Recreational Open Space Provision  
within New Residential Developments

## SUMMARISED CONSULTATION RESPONSES:

### Standard consultation responses

#### Parish Council:

Rodington Parish Council object to this scheme. After listening to the objections of local residents, Councillors support the original proposal for the social housing in Rodington but object to the proposed site at the Cedars. Request for Telford & Wrekin Council to revisit the site original site at The Yard, Rodington for the social housing development. The Cedars site is a greenfield site and unsustainable, with no bus route in the village and inadequate roads.

#### Highways:

No objection in principle subject to conditions requiring full construction and design detail of the proposed footway; visibility splays (2.4m x 43m); details of parking / turning / loading and unloading; details of refuse collection arrangement and proposed bin stores prior to occupation of development; and that the access is to remain ungated for the lifetime of the development. Contact is requested with the Highways Authority prior to commencement of development through an informative, and note that the internal layout is purely indicative and has not been considered as part of this application.

#### Affordable Housing:

Support this scheme advising that a Parish Housing Needs Survey for Rodington was carried out in June 2010 which identified a significant unmet need for affordable homes. Groups in need included younger people, families and older people. Successive Strategic Housing Market Assessments have highlighted a continuing shortfall of affordable homes in the rural part of the borough.

The applicant proposes 6 affordable homes (four for affordable rent and two for shared ownership). These will be integrated into the overall development. Proposal acceptable in principle, subject to further discussion with the Council, Parish Council and proposed Registered Provider (housing association) partner before submission of a Reserved Matters or Full Planning application to agree:

- the size and type of affordable homes to be provided, to meet identified needs (provision for older people and younger people should be considered).
- the specification and internal space standards that the homes should achieve.
- how the affordable homes will be integrated within the overall development.

The minimum equity stakeholding for shared ownership should be 25%. A 'rent to shared ownership' product would be acceptable. Arrangements should be made for the affordable homes to remain as affordable in perpetuity.

The affordable homes should be allocated through an agreed Local Lettings Plan, which gives priority to local residents of the Parish or those with a strong local connection to it (all tenures). The method of advertising/marketing these homes should be agreed by the Council and the respective Registered Provider. There should be consultation with the Parish Council as part of the allocation process.

#### Education:

Given the number and type of dwellings, a contribution of £25,300 is requested towards primary education, no contribution towards secondary provision is sought.

#### Parks and Open Space:

S106 Contribution of £600 per dwelling to be provided towards upgrading/enhancement of nearby play recreational facilities for children and young people in order to maximise the capacity and meet the need arising out of this development

Seek confirmation whether any open space proposed within the development is to be conveyed to individual property owners or how and who is to manage this. If this is to be conveyed to the individual residents then a conveyance plan will be required and clarification that the hedgerow is to be maintained on both sides.

#### Ecology:

Originally objected to the scheme due to a requirement for additional information relating to great crested newts further to the identification of two ponds within 250m of the proposed development within the Ecological Survey. Recommended that initially a Habitat Suitability Assessment is carried out and that the proposed development is assessed using the Natural England great crested newt Rapid Risk Assessment tool.

Additional information was requested, with an update report provided including Habitat Suitability Index scores and the outcome of presence/absence surveys for the ponds. Pond 1 had a HSI of 0.44 poor and held no water by the time surveys were undertaken, it is therefore deemed unlikely to support a population of great crested newts. Pond 2 had an HSI of 0.69 average and was subject to 6 visits between April and June 2014 for torching and egg searching surveys since the pond did not hold sufficient water to allow for safe bottle trapping. The 6 survey visits

revealed a small population of great crested newts present in pond 2, maximum count 2, and a small population of smooth newts also present, maximum count 6.

The updated Ecological Survey Report by Turnstone Ecology (July 2014 rev 02) sets out that connectivity between the pond and the development site is, in their opinion, poor with a minor road and short mown cemetery area between the two. It also states that only small sections of suitable hedgerow and field margin are to be removed for the works – this is inaccurate since the block plan and the access arrangements plan shows that significant lengths of suitable hedge will be removed along the west and southern boundaries of the site.

Ecology have carried out a Natural England Rapid Risk Assessment of the proposed development which comes out as Amber: Offence Likely, and identified that the basic precautionary methods of working set out in Turnstone Ecology (July 2014 rev 02) are unlikely to be sufficient to ensure that an offence does not occur. Further clarification was again sought on these matters.

Conditions and informatives are requested to ensure the protection of other species (dormouse, bats, reptiles, nesting wild birds and badgers).

#### Drainage:

Support this application requiring a scheme for surface water drainage to be submitted prior to commencement of development, restricting the surface water run off rate to 5 litres per second per hectare and that any attenuation feature should be designed to attenuate all flows up to and including the 1 in 100 year event +30% for climate change.

#### Built Heritage Conservation:

No comment at this stage due to the absence of more detailed information, request consultation on the reserved matters to ensure that the housing types reflect something of the rural quality of Rodington, rather than the more inappropriate modern infill.

#### Shropshire Fire Service:

Comment that as part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications".

#### CPRE

Object to the application identifying that Rodington is no longer identified in H9 as a suitable settlement for new housing, except in exceptional circumstances, and no special situation applies. CS7 makes clear that development will be limited and strictly controlled. OL6 protects open land which contributes to the character and amenity of the area. The selection of a 'greenfield' site is unjustified. The site is

identified in SHLAA 2012 site reference 353 is in close proximity to site reference 354, which is a previously developed site. At the very least, 'nearby' brownfield sites should be considered first. H24 - the scheme does not adequately demonstrate that it meets local affordable housing needs which cannot be met in another way. In CPRE's view the local road and transport infrastructure is insufficiently developed to support piecemeal or estate type development.

### Neighbour consultation responses

Following neighbour consultation, 45 objection representations, and two supporting representations, have been received and the issues raised have been summarised below:

- Poor infrastructure in village – cannot support any more homes, poor sewage systems, lack of services, lack of gas / electricity / water
- Density too high – not in keeping with rest of village
- Increased traffic and poor access roads – including extra noise, disruption to residents, on 90 degree bend, increased risk of collisions with pedestrians, cyclists and horse riders
- Insufficient parking
- Poor sewage systems
- Design – too modern, plots 10-13 too close to road
- Flooding concerns – including elevated land
- Greenfield site, preference should be for brownfield land
- Loss of agricultural land
- Too many houses – 5 private decent sized homes and 5 affordable homes satisfy the community and more in keeping with existing properties, not scheme originally proposed i.e. 12 homes being 6 joint ownership and 6 for the open market, 6 dwellings Rodington Parish Council insisted on in order to support any scheme within the village included 2 bungalows and at least 1 fully fitted for disabled use
- Site fails to meet any of the scoring points required to justify this building plot in Shaping Places document
- Application for house in back garden previously refused
- Loss of character as a village
- Better sites in the village - site next to Bills Head PH - looks derelict
- Increase in light pollution - Rodington hosts the Shropshire astronomers society
- Poor broadband
- Loss of light – including elevated position of site
- Loss of privacy – including elevated position of site
- Increased noise
- Loss of view
- Impact on wildlife – including potential Great Crested Newts in pond on other side of cemetery, loss of ancient hedgerows
- Impact on landscape – replace view of the traditional barns and ancient hedgerows
- Impact on Public Right of Way

- Further development – appears to be stage one with access to field intended to access more houses at later date
- Contrary to policy – NPPF material considerations apply and therefore presumption in favour of sustainable development cannot apply, Core Strategy
- Due process not followed – notices and consultation
- Problems with TWC planning system
- Lack of consultation by developer
- Inaccuracies and inadequate conclusions to submitted reports.

#### Support

- Support the development of a limited number of new properties in Rodington - may result in additional and better amenities for the village, issues with accessibility and facilities within the village that would create problems within the infrastructure if large numbers of properties were proposed
- Suitable site and a logical progression of the existing linear housing on the road through the village
- "NIMBYism" - suggestions to move this development to farmyard, in a narrower part of the lane and access would be far more dangerous than the proposed site.

#### PLANNING CONSIDERATIONS:

##### Principle

The National Planning Policy Framework (NPPF) advises that 'housing applications should be considered in the context of the presumption in favour of sustainable development' and encourages Local Planning Authority's to deliver a wide choice of high quality homes identifying the size, type and range of housing that is required in particular locations. The guidance seeks the development of brownfield land first and gives weight to strong designs; advising LPA's to refuse development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions.

In accordance with the NPPF, Telford & Wrekin Council must identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of housing against its housing requirements set out in the adopted development plan, which comprises relevant saved policies in the Wrekin Local Plan and the Core Strategy (2006-2016). The Council maintains its position regarding the significant supply of housing land that exists across the borough, comprising committed sites and sites identified in the current Strategic Housing Land Availability Assessment (SHLAA). Nonetheless, a reassessment of the five year land supply position, particularly in terms of the deliverability of committed sites within five years, has produced a lower delivery figure of 2.5 years. This reassessment was carried out in the light of updated guidance issued in April 2013 on assessing housing requirements, the increasing number of appeal decisions and examinations that have occurred nationally which were favouring a more stringent approach to assessing the five year supply issue and one which the Council needed to respond to pro-actively. In the context of the Borough overall, the authority is facing a shortfall in house building rates and has a

2.5 year supply, which is less than the required 5 years. This has implications for decision-making on planning applications.

Having a 5 year housing land supply shortage indicates that para 49 of the NPPF takes on greater significance which states that 'relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites'. Paragraph 14 states that where the development plan is absent, silent or relevant policies are out of date, permission should be granted 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. This underlines that planning applications should not be considered on the grounds of housing supply alone and that they should be decided against the golden thread of the presumption in favour of sustainable development. Consequently the proposal should not therefore be considered against the housing numbers set within policy CS1; however the sustainability of the scheme should be tested against other local policies and the NPPF.

The site is located in Rodington; thus it is in the rural area, however the site is positioned adjacent and opposite other established developments, with a mix of single and two storey properties, and of a diverse age, scale and design. Therefore, whilst rural housing schemes should be limited in scale to meet local needs as set out in the Core Strategy; with regard to the NPPF, the proposed housing can be viewed in terms of supporting and maintaining the vitality of this village. The village is serviced by local bus routes and is a short car journey to the towns of Telford and Shrewsbury. The position of the site is such at the edge of the village adjoining existing properties. It is proposed that the new edge will run parallel to the extent of the end of the garden of the immediately neighbouring property, thus representing continuation of the existing building line, and through the instatement of a new native hedge will establish a new boundary at the edge of the development fitting with the rural setting of the site.

Officers acknowledge that there have been a number of recent planning applications for residential development in villages such as Rodington, including notably TWC/2014/0570 for two dwellings nearby, however the LPA cannot currently demonstrate that there is sufficient supply of housing to meet the Borough's needs. There has been a shortfall of dwellings constructed and completed across the Borough over the Core Strategy plan period 2006-2013. Housing land is coming forward as a result of permissions granted; however this does not necessarily mean that the sites are deliverable. Moreover, the larger housing schemes will be phased over a period of years; therefore the provision of housing and in particular affordable housing will not be delivered immediately and the shortfall will remain for some time. By comparison, this smaller development, albeit currently for outline planning

permission, could be delivered more quickly and would help to address housing and affordable housing requirements. Accordingly, the principle of residential development on this site is considered acceptable.

#### Access and Highways Safety

Approval for the proposed access is sought through this outline application. A single access is proposed from the western edge of the site leading directly off the main arterial route through the village in conjunction with a new footpath along the frontage. A section of the hedgerow which runs along the road will need to be removed in order to achieve the required visibility splays, and to accommodate the footpath, provision of a stretch of replacement hedgerow is proposed along the south eastern perimeter of the site.

The Local Planning Authority (LPA) acknowledges the concerns raised from local residents regarding the potential impact the development may have on highway safety. These concerns primarily relate to the condition of the local roads being heavily used by agricultural vehicles, and the position of the site on a bend. A negative impact on the Public Right of Way on the opposite side of the road has been raised. Whilst much of these issues are beyond the control of the LPA, the Council's Highways Department have been consulted on this application, with no objections raised subject to appropriate conditions. Notably, the internal layout has not been considered as part of this application, with the approach to parking to be considered in further detail.

#### Drainage

Concerns were also raised by local residents with regards to the drainage of the site, poor sewage infrastructure in the village and an issue of flash flooding on the neighbouring road. The Council's Drainage Engineer has been consulted at the outset of the application but raises no objection subject to conditions including requiring a scheme for foul and surface water drainage, and details of the sites run-off rates restricted to greenfield run-off rates plus climate change. Further clarification has been sought related to the flooding and capacity issues raised. They have advised that due to the size and age of the combined sewerage system serving Rodington, it is unlikely that there is sufficient capacity for large-scale development in the surrounding area. For this reason any developer must consult with Severn Trent Water (STW) to assess the potential impacts of any new connection on the network and village pumping station. In order to cater for this requirement an additional condition is requested necessitating written confirmation be provided to 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 these to be provided to cater for foul and surface water flows from the site following Severn Trent Water investigations prior to commencement of development. In terms of a flash flooding context, Drainage have confirmed that they do not hold any evidence that shows flash flooding on the site, and the Flood Map for Surface Water (FMfSW) does not

show any pooling on the site or the adjacent highway. It is however possible that there are capacity issues associated with the highway drainage network in this location. Further clarity on this matter is being sought, and an update to Members will be provided, this may identify the need for specific conditions to be put forward.

### Scale, Layout and Design

This outline application seeks approval for access only, with layout, appearance, scale and landscaping being reserved for later approval. At the pre-application stage, development of 12 dwellings was proposed with an equal split of 6 affordable and 6 open market properties, the context of the scheme having stemmed from the parish housing needs survey of 2010, thus open market provision proposed to help deliver the affordable units. Notably, no specific explanation as to the increase in housing numbers has been explicitly defined and the boundary remains the same. In this respect, the indicative layout raises issues in terms of the number of units proposed and the suggested form of the scheme. As proposed, the layout would not be considered acceptable by the Local Planning Authority at the reserved matters stage, it would detrimentally impact on the privacy of Courtyard Barn and Loft House Barn on the opposite side of the road with a notable number of habitable windows fronting the roadside, particularly as the site is an elevated position. Further consideration with regard to potential loss of light is also required.

Further, the form of the development is too suburban in nature, particularly on the road edge; the lead should be taken from the barns themselves. The comments of the Urban Designer for this application are fundamental to developing a scheme that would be considered acceptable at the reserved matters stage in delivering an appropriate new gateway to the village. This report acknowledges that there are various modern dwellings in Rodington, the character of the village needs to be assessed and used to influence the subsequent design which is essential to placemaking. Revisions to the scheme would therefore need to be made including a need for significant landscaping, and bearing in mind a potential need to reduce the number of dwellings to secure an appropriate design, the description of development has been amended to 'up to 14 dwellings'. A condition is also required for the submission of a character appraisal to demonstrate how a subsequent scheme would enhance and integrate with its surroundings.

The type of dwellings proposed also requires further consideration, this is particularly in relation to the size and type of affordable homes to be provided to meet identified needs, specific consideration should be given to provision for older people and younger people should be considered. A need for a level of bungalow provision is likely, as has been identified in neighbour representations.

The indicative layout identifies retention of the existing stretch of hedge along the western edge, removal around the bend and southern edge, with replacement behind the new footpath along the majority of this latter edge. The hedge is

considered to be a particular feature of this corner of the village, and whilst accepted gaps do exist, it is considered to be generally well established in form. Thus Officers consider that attempts should be made to transplant, and infill where necessary, the existing hedge along the southern boundary, and a condition will be imposed accordingly, alongside protection of the retained hedge to the west through the construction phase. Provision of introducing estate railings within the new boundary treatment for the site should also be explored, to replace the loss of existing railings and reinforce an attractive rural boundary treatment within the development.

Officers have sought clarification as to the presence of overhead cables running across the site. In this respect, an amended plan has been received and confirmation provided that these will be re-routed as part of the development.

In order to protect the amenity of neighbouring residents, a Site Environmental Management Plan condition is recommended.

#### Ecology

The ecological information originally submitted as part of this application was evidently deficient in demonstrating that no detrimental impact would arise to Great Crested Newts as a protected species. Further to the submission of additional evidence in this respect, and specifically, a more detailed method statement to ensure that any residual risk of encountering a great crested newt is controlled. These provisions are considered sufficient to prevent the risk of an offence being committed with controls over implementation through conditions.

The potential impact of development on other species (dormouse, bats, reptiles, nesting wild birds and badgers) can be controlled through conditions where appropriate, the scheme is therefore considered to be acceptable on ecological grounds and compliant with CS12 of the Core Strategy.

#### Open space

No formal open space is proposed within the site, but there are some nearby play / proposed recreational facilities for children and young people which could be upgraded / enhanced in order to maximise the capacity and meet the need arising out of this development. A contribution will therefore be sought in this respect. The applicant has confirmed that they are not proposing that the Council adopts the land, and would likely be conveyed to a management company on subsequent sale and development of the site. This would be further addressed at the Reserved Matters stage.

#### Planning Obligations

With regard to planning obligations, the consultations received in relation to this application have highlighted the need for financial contributions relating to the following:

- A contribution of £600 / 2+ bed dwelling towards upgrading / enhancement of nearby play / proposed recreational facilities for children and young people
- A contribution of £25,300 towards primary school provision

Furthermore, the scheme will provide 43% affordable housing (6no. dwellings) on-site and officers consider the provision of affordable housing and financial contributions towards recreation facilities and education are acceptable.

#### Other issues

Development of an alternative site in the village as being preferable has been referenced within a number of representations received, that being land to the west of the Bulls Head Public House - Strategic Housing Land Availability Assessment site 354 (2012). In this respect, the applicant has confirmed that this site is still in active use and they are not prepared to release this land for development. Fundamentally, the present scenario is not plan led, and the Local Planning Authority is required to consider the merits of this site for development in itself.

The context of broadband already being slow in the village, and additional usage will worsen this position has been raised. This is not a planning consideration, nonetheless it is noted that the speed of rural broadband is being addressed through a wider corporate initiative of the Council. Loss of a view is not a material planning consideration.

The Council also confirms the due process with regard to correct notices and consultations has been appropriately followed in accordance with national legislation.

A representation has been made on behalf of the Shropshire Astronomical Society as users of Rodington Village Hall objecting to any development that would increase light pollution in any area surrounding the village hall. The proposal is a small scale residential development that would have associated lighting, and thus it is considered the proposal will not adversely affect the amenity of the area, furthermore lighting will be controlled to address ecological issues.

#### Conclusion

In conclusion, the principle of the development and proposed new access are considered acceptable in this location and the layout demonstrates that the development can be accommodated without significant impact on adjoining residential amenity, the prevailing character, highway safety or the natural environment. Accordingly, officers consider the proposal complies with the relevant national and local planning policies and recommend the application for approval subject to financial contributions, affordable housing provision and appropriate conditions.

RECOMMENDATION: that DELEGATED AUTHORITY is granted to the Service Delivery Manager - Development Management to GRANT OUTLINE PLANNING PERMISSION subject to the following:

- A) The Applicant entering in to a Section 106 Agreement with the Council relating to:
- i. Provision of on-site affordable housing constituting 40% of total number of units
  - ii. A contribution of £600 per 2 bed unit (and above) towards off-site play and recreation
  - iii. A contribution of up to £25,300 (£1,807 per unit) towards primary school provision.
- B) The following conditions (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):

1. A01 Time limit - outline
2. A03 Time limit – submission of Reserved Matters
3. B002 Standard outline – some matters reserved
4. B010 Details and samples of materials
5. B042 Parking/Turning/Loading
6. B049 Footway design
7. B062 Surface water drainage
8. B079 Drainage – confirmation Severn Trent Water capacity and works undertaken where necessary
9. B150 Site Environmental Management Plan
10. BCcustom Submission of Character Appraisal
11. C014 Visibility Splays 2.4m x 43m
12. C020Custom Refuse collection arrangement and location of bin stores
13. C020Custom Access to remain ungated
14. C073 Hedge protection and transplant
15. C091 Works in accordance with ecological survey
16. C109 Ecology - Erection of artificial nesting/roosting boxes
17. C109 Ecology - Lighting Plan

#### Informatives

- |         |  |
|---------|--|
| I06     | S106 Agreement                                     |
| I11     | Highways   |
| I25     | Great Crested Newts                                |
| I25a    | Nesting birds (pre-construction)                   |
| I35     | Highways - Servicing by refuse vehicles and layout |
| I40     | Conditions   |
| I41     | Reasons for Grant of Permission                    |
| RANPPF1 | Approval - NPPF                                    |

TWC/2014/0673

Land rear of, 2 Church Walk, Dawley, Telford, Shropshire

Erection of 1no. detached bungalow with associated car parking and access

**APPLICANT**

Chevin Homes Ltd, Dan Stack

**RECEIVED**

25/07/2014

**PARISH**

Great Dawley

**WARD**

Dawley Magna

**OFFICER**

Matthew Thomas

COUNCILLOR JANE PINTER HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF PLANNING COMMITTEE

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Loss of garages (community facility), Impact on neighbouring properties and character of area, Impact on highway safety and parking provision

**PROPOSAL**

This full planning application seeks permission for the erection of a detached bungalow following the demolition of 6no. garages currently on site at land to the rear of Church Walk in Dawley. The proposed dwelling is to be sited to the southern half of the site and will include two private car parking spaces and an enclosed area of private amenity space. It is also proposed to provide 5no. car parking spaces to be used by nearby residents which will be surrounded by close boarded fencing.

The proposed bungalow is to be constructed beneath a hipped roof and finished in facing brickwork, concrete roof tiles and white upvc windows and will provide three bedrooms, a kitchen/dining room, living room and a bathroom. Access to the site is proposed via the existing side road which branches off from Church Walk.

This application has been submitted following a previous application for two bungalows which was refused by the Local Planning Authority and later dismissed at appeal by the Planning Inspectorate.

**SITE AND SURROUNDINGS**

Church Walk is a small cul-de-sac consisting of seven dwellings (a terrace of three and a terrace of four) situated off Castle Road, a suburban area to the south of Dawley. The application site is surrounded by residential dwellings and comprises land currently used for garaging accessed from Church Walk. The site is enclosed by the rear boundaries of dwellings on Church Walk, Castle Road and Trinity Road.

Two-storey semi-detached houses are predominant in the surrounding residential area. The application site currently comprises six garages with further garages situated in the rear gardens of adjoining dwellings and vehicular access to these garages is across the site as well as access to rear gardens of other dwellings. The site is un-surfaced, and there is a mixture of garage types, with some older than others. However the site appears to be well-used, is relatively neat and tidy with little evidence of neglect or misuse.

The application site lies in a sustainable area, within relatively close distance to Dawley centre with good public transport links to the wider area.

## SUMMARISED CONSULTATIONS

### Standard consultation responses

Great Dawley Parish Council: No comments received

Highways: Support subject to conditions

- Parking & Turning

Drainage: No comments received

Ecology: Comment

- Condition erection of artificial nest/roosting boxes and include informatives

Shropshire Fire Service: Comment – include Fire Authority informative

### Neighbour consultation responses

Following neighbour consultation, three letters of objection have been received and the issues raised have been summarised below:

- Garages on the site are in use and this use should not be changed
- Concerns over parking and access arrangements for existing residents
- Access inadequate for proposed dwelling and for emergency vehicles
- Parking would be restricted and residents would need to park on Holly Road which is used as a local bus route
- Access to rear gardens would be restricted
- There is a right of way across the site which is regularly used
- Damage has already been caused by vehicles to residents' fencing
- Residents were of the understanding that the Council sold the land on the understanding that it would remain as garaging and not for development
- Loss of garages/valuable community facility

## RELEVANT HISTORY

TWC/2014/0002 - Erection of 2no. detached bungalows - Full Refused (06/03/14)  
Appeal Dismissed (04/07/14)

## RELEVANT POLICIES

National Policy Guidance:

National Planning Policy Framework (NPPF)

Core Strategy:

CS10 Community Facilities

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

## PLANNING CONSIDERATIONS

This planning application has been submitted following a previous application for the erection of 2no detached bungalows which was refused by the Local Planning Authority in March 2014. The Local Planning Authority refused this application as it considered that the proposed development would result in the loss of off-street parking which would likely lead to an increase in parking on the adjoining streets and interfere with the free-flow of traffic on the highway, increasing the danger to road users. Furthermore it was considered that the development would result in the loss of garages and off-street car parking spaces for dwellings in the surrounding area and therefore the scheme was contrary to policies UD2 of the Wrekin Local Plan, CS15 of the Core Strategy and the guidance contained within the National Planning Policy Framework.

Following this refusal, the applicant took the application to appeal and this was subsequently dismissed in July 2014. In the Inspector's report the Inspector refers to the LPA's reasons for refusal, specifically the loss of garages and off-site parking and how this was considered as a community benefit, protected by policy CS10 of the Core Strategy. The Inspector acknowledged that the site is currently of some benefit to the local community however expressed that this matter alone would not have been a reason for the appeal to fail.

However, the Inspector did find that the proposed development would cause harm to the living conditions of the occupiers of neighbouring properties by reason of parking provision and highway safety and, as such, would conflict with local policies which were considered consistent with the NPPF's core principle of a good standard of amenity for all existing and future occupants of land and buildings and also creating safe and secure layout which minimise the conflict between traffic and pedestrians. Finally, the Inspector also noted that the design of the proposed dwellings would be appropriate for the site and there would be no adverse harm caused to the occupiers of neighbouring properties by reason of loss of privacy or levels of sunlight.

This application now seeks permission for a single bungalow with two dedicated on-site parking spaces and private amenity space. However this scheme now provides 5 allocated car parking spaces for use of nearby residents to compensate for the loss of the off-site parking which is currently provided on site. The amended scheme also provides a 6m road once vehicles have entered the site for access to the bungalow, car parking areas and to provide on-site turning. A 1m pedestrian walk way is to be provided to the rear of the sites to provide access to the rear gardens of the neighbouring properties to the South off Holly Road and the existing pedestrian access to the east of the site is also to be retained. Access to the rear gardens of properties off Castle Road and Church Walk will remain unaffected and the applicant has also offered small areas of landscaping to the front of the bungalow to enhance visual amenity.

The proposed bungalow is bigger in scale, providing a three bed dwelling and the design is very similar to that of the previous application, which the Planning Inspector considered to be acceptable and in-keeping with the character of the area. The bungalow is to be constructed beneath a hipped roof and finished in facing brickwork, concrete roof tiles and white upvc windows and will provide three bedrooms, a kitchen/dining room, living room and a bathroom.

The National Planning Policy Framework (NPPF) advises that 'housing applications should be considered in the context of the presumption in favour of sustainable development' and encourages Local Planning Authority's to deliver a wide choice of high quality homes identifying the size, type and range of housing that is required in particular locations. The guidance seeks the development of brownfield land first and gives weight to strong designs; advising LPA's to refuse development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions. The site is located in a sustainable area close to shops and less than 3 miles from Telford town centre.

Furthermore, in accordance with the NPPF, Telford & Wrekin Council must identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of housing against its housing requirements set out in the adopted development plan, which comprises relevant saved policies in the Wrekin Local Plan and the Core Strategy (2006-2016). The Council maintains its position regarding the significant supply of housing land that exists across the borough, comprising committed sites and sites identified in the current Strategic Housing Land Availability Assessment (SHLAA). Nonetheless, a reassessment of the five year land supply position, particularly in terms of the deliverability of committed sites within five years, has produced a lower delivery figure of 2.5 years. This reassessment was carried out in the light of updated guidance issued in April on assessing housing requirements, the increasing number of appeal decisions and examinations that have occurred nationally which were favouring a more stringent approach to assessing the five year supply issue and one which the Council needed to respond to pro-actively. In the

context of the Borough overall, the authority is facing a shortfall in house building rates and has a 2.5 year supply, which is less than the required 5 years. This has implications for decision-making on planning applications.

Having a 5 year housing land supply shortage indicates that para 49 of the NPPF takes on greater significance which states that 'relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites'. Paragraph 14 states that where the development plan is absent, silent or relevant policies are out of date, permission should be granted 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. This underlines that planning applications should not be considered on the grounds of housing supply alone and that they should be decided against the golden thread of the presumption in favour of sustainable development. Consequently the proposal should not therefore be considered against the housing numbers set within policy CS1; however the sustainability of the scheme should be tested against other local policies and the NPPF.

At a local level, policy H6 of the Wrekin Local Plan supports development of sites under 0.4 hectares when the site can be adequately accessed, sufficient on-site parking can be achieved and the site can be adequately drained. In addition the development should not have an adverse impact on the local environment and in particular its relationship with adjacent land uses and any ground issues should be addressed. Policy CS1 of the Core Strategy aims to provide every household in the Borough with an affordable, decent and appropriate homes with the type, size and tenure of new and improved homes to meet local need and be delivered in a way that creates locally inclusive sustainable communities. The Council's Drainage and Highways Engineers have confirmed that subject to conditions, they have no objections to the proposed development. Policy CS15 of the Core Strategy encourages designs which will assist in creating and sustaining safe places, strengthening local identity and positively influence the appearance and use of the local environment. Policy UD2 of the Wrekin Local Plan advises the LPA to assess development proposals in relation to its scale, massing, form, density, orientation and layout, proportions, landscape elements, access and spatial quality.

Policy CS10 of the Core Strategy seeks to resist the loss of existing land or buildings used for the benefit of the community and during the previous application it was argued that the loss of this community facility would be detrimental to local residents. The Planning Inspector appreciated its value as a community benefit however stated that this reason alone would not have been sufficient for the appeal to fail. Despite this, the applicant has now included a parking area with space for 5 vehicles which will be reserved for the use of local residents to compensate the loss of off-site

parking. Whilst the garages will still be lost, an element of community benefit will still remain and therefore the Local Planning Authority is now satisfied that the proposal has overcome the previous reason for refusal, regarding policy CS10 of the Core Strategy.

The proposed provision of shared off-site parking for the use of local residents in turn addresses the previous reason for refusal relating to the impact on highway safety. Previously, officers were concerned that the loss of off-site parking would result in residents having to park elsewhere, predominantly around the adjacent residential developments. The Council's Highways department were concerned that the previous scheme would increase the likelihood of highway obstruction as a result of the loss of off-site parking and recommended the application be refused in the interests of highway safety. In this amended scheme with the provision of shared communal parking the Council's Highways department has raised no objection to the scheme subject to appropriate conditions. Officers are satisfied that the applicant has now addressed the previous reason for refusal relating to the impact on highway safety and whilst the garages will be lost, parking will still be available on site which will assist relieve any congestion in and around Church Walk.

Officers have taken in to consideration the concerns of local residents and whilst it is acknowledged that the loss of the garages will be unfortunate for the existing tenants the Planning Inspector advised during the previous appeal that this issue alone would not be a reason for the appeal to fail. Furthermore, the owner of the site may serve notice at any time and remove the garages without requiring any form of permission from the Local Planning Authority and therefore this cannot be a reason to restrict future development of the site. Matters of highway safety have already been discussed in this report and no objections have been raised from the Council's highways department in light of the amended scheme. The proposed scheme has allowed for a pathway around the site to ensure that accesses to the rear gardens of neighbouring properties are not restricted and similarly the existing right of way across the site will remain unaffected.

To summarise, the proposed development represents a sustainable form of development, providing a new home in a sustainable location in close proximity to local schools, shops and public transport. The design of the proposed dwelling is in-keeping with the immediate area and there will be no significant impact on the amenities of neighbouring properties by virtue of any significant loss of privacy, light or any overbearing impact. Furthermore, officers are satisfied that the site can be suitably accessed and drained and that adequate on-site parking and private amenity can be achieved. In light of the above, the LPA is satisfied that the applicant has fully addressed the previous reasons for refusal and the amended scheme is now in accordance with local policy including policies EH14 and UD2 of the Wrekin Local Plan and CS1 and CS15 of the Core Strategy as well as the guidance

contained within the National Planning Policy Framework. Officers therefore recommend the proposed development be approved subject to conditions.

RECOMMENDATION : GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. A04 Time Limit
2. B11 Samples of Materials
3. B042 Parking/Turning
4. B061 Foul & Surface Water
5. B64 Soakaway Test/Locations
6. B121 Landscaping Design
7. C007 Windows – white UPVC
8. C100 Erection of artificial nest/roosting boxes
9. C38 Development in accordance with plans
10. D01 Removal of Permitted Development

Informatives

Wildlife Conditions

Shropshire Fire Authority

TWC/2014/0756

Land adjacent 1-3 Castle Lane, Hadley, Telford, Shropshire  
Reserved matters application for the erection of 3no. terraced dwellings with  
associated parking landscaping and access

**APPLICANT**

Days New Homes Ltd, Alan Day

**RECEIVED**

26/08/2014

**PARISH**

Hadley and Leegomery

**WARD**

Hadley and Leegomery

**OFFICER**

Matthew Thomas

COUNCILLOR KEITH AUSTIN HAS REQUESTED THAT THIS APPLICATION BE  
DETERMINED BY MEMBERS OF PLANNING COMMITTEE

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Access, Layout, Scale, Appearance, Landscaping & Highways

**PROPOSAL**

This application seeks approval of Reserved Matters following the granting of outline planning permission, TWC/2011/1039, for the erection of 3no. dwellings. The outline consent gave permission for the erection of 3no. houses with on-site parking with all matters reserved for later approval. This application therefore seeks permission for those matters reserved including access, layout, scale, appearance and landscaping.

The proposed development comprises a terrace of three, 2.5 storey houses which will be built to the eastern boundary fronting the highway. The dwellings will be constructed beneath pitched roofs and finished in red facing bricks, interlocking roof tiles and upvc windows and doors. Internally, the dwellings will each provide three bedrooms at first and second floors and spacious open plan living accommodation at ground floor.

Access to the site will be directly off Castle Lane and on-site parking provision will be provided to the side and rear of the properties, as part of bigger parking area to serve another development which is currently under consideration with a separate planning application. Private amenity space will be provided to the rear of each dwelling, enclosed by timber fencing with individual accesses for refuse.

**SITE AND SURROUNDINGS**

The application site lies in a predominantly residential area of Hadley and currently forms part of the boundaries of an existing two storey dwelling which sits at the junction between Castle Street and Castle Lane. This property is finishing in red facing brick and render and occupies a generous plot with a large garden to the rear and a large tarmacked area to the side which is used for on-site parking. Bollards have been erected to restrict access to this parking area.

Residential development surrounds the site with recently constructed dwellings to the north and west. Opposite, is the 'Lidl' supermarket and car park. The site lies in a highly sustainable area within walking distance to Hadley local centre and bus routes.

## SUMMARISED CONSULTATIONS

### Standard consultation responses

Hadley & Leegomery Parish Council: Comment

- Parking provision is insufficient and will cause difficulties in Castle Lane. The site is opposite to the Lidl supermarket car park entrance and vehicles visiting the development properties and potentially those of the residents themselves, when parked in Castle Lane, will add to the congestion and difficulties which are already experienced. The Council suggests that additional parking spaces are needed, which will necessitate some re-design, and that a Traffic Regulation Order is considered at the application stage to limit or prohibit parking in front of the development, on both sides of Castle Lane

Highways: Comment

- Amendments are required to the access and parking spaces for plot 14, there are no other objections to this scheme on highway grounds (Currently awaiting amended plans. Members will be updated at Committee)

Drainage: Support subject to conditions

- Include conditions for foul and surface water drainage and soakaway test/locations

Ecology: No comments received

Arboriculture: No comments received

Shropshire Fire Service: Include Fire Authority informative

### Neighbour consultation responses

Following neighbour consultation, 3 letters of objection have been received and the issues raised have been summarised below:

- Inadequate on-site parking provision which would ultimately result in an adverse impact on highway safety
- Neighbouring units include Lidl and GKN Sankey and there has already been problems with traffic and collisions with delivery vehicles
- Adverse impact on neighbouring properties from loss of privacy, flooding, noise and smells
- Owner of site has already installed bollards to prevent parking which demonstrates that further development will result in additional vehicles with lack of parking provision to accommodate

## RELEVANT HISTORY

W97/0199 - Erection of a pair of semi-detached houses - Outline Granted (13/10/97)

W2001/0157 - Change of use from shop/retail business to living accommodation and alteration to front elevation - Full Granted (21/03/01)  
W2002/0355 - Renewal of planning permission W97/0199 for erection of a pair of semi-detached houses - Full Granted (29/07/02)  
TWC/2011/1039 - Erection of 3no. dwellings including parking (outline with all matters reserved) - Outline Granted (26/01/12)

## RELEVANT POLICIES

National Planning Guidance:  
National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes  
CS5 District and Local Centres in Telford  
CS9 Accessibility & Social Inclusion  
CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria  
H6 Windfall sites in Telford & Newport

## PLANNING CONSIDERATIONS

The principle of residential development on this site has already been established for the erection of three dwellings and provision of on-site parking through the granting of outline permission in January 2012. This application seeks approval of the reserved matters only; including access, appearance, landscaping, layout and scale.

When considering local policy, policy UD2 of the Wrekin Local Plan 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.

Within the National Planning Policy Framework, there is a presumption in favour of sustainable development however 'good design is a key aspect of sustainable development.' The NPPF advises that 'permission should be refused for development of poor design that fails to take opportunities available for improving character and quality of an area and the way it functions'.

### Access

Access to the site will be via an existing access to the north-eastern corner of the site and this will serve the proposed car parking area and turning space. The access will be a minimum of 5m wide for the first 5m in order to meet the requirements of the Council's Highways department in the interests of highway safety. Each dwelling will have two on-site car parking spaces to the rear and given the sustainable location of the site, officers consider this provision is acceptable. Whilst the access is opposite the access to the 'Lidl' supermarket, it is considered appropriate to locate the access

as far away from the junction with Castle Street as possible to ensure there is no adverse impact on highway safety. The access will be adequately surfaced and drained. Furthermore, to the front and alongside the highway, the existing kerb line will be straightened and a 2m wide footway will be provided for ease of access for pedestrians.

### Layout

The proposed layout of the development is relatively simple and in-keeping with that of the surrounding area. The terrace of three properties will be constructed to the eastern boundary of the site, fronting the highway and broadly in line with the existing development to the north. Access will be provided to the north-eastern corner of the site and will wrap around to the rear of the development where there will be an on-site car park for private use of the future residents. Private amenity space will be provided immediately to the rear of the properties and the size is considered proportionate to that of the dwellings. Each dwelling will have direct access from the car park to the rear gardens and close boarded timber fencing will provide adequate screening between neighbours. Finally, a storage area for refuse bins will also be provided.

### Scale

Outline permission has already been granted for three dwellings for this site and therefore it is the scale of the properties which is for consideration as oppose to the number of properties on site. The properties will be of 2.5 storey construction, set beneath pitched roofs with accommodation spread across three floors. At ground floor, comfortable open plan living accommodation will be provided, with two bedrooms and a family bathroom at first floor and a master bedroom with en-suite at second floor level. The properties will be of a typical town house style dwelling, providing comfortable living accommodation for families in a sustainable location. This will reflect other properties within the vicinity of the site, in particular those which have recently been completed to the north and north-west.

### Appearance

In terms of design and appearance, the proposed dwellings will be very similar to its neighbouring properties. The terrace will be 2.5 storeys in height, built beneath pitched roofs and finished in a light red facing brick, interlocking roof tiles and upvc windows. Samples of the finishing materials will be agreed at a later stage by condition. Finer detailing will include stone cills and brick soldier courses around the windows, overhanging porches above the front doors and rooflights in the roofspace. Whilst there will be small windows in each of the side elevations at ground and first floor level, these will either serve landings or downstairs WC's and not habitable rooms and therefore there will be no loss of privacy to neighbouring properties. The Local Planning Authority is satisfied that the overall appearance of these dwellings will be simple yet appropriate for their location and will meet the guidance contained within the National Planning Policy Framework as well as local policies on design.

### Landscaping

Given the general nature of the site and its proposed use, landscaping will be minimal. Low level box hedging and shrub planting will be provided to the site frontage as well as alongside the proposed access. Rear gardens will be laid to

lawn and enclosed by 1.8m high close boarded timber fencing. The existing 2m high timber fencing to the north and east boundaries shall be retained to ensure mutual privacy for neighbours. The amount of landscaping possible on this site is restricted and therefore officers are satisfied that the level and type of landscaping proposed is acceptable.

### Highways

Officers have noted the concerns raised by the Parish Council and local residents regarding the impact the proposed development would have on highway safety. The Local Planning Authority is aware that this part of Hadley is well developed and that the 'Lidl' supermarket is accessed off Castle Lane and therefore the vehicular movements around the area can be high with delivery vehicles, shoppers and local residents. Nevertheless, for this proposal, two on-site parking spaces have been provided per dwelling and given the sustainable location in which the site is located, officers are satisfied that this provision is adequate. Furthermore, the proposed access will be a minimum of 5m wide for the first 5m and this will ensure that there is no increased congestion with vehicles entering and leaving the site. The Council's Highways Engineer has assessed this scheme and has requested that minor amendments be made regarding the siting of on-site parking for plot 14. Once this has been received, a full consultation response will be provided and members will be updated of this at Committee.

### Drainage

Further concerns have been raised regarding the impact the development would have on local drainage. It is proposed for the foul drainage to be connected into the existing foul drain with existing connection to the foul sewer. Soakaways are also proposed for the proposed dwellings and for the car parking area to the rear. The Council's Drainage Officer has been consulted on this application and expressed some concerns over the lack of information submitted regarding the proposed drainage scheme, soakaway calculations, future ownership and easement between sewers and the buildings and therefore appropriate conditions have been requested to ensure that this information is submitted and agreed by the LPA prior to the commencement of development to ensure that the site can be adequately drained.

### Conclusion

To summarise, the principle of residential development on this site has previously been approved through the granting of outline planning permission in January 2012. The proposed development is considered acceptable in terms of the reserved matters including access, appearance, landscaping, layout and scale as the proposal will provide well-proportioned homes with adequate private amenity space and on-site parking without there being any significant detrimental impacts on neighbouring properties by virtue of any significant loss of privacy, light or any overbearing impact. Furthermore the proposed development will contribute to the character of the area and there will be no adverse impact on the street scene. Subject to conditions, no objections have been received by the Council's Drainage Officer, Highways Engineer or Ecologist and therefore the Local Planning Authority is satisfied that the scheme complies with local policies contained in the Wrekin Local Plan and Core Strategy as well as the guidance contained within the National Planning Policy Framework and the application is therefore recommended for approval subject to conditions.

RECOMMENDATION: to GRANT DELEGATED AUTHORITY to the Development Management Service Delivery Manager to GRANT RESERVED MATTERS CONSENT subject to the following conditions:

#### Conditions

1. A02 Time limit – Reserved Matters
2. B010 Details of materials
3. B061 Foul & surface water drainage
4. B064 Soakaway Test/Locations
5. C017 On site construction – parking
6. C076 Landscaping implementation
7. C38 Development in accordance with plan Nos.

#### Informatives

Fire Authority

Outline conditions

TWC/2014/0758

Land fronting Haybridge Road shops, Haybridge Road, Hadley, Telford, Shropshire  
Installation of GKN Sanky artwork (Part retrospective)

**APPLICANT**

Jules Convenience, Julie Duhra

**RECEIVED**

22/08/2014

**PARISH**

Hadley and Leegomery

**WARD**

Hadley and Leegomery

**OFFICER**

Emma Green

THIS APPLICATION HAS BEEN GREEN CARDED BY HADLEY AND  
LEEGOMERY PARISH COUNCIL

Objections: Yes

**PROPOSAL**

Erection of a piece of public art consisting of a metal wheel with a diameter of 1.03m. It is celebrating the local firm GKN Sankey. The wheel has a thickness of 0.55m

The supporting concrete plinth has already been installed (in May) the wheel will stand a maximum of 1.48m in height. It would be sited in a strip of grass separating the highway from the parking to a small shopping precinct. No loss of trees or alterations to parking, access or street furniture is necessary.

**SITE AND SURROUNDINGS**

The strip of grass on which it will stand is crossed by a pavement leading to the shops. The wheel would be sited approximately in the centre of the south western piece of grass. This grassed area is devoid of trees and separates the surfaced car parking to the shops from the highway. Accordingly it lies with concrete or tarmac surrounding it. There is a Zebra crossing close by and pavement barriers. The surrounding area includes commercial and residential premises.

**CONSULTATIONS**

Standard consultation responses

Hadley and Leegomery Parish Council: is of the view that this proposed structure will distract users of the highway and as a result be a risk to their safety and that of others. The site is on a busy road which is a main arterial road in the parish. The size and colour of the structure is such that its impact will result in drivers of vehicles taking their eyes off the highway at the approach to a heavily used pedestrian

crossing which is the site of two fatalities and numerous other road traffic incidents. The structure will also partly obscure the line of sight of drivers approaching the crossing from the south, delaying the time at which they can see clearly the approaching traffic from the opposite direction. The site of the pedestrian crossing, where a tragic fatal accident involving a nine year old boy occurred in 2013, has been designated as a speed enforcement site by the Safer Roads Partnership with mobile enforcement already taking place and a fixed camera installation planned in the near future. This highlights the high profile given to this site in terms of safety. The distraction posed by this proposed structure is in conflict with these safety actions and therefore contrary to the following policies; Core Strategy policy CS 15, and Core Strategy Spatial Development Objective 15 – “to create and maintain environments whose location, design, appearance, and functionality minimises their impact on the environment and ensures community safety” and Saved policy UD2 of the Wrekin Local Plan, paragraph (i)

Whilst the proposed structure is not an advertisement, the provisions of saved policy S31 of the Wrekin Local Plan which states that “any advertisement should not be designed or located in such a way that it obscures the visibility of, or causes undue distraction to, users of the highway”, should be considered. If the principal of safety applies to advertisements, it must be equally applied to artwork or indeed any other structure near a highway.

The Parish Council is of the view that the size, location and bright distracting colour of the proposed structure will impact adversely on the street scene and detract from the good design features that exist at present. It will cause an unacceptable visual impact that is visible from the surrounding residential properties. The proposal is therefore contrary to the following policies; Core Strategy Policy CS15 and Saved policy UD2 of the Wrekin Local Plan

The Council is of the view that this proposal is extremely insensitive, consisting of a large brightly coloured vehicle wheel, being adjacent to the place where a young child tragically died as a result of being struck by a car only last year.

The Parish Council is of the view that for the foregoing reasons the proposal does not represent sustainable development and is therefore contrary to the principles of the National Planning Policy Framework.

The Council therefore asks that this application is refused, and that unless it is intended to refuse consent under delegated power, the application is referred to the Planning Committee for determination and the Parish Council’s comments copied in full in the officer’s report to the Committee.

Highways: Our Network Management team view with regards the location of the Art feature from a Highways perspective is adequate. However, with regards the appearance of the Art, the colour of the feature is of concern, especially as a road safety camera is to be installed in early 2015 on behalf of West Mercia Police’s Safer Roads Partnership, the colour is potentially going to be a distraction as it may be in

the sight line for drivers and clash with the safety camera. It should be noted that the road safety camera is being installed as a result of the death of a child in February 2013 who was knocked down by a vehicle on the pedestrian crossing near the parade of shops. Is there any possibility that an alternative colour for the artwork could be proposed?

Updated highway comments; based on site visits and further information, on highway safety grounds we do not object to the application.

#### Neighbour consultation responses

A site notice was installed and letters sent to adjacent residential addresses.

One letter of support for this fantastic public art, and expressed frustration at Committee Call in of the decision.

#### RELEVANT HISTORY

None

#### RELEVANT POLICIES

Core Strategy:

CS5 District and Local Centres in Telford

CS10 Cultural, Historic and Built Environment

CS15 Urban Design

Wrekin Local Plan:

UD2 Urban Design

UD5 Public Art

National planning guidance: NPPF

#### PLANNING CONSIDERATIONS

The proposal is to include a piece of public art in the form of a metal wheel to celebrate a local firm GKN Sankey.

It will lie between the highway and a precinct of local shops. The grass area on which it would be sited lacks trees or other interest, and lies between substantial hard surfaced areas.

Policy CS5 of the Core Strategy recognises that local centres need to assist in the creation of vibrant, safe and attractive places with a design that reflects and responds to the locality. Policy CS14 also recognises that the use of public art will

further enhance local distinctiveness to protect and enhance the boroughs unique built characteristics.

Within this context it is therefore considered that the proposed feature wheel is well located in an otherwise featureless area of grass. The design should reflect and to enhances the character of the area in accordance with the Policies CS5 and CS10 of the LDF core Strategy and UD5 of the Wrekin Local Plan. Furthermore, NPPF states that public spaces need to achieve high quality design.

It is noted that the Parish have objected on the grounds of the design of the proposed public art, however, the NPPF is clear that the role of the decision maker is not to impose architectural styles or particular design tastes, however it is to promote and reinforce local distinctiveness officers therefore considers that the design is acceptable and reflective of local business and therefore accords local policy CS15, UD2 and UD5 and National guidance in the NPPF.

Highways officers do consider that the yellow colour might have an impact on highway safety and have requested if another colour could be considered. On discussing this further with the applicant it has become apparent that the artwork has been commissions and is made and the yellow colour was specifically chosen as it was the favourite colour of the boy who was fatally killed near to the site. The colour of the artwork cannot therefore be amended.

On further discussion with Highways, they considered that as the colour could not be amended, this alone was insufficient to warrant a refusal on highway safety grounds given the orientation and siting of the proposed structure. Members your officers are mindful of the sensitivity of this location and consider that safety is a key issue for consideration, but are satisfied that the height and position should have no significant effect on highway safety or residential amenity, and therefore recommend approval.

RECOMMENDATION - Approval subject to conditions:

#### Conditions

A04	Time limit
C38	Development in accordance with plan

TWC/2014/0762

22 Priestland Terrace, Furnace Lane, Trench, Telford, Shropshire, TF2 7JJ  
Change of use of open space to private garden land and creation of new access with  
dropped kerb and associated driveway (Part Retrospective)

**APPLICANT**

Rachel Lovatt

**RECEIVED**

28/08/2014

**PARISH**

Wrockwardine Wood and Trench

**WARD**

Wrockwardine Wood and Trench

**OFFICER**

Tom Carruthers

THIS APPLICATION HAS BEEN GREEN CARDED BY WROCKWARDINE WOOD  
AND TRENCH PARISH COUNCIL

OBJECTIONS RECEIVED: Yes

**THE PROPOSAL:**

Change of use of open space to private garden land and creation of new access with  
dropped kerb and associated driveway (Part Retrospective)

**SITE AND SURROUNDINGS:**

The application property is a brick and tile built, 2 storey semi-detached property on  
Priestland Terrace, Furnace Lane, Trench, which is within the urban area of Telford.

The site is on the side of the road which is predominately residential, however there  
is a large second hand furniture store opposite and a disused public house to the  
right of the property. Between the application site and the public house is a gated  
access that leads to the site of the former youth club. The residential properties  
opposite are a mix of large detached and semi-detached dwellings. The properties  
on the same side of the road as the application site are semi-detached in similar size  
gardens.

All the other properties on this part of Priestland Terrace, apart from no.'s 21 and 22  
have front gardens that go right up to the public footpath. 21 and 22 are the only  
ones who have any public open space in front of them.

**PLANNING HISTORY:**

None

## PLANNING POLICY CONTEXT:

National Planning Guidance:

National Planning Policy Framework

Wrekin Local Plan:

UD2 Design Criteria

Core Strategy:

CS15 Urban Design

## CONSULTATION RESPONSES:

Wrockwardine Wood & Trench Parish Council: Object

Public land should not be used for private garden and it will spoil the symmetry of the road. It will affect the access to the former Youth Club

Shropshire Fire: No comment

Neighbourhood Consultation

No representations have been received:

## PLANNING CONSIDERATIONS:

The property is a residential property within a predominately residential area. This application is part retrospective as the new vehicular access has already been installed. There was a previous pedestrian access that went from the front of 22 over this piece of land up to the footpath. This access has been extended in width to allow vehicles to use it. Contrary to comments raised by the Parish council this access does not have any impact on the access to the site of the former youth club, which is situated adjacent to this new access.

The second element of this application relates to the change of use of the land at the front of this property from public open space to private garden land. This open space is just grass land and given its limited size is of limited public benefit and its change to garden land will not have any demonstrable harm. Furthermore, given that all but one other property has garden frontage up to the footway, this alteration will be in keeping with the streetscene.

The originally submitted information showed that a fence was to be erected to enclose this piece of land. Officers considered that this element of the application was inappropriate as it would leave a small are of open land at the front of 21. Officers has discussed this with the applicants who are happy to replace the

proposed fence with a hedge which officers consider would be a more appropriate form of enclosure. To safeguard the appearance of the piece of land, a condition will be placed to remove permitted development rights for fences, walls and gates on the piece of land.

The Parish have raised concerns that the change of use of this area of land would spoil the symmetry of the street. However, officers consider that, at the moment no.21 and no.22 are the only properties that do not have a garden right up to the footpath. This proposal will go some way to improve the appearance of this piece of land within the street scene.

In conclusion, Officers consider that this piece of land does not have any benefit to the area and therefore, consider it acceptable to be incorporated into garden land. Furthermore, the change of use of this land would not detract from the street scene and therefore complies with policy UD2 of The Wrekin Local Plan and CS15 of the Core Strategy. There is no objection to the retrospective driveway which allows for on plot parking, and has no adverse impact on highway safety.

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

1. A04 Time Limit
2. C38 Development in accordance with plans
3. D01 Removal of permitted development rights

