

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 15 October 2014 at 6.00pm in the Walker Room, Meeting Point House, Town Centre, Telford

PRESENT: Councillors J C Minor (Chairman), N A Dugmore, E J Greenaway, K R Guy, A S Jhavar, J Loveridge, L A Murray and C R Turley.

ALSO PRESENT: Councillors R K Austin (for planning applications TWC/2014/0756 and TWC/2014/0758), R T Kiernan (for planning application TWC/2014/0484) and J Pinter (for planning application TWC/2014/0673).

PC-038 MINUTES

RESOLVED – that the minutes of the meeting of the Planning Committee held on 24 September 2014 be confirmed and signed by the Chairman.

PC-039 APOLOGIES FOR ABSENCE

Councillor A A Meredith

PC-040 DECLARATIONS OF INTEREST

With regard to planning application reference TWC/2010/0828, Councillor E J Greenaway commented that she was a member of Lawley Steering Group but that she would not be withdrawing from the meeting for that item.

With regard to planning application references TWC/2014/0756 and TWC/2014/0758, Councillor L A Murray commented that he was a member of Hadley & Leegomery Parish Council but he had expressed no prior view and he would not be withdrawing from the meeting for either item.

Councillor C R Turley commented that he was a member of Great Dawley Town Council but he had not taken part in any prior discussions with regard to planning application reference TWC/2014/0673 and, in the circumstances, he would not be withdrawing from the meeting for that item.

PC-041 DEFERRED/WITHDRAWN APPLICATIONS

None.

PC-042 SITE VISITS

RESOLVED – that site visits take place in respect of the following planning applications on Wednesday, 5 November 2014:-

- 3.00pm – TWC/2014/0272: Erection of 12no. dwellings; Ivydale, High Street, Coalport, Telford, Shropshire, TF8 7HZ; and
- 3.30pm (approx) – TWC/2014/0883 – Felling of a Yew Tree; 25 Weavers Rise, Ketley Bank, Telford, Shropshire, TF2 0EX

PC-043 PLANNING APPLICATIONS FOR DETERMINATION

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2014/0484 and TWC/2014/0758.

(a) TWC/2010/0828 - Land at Ironstone, Lawley, Telford, Shropshire

This was an application to vary the existing S106 agreement for Lawley Sustainable Urban Extension relating to the Lawley School and community facilities (Facilities Building). The variation sought to amend key dates, which in turn would alter when education payment instalments were paid to the Council. The changes would aid cash flow for the provision of the school and facilitate the construction of the access road ahead of the proposed hotel/restaurant. The proposed variation did not change the total contribution figure (£3,600,000). Members unanimously supported the proposed variation.

RESOLVED – That with respect to planning application TWC/2010/0828 the Section 106 Agreement be varied as follows with any other legal wording changes necessary to make the s106 agreement legally binding:-

- (a) amend definition of “Facilities Construction Date” to read 31 January 2016;
- (b) amend land transfer date to read “no later than 31 December 2014”;
- (c) 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 (ie by January 2018); and
- (d) amend the definition of “the Facilities Land” site area 2.153 hectares.

(b) TWC/2014/0484 - Land West of The Cedars, Rodington, Telford, Shropshire

This was an outline application which sought planning permission for the erection of up to 14 dwellings with associated access comprising a new junction on land to the west of The Cedars, Rodington. All other matters including appearance, landscaping, layout and scale were reserved for later approval.

An update report was tabled at the meeting which detailed further information received since preparation of the main report relating to an additional representation received and clarification on issues relating to highways, drainage, ecology and density.

Cllr R T Kiernan, one of the Borough Ward Members for Wrockwardine, spoke to oppose the application on the grounds of its speculative nature, precedent setting, housing need identified by the parish survey, local planning policy, development of greenfield land, detrimental impact on neighbouring properties, loss of native hedge,

ecology, drainage, highways and sustainability. Cllr Kiernan considered that Members would benefit from making a site visit.

Mr J Tennant, a local resident, spoke in opposition to the application on the grounds that the impact of other recently granted planning applications in the vicinity was unknown, contrary to national and local planning policy, sustainability in terms of limited public transport and capacity for school places, light pollution, lack of car parking, design, scale and location, detrimental impact on neighbours and the defence of any appeal in light of recent cases within the Shropshire area.

Mr S Thomas of Berrys, the applicant's agent, spoke in support of the application which was located in a sustainable settlement with access to a major road network and would contribute to local affordable housing needs. He also commented on design and layout, safety of access and the proposed package of conditions to mitigate concerns regarding run-off, foul water and ecology together with agreed financial contributions.

The Planning Officer pointed to aspects of the report dealing with the authority's lack of a deliverable five year housing land supply, the three strands to sustainability set out in the National Planning Policy against which this application had been judged, affordable housing, access, drainage, layout and character, ecology and planning obligations. She also noted speakers' concerns regarding the development of greenfield land but noted that no sequential test nor any obligation to require building on brownfield land in the first instance existed.

Members expressed concern that the principle of development at the site appeared to have been agreed prior to consideration by Planning Committee and were advised that this was an informal opinion given by the Planning Team in accordance with its remit to give pre-application advice. Concern was also expressed that the close of consultation fell prior to the consultation period for the Shaping Places Local Plan. The Assistant Director: Planning Specialist also reiterated the many roles of the Planning Team and commented that the process of developing the Local Plan could not interfere with the timetable for consideration and determination of planning applications. Following comments on the position of Shropshire Council with regard to the 5 year deliverable housing land supply, the Assistant Director: Planning Specialist noted that the revised methodology used to reach the supply figures would also provide an adequate supply in Telford and Wrekin, however, the formula was being challenged by a group of developers. This Council was investigating options for a more robust approach as the methodology used by Shropshire Council was vulnerable until tested.

During the ensuing debate, converse views were expressed. Some members focussed on a lack of sustainability, pointing to insufficient facilities and infrastructure in the village and others considered that the application was acceptable in principle but that further work was required with regard to scale, layout and design. A site visit was proposed but not seconded.

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

RESOLVED – that with respect to planning application TWC/2014/0484 the Development Management Service Delivery Manager be authorised to grant outline planning permission subject to:-

- (a) the applicants/landowners entering into a Section 106 Agreement 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 conditions set out in the update report (with authority to finalise and impose additional conditions to be delegated to Development Management Service Delivery Manager); and**
- (c) any future reserved matters applications to be determined by the Planning Committee**
- (c) TWC/2014/0673 - Land rear of 2 Church Walk, Dawley, Telford, Shropshire**

This full planning application sought permission for the erection of a detached bungalow following the demolition of 6 garages currently on site at land to the rear of Church Walk in Dawley. Councillor J Pinter, one of the Borough Ward Members for Dawley Magna, had requested that the application be determined by the Planning Committee.

Councillor Pinter addressed the Committee in terms of parking, highways and personal safety. She highlighted residents' understanding that when the land was sold it was with the proviso that the existing terms of agreement regarding garages and access would remain unchanged. She noted that if the existing car parking provisions ceased, due to the lack of alternative off-road parking, there would be a dramatic impact on all roads in the vicinity. She also noted that the footpath at the rear of the proposals did not benefit from street lighting and could be a magnet for anti-social behaviour.

Mr D Stack of Chevin Homes, the applicant, spoke in support of the application. He noted that the site was underdeveloped brownfield private land in an established residential location. He noted the proposed provision of 5 parking spaces in response to the previous appeal decision, that the footpath would be retained and formalised, there would be no loss of privacy to neighbours and that a more pleasant environment would result.

The Planning Officer reminded Members of the previous appeal decision based on loss of parking and loss of community facility, with loss of community facility alone being an insufficient reason to refuse planning permission. The application before the Committee sought to address the issue of parking provision.

In response to questions, the Planning Officer advised that no garages were shown on the block plan and that there was no current formal right of access across the private land and that this application sought to formalise the situation. The Assistant Director: Planning Specialist stated the landowner's power to close the land to public access at any time and that whilst there was no obligation to provide parking for residents in the locality, parking could be available on a contractual basis. Members asked whether any street lighting would be provided and the Assistant Director: Planning Specialist advised that it would be inappropriate to impose any conditions without prior investigation about the adoption of lighting with the appropriate Council Officers. The Legal Advisor advised that it would be helpful to provide flexibility to use either a condition or planning obligation to preserve the communality of the parking and it was also agreed that any current rights of way would be verified. Members noted the benefits that would be garnered from the proposal and were unanimously in support.

RESOLVED – officers were requested to seek to verify what rights of way existed over the site and that with respect to planning application TWC/2014/0673 planning permission be granted subject to the conditions as set out in the report and further subject to either a condition or a planning obligation to ensure that off-road communal parking facilities are made available on-site in perpetuity.

(d) TWC/2014/0756 - Land adjacent 1-3 Castle Lane, Hadley, Telford, Shropshire

This application sought approval of Reserved Matters following the grant of outline planning permission, TWC/2011/1039 for the erection of 3 houses with on-site parking. This application sought permission for matters reserved which included access, layout, scale, appearance and landscaping. Councillor R K Austin, one of the Borough Ward Members for Hadley and Leegomery, had requested that the application be determined by the Planning Committee.

Councillor Austin addressed the Committee regarding the concerns of local residents about parking provision and access to Lidl food store.

The Planning Officer drew attention to aspects of the report relating to highways, layout, scale, landscaping and drainage.

Members noted that parking was an issue in the area and that the Council's highways Engineer had assessed the scheme and requested minor amendments regarding on-site parking for plot 14. It was, therefore, considered that subject to satisfactory receipt of amendments in this regard, the proposals could be supported and it was unanimously:-

RESOLVED – that with respect to planning application TWC/2014/0756 the Development Management Service Delivery Manager be authorised to grant reserved matters consent subject to the receipt of satisfactory amendments to the siting of on-site parking for plot 14 and further subject to the conditions as set out in the report together with any further conditions as the Development

Management Service Delivery Manager may consider appropriate in response to any amendments to the siting of on-site parking for plot 14.

- (e) TWC/2014/0758 - Land fronting Haybridge Road shops, Haybridge Road, Hadley, Telford, Shropshire

This was a part-retrospective proposal for the erection of a piece of public art in celebration of local firm, GKN Sankey. The artwork consisted of a metal wheel with a diameter of 1.03m, a thickness of 0.55m and standing a maximum of 1.48m in height. The proposed site was a strip of grass separating the highway from the car park of a small shopping precinct. A supporting concrete plinth had already been installed. No loss of trees or alterations to parking, access or street furniture was necessary. Hadley and Leegomery Parish Council had requested that the application be determined by the Planning Committee.

An update report was tabled at the meeting which reported the receipt of supportive consultation responses and a supporting 324 signature petition.

Councillor A Twyford, representing Hadley & Leegomery Parish Council spoke to oppose the application on the grounds of highway safety and design. The Parish Council did not object to the erection of a monument to either GKN Sankey or Jayden-Lee Mclvor, the child who had tragically lost his life after being knocked down by a vehicle on the nearby pedestrian crossing in 2013, but considered that this site was an inappropriate location.

Councillor R K Austin, one of the Borough Ward Members for Hadley and Leegomery congratulated the applicant on receiving the Shropshire Star's People's Champion Award, noting that the community spirit she embodied was reflected in this application. He did not consider that the monument was large enough to cause a hazard and felt that the tribute was appropriate following the removal of the GKN Sankey monument from Hadley District Centre during the scheme of regeneration.

The views of the Parish Council were echoed by Mr R Plenderleith, a Parish Councillor who spoke in his personal capacity.

Mrs S Fikeis spoke on behalf of the applicant. She provided a life-sized model of the proposed monument and paid tribute to the extensive work of the applicant in bringing the local community together. She also acknowledged the esteem with which GKN Sankey was held in the community and noted the popularity of the proposals among local people. She argued that the artwork would be no more distracting than advertising hoarding routinely erected at roundabouts and that there was no hard evidence that it would cause a hazard.

The Planning Officer noted that the main issues for consideration by the Committee were design and siting. She explained that the chosen colour was reportedly the favourite of Jayden-Lee Mclvor and whilst the Highways Officer had initially expressed concerns regarding the bright yellow hue, in view of the site and proposed angle of the monument it was subsequently deemed that this was an insufficient reason for refusal. She drew attention to significant local support, as set out in the

update report, and considered that the design reflected local business and was in accordance with the National Planning Policy Framework.

The Committee considered points raised by speakers and information provided by the Planning Officers in conjunction with the report. Members welcomed the initiative of the applicant. It was noted that similar concerns regarding safety had been raised in other comparable local circumstances, but such fears had not come to fruition. A Member suggested a compromise to delay the erection of the artwork to coincide with the installation of speed cameras but this was not deemed necessary. Members did not consider that the artwork represented a hazard and opined that the issue of safety related to poor driving and speeding. Members unanimously supported the proposal.

RESOLVED – that with respect to planning application TWC/2014/0758 planning permission be granted subject to the conditions as set out in the report.

(f) TWC/2014/0762 - 22 Priestland Terrace, Furnace Lane, Trench, Telford, Shropshire, TF2 7JJ

This was a part-retrospective proposal for change of use of open space to private garden land and creation of a new access with dropped kerb and associated driveway. Wrockwardine Wood and Trench Parish Council had requested that the application be determined by the Planning Committee. The Parish Council had been unable to send a representative to speak. Members considered that the proposals offered an improvement to the street scene and, on being put the vote, it was unanimously:-

RESOLVED – that with respect to planning application TWC/2014/0762 planning permission be granted subject to the conditions as set out in the report.

NB. The Committee were disappointed that the Parish Council had been unable to send a representative to speak to the call-in request on planning application TWC/2014/0762 and the Chair agreed that a reminder of the Committee's expectations in this regard should be sent to all Town and Parish Councils.

The meeting ended at 7.38pm

Chairman:

Date:

TELFORD & WREKIN COUNCIL

PLANNING COMMITTEE

05/11/2014

Schedule 1 - Planning applications for determination by Planning Committee

TWC/2014/0272 Ivydale, High Street, Coalport, Telford, Shropshire, TF8 7HZ Erection of 12no. dwellings with associated garaging, access, parking and private amenity space ***AMENDED PLANS AND INFORMATION RECEIVED***	2
TWC/2014/0348 Littlehales Manor Farm, Lilleshall, Newport, Shropshire, TF10 9AN Erection of 4no. Poultry houses, heating building with associated vehicular access, ancillary equipment and landscaping ***Amended plans to alter the site access***	18
TWC/2014/0765 1-3 Castle Lane, Hadley, Telford, Shropshire, TF1 6RD Demolition of existing house and erection of a block of 11No. flats including parking area.....	36
TWC/2014/0883 25 Weavers Rise, Ketley Bank, Telford, Shropshire, TF2 0EX Felling of 1no. Yew tree	42

TWC/2014/0272

Ivydale, High Street, Coalport, Telford, Shropshire, TF8 7HZ

Erection of 12no. dwellings with associated garaging, access, parking and private amenity space *AMENDED PLANS AND INFORMATION RECEIVED*****

APPLICANT

PSL Building Limited, Paul O'Neill

RECEIVED

01/04/2014

PARISH

The Gorge

WARD

Ironbridge Gorge

OFFICER

Libby Harper

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development including Green Network, Highways issues, Scale and Design, Impact on Heritage Assets, Impact on Trees, Land Stability, S106 Contributions

THE PROPOSAL:

The application seeks full planning permission for the erection of 12no. dwellings with a new vehicular access provided off High Street, Coalport to the north of the former railway line. The development is proposed to be linear in form; plots 1 – 4 comprising three storey detached 5 bed houses sitting at the entrance; the next four properties (plots 5-8) would form two detached and a pair of semi-detached properties consisting of a mix of two and two and half storey 4 bed houses; three 3 bed houses across plots 9 – 11 as two storey terraced cottages. Plot 12 would then sit at the western end of the development with its principal elevation facing towards the service road and an arched feature window towards the High Street as a two and a half storey dwelling.

Each dwelling would be served by a private driveway providing a minimum of two spaces per unit, five of the units would then have single integrated garages, one with an integrated double garage, and one with a detached double garage, the remaining five having driveways only. Access would be gained towards the eastern end of the development with a turning facility provided to the front of plot 12 at the western edge. Proposed drainage is defined as foul sewage being conveyed to the mains sewer, and surface water to a combination of mains sewer, sustainable drainage system and soakaway.

The proposed scheme has been subject to amendment, alongside architectural detailing, a notable amendment to the form of gardens has been sought with provision of terracing made across the extent to the site. This application has been submitted following pre-application advice, whereby the level of land stability monitoring, the principle of a linear form of residential development with a reduction from 14 units sought, and access arrangements for the site was agreed.

The application has been accompanied by a Heritage Statement, Flood Risk Assessment, Landscape and Visual Appraisal, Planning Statement, Design &

Access Statement, Coal Mining Risk Assessment, Stability Assessment Report with associated Slope Stability Declaration.

SITE AND SURROUNDINGS:

The application site measures approximately 0.495 hectares located along High Street, Coalport towards the south eastern edge of the Borough. The site lies within the built-up area of Telford as presented on the adopted Proposals Map; as well as, within the Severn Gorge Conservation Area and Ironbridge Gorge World Heritage Site. It comprises two parcels of land, a larger parcel located to the west of the three storey residence of Ivydale, this area includes a paddock, timber stables – now used for general storage purposes, and a disused ménage sitting at the southern edge bordered by an established leylandii boundary. The second smaller parcel is positioned to the west forming an open paddock located opposite The Brewery Inn and above the associated car park. The site is largely scrub in form. The majority of the application site forms part of the extended curtilage of Ivydale, with the eastern paddock related to The Brewery Inn. The site is principally bounded by a mix of post & rail and post & wire fencing, with planting along the southern edge adjacent to the stable and ménage area.

A field (pasture) is positioned to the north with woodland beyond, a wooded area bounds the western edge linking through to the Blists Hill Wildlife Site, with a public footpath 21 metres from the site accessible off the Silkin Way forming part of the National Cycle Network route 55 linking through to Telford (and when complete will connect to Preston) to the south of the site. The site lies within the vicinity of a number of Listed Buildings –The Brewery Inn to the south of the western parcel, 54-56 Coalport High Street to the south of the eastern parcel sitting beyond the bridge crossing the former railway line neighbouring the site, alongside Ivydale itself as a Building of Local Interest.

The site is subject to a sizeable slope from the bottom (south) to the top (north) with varying level differences - amounting to around 8 metres towards the eastern end of the site and around 10 metres at the western end.

The immediate surrounding area comprises a mix of uses including open space – pasture and woodland, residential development, and a public house The Brewery Inn. The residential properties are varied in nature with a ribbon of post-war semi-detached two storey dwellings along Riverside Avenue to the south west, with a significant number of historic properties along the southern side of High Street including the development at Reynolds Wharf on the site of the former Coalport China works, and dotted around Riverside Avenue. To the west of Reynolds Wharf sits the Coalport China Museum, Coalport YHA, Enterprise HQ Coalport providing office space for entrepreneurs, and a bike shop, the Tunnel Tea Room & Village Store is located further along High Street along with the Shakespeare Inn. The Silkin Way public footpath and cycleway sits beyond the south of the site.

The application site is situated approximately 2 miles to the south of Madeley, 2 miles east of Ironbridge and 7 miles south of Telford Town Centre.

PLANNING HISTORY:

Pre-application enquiries:

PE/2013/0701 Residential development (14 dwellings)

Planning application history:

W2006/0742 Construction of a Menage (Retrospective). Full Granted 07/08/2006

W2005/1204 Retrospective Planning Permission for 1 Stable And Erection of 4 Stables, 1 Feed Room, Menage and 6no. Floodlights. Full Refused 23/11/2005

W2002/0382 - Erection of a Stable Block Comprising of 4 Stables, Tack Room and Open Feed Store (Retrospective). Full Granted 03/06/2002

W2001/0784 - Change of Use of Part of Paddock to Residential Use, Construction of a New Vehicular Access, Driveway and Modification to Extensions Previously Approved Under W99/0491. Full Granted 22/10/2001

W77/0805 - Erection of Two Dwellings, Construction of Vehicular and Pedestrian Access. Outline Refused 13/04/1978

W75/0409.O/L - Erection of One Dwelling House and Construction of Vehicular and Pedestrian Access. Refused pre-1989 29/09/1975

PLANNING POLICY CONTEXT:

National Planning Guidance:

National Planning Policy Framework

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall sites in Telford & Newport

EH14 Land Stability

OL3 Green Network

OL4 Development in the Green Network

OL11 Trees and Woodland

OL12 Open land and Landscape – Contributions from New Development

LR4 Outdoor Recreational Open Space

LR6 Developers Contributions to Outdoor Recreational Open Space Provision Within New Residential Developments

Core Strategy:

CS1 Homes

CS3 Telford

CS9 Accessibility & Social Inclusion

CS11 Open Space

CS13 Environmental Resources

CS15 Urban Design

CONSULTATION RESPONSES:

Two periods of consultation have been undertaken for this application, the latter following receipt of amended plans for the scheme:

Parish Council: Comment

The Gorge Parish Council has no objection to the principle of the development of this site. However the Parish Council asks the following comments are considered:

- Any Section 106 funds from this site be used in Coalport and The Gorge to help with traffic management
- Concerns about the proposed access near the bridge over the disused railway line, visibility over the bridge is a challenge from either side of the bridge, would like to ensure highway safety is taken into account.
- Parish Council has read the stability comprehensive stability report. there is an understanding that there has been a stability issue in the area after the building of a wall some time ago, ask that this is reviewed before the final decision is made.
- Would like to see some more individual character built into the homes ie. chimneys.
- Would like to see the development built in a timely fashion to prevent long term disruption to neighbours.

Further to the 2nd consultation, the amendment regarding installation of chimneys is welcomed, with all other comments remaining the same as before.

Built Heritage Conservation: Support subject to conditions

Initially objected to the scheme considering that the design, scale and massing as inappropriate and therefore harmful to the setting of the World Heritage Site and failed to reflect the prevailing form and concerns raised at the pre-application stage. Following the 2nd consultation, the Conservation Officer has advised that the applicant has engaged in further discussion in respect of this scheme and a reduction in scale and massing has been sought as well as appropriate detailing. On this basis their position has been revised to supporting the scheme subject to conditions requiring details of external joinery, details of external services (gas boxes, rain water goods, flues, vents, soil pipes etc., samples of all external materials, sample panel of brick and tile/ridge tile showing brick bond, mortar, mortar gauge, Landscaping details front and rear (where not supplied already), details of cills, lintels, eaves and corbelling; all required to ensure that the setting of the World Heritage Site is not adversely affected.

They have noted that they still reserve a query over the treatments of the rear yards/garden which have not yet been addressed. Terracing of these areas should be resisted (and in any circumstances is likely to require planning permission). Alterations to this natural slope to form harsh linear terraces would be considered harmful to the setting of the WHS from a Conservation perspective.

Highways: Comment

No objection in principle to the proposal requesting conditions for the provision of visibility splays (2.4m x 43m) to base course level before any other operations are commenced and completed to adoptable standard before the development is fully

occupied, provision of the Parking, Loading, Unloading and Turning arrangement prior to commencement of use, that any gates to the proposed access are set at a distance of 5 metres from the carriageway edge and shall be open inwards only, and provision of a Site Environmental Management Plan. An informative has been requested advise the applicant to contact Highways & Transport Maintenance prior to commencing work, and note that the road layout has not been designed to Adoptable Standard therefore the proposed access road will be privately maintained.

Ecology: Comment

- The three mature trees in the field have potential to support bat roosts and that the ecological survey did not investigate the trees further, e.g. with a climb and inspect survey or emergence/re-entry surveys, because the trees are due to be retained. If at any point in the future any of the mature trees are going to be removed then they must firstly be subject to bat surveys to ascertain whether a roost is present and whether a European Protected Species licence is required for the works
- Lighting scheme for the site must avoid illuminating the mature trees, otherwise bat surveys will be required because any roosts which may be present will be disturbed by illumination (which is a criminal offence)
- Report recommends that the root protection zones of the mature trees are protected during the construction phase. No materials or plant should be stored within the root protection zones
- Report recommends the root protection zones of the mature trees are protected during the construction phase with no materials or plant stored within the root protection zones
- Area of hedgerow will need to be removed as part of the development, removal must take place outside the bird nesting season and replacement hedgerow planting of native species should take place
- Stable building should not be removed until a check for nesting birds has taken place
- Plant List and Proposed Landscaping plan do not show any native species planting, landscaping plan required that includes native tree and hedgerow species of local provenance
- The Silkin Way runs along the south of the proposed development site, survey report says that 'the bridge under the road has potential for bat roosts and connectivity in this area is good. However this section is unlikely to be affected by the development providing lighting is kept low power and minimal.' The lighting scheme for the site needs to be sensitive to bats (and other nocturnal species)
- Conditions requested for the erection of bat and bird boxes; submission of a lighting plan seeking to minimise disturbance to bats; provision of an updated landscaping plan to include native hedgerow and tree species planting; alongside, informatives for nesting birds, trenches, storage of materials, and bat surveys on trees.

No additional comment is made for the 2nd round of consultation.

Arboricultural: Support subject to conditions

Initially objected to the scheme identifying that conflicting information exists for the proposal, querying whether trees are already felled but ground protection shown as

road construction within the Root Protection Area. Further to receipt of additional information, the application is now supported subject to conditions.

Drainage: Support subject to conditions

Request for a condition necessitating the submission and approval of a scheme for surface water drainage which shall restrict surface water run off to 5 litres per second per hectare and any attenuation feature should be designed to attenuate all flows up to and including the 1 in 100 year event +30% for climate change, details on the future owner of any proposed attenuation feature is required.

Parks & Open Space: Comment

New residents to the area will increase demand upon the existing recreational resource. The development proposes a number of properties which will contribute to the need of recreational facilities for the area. There are some nearby recreational facilities (the Silkin Way) which could be enhanced in order to maximise the capacity and meet the need arising out of this development. Parks & Open Space suggest that should development (if successful) provide 2 or more bedroom properties; that this need be met through conditioning of WLP Policies LR4 and LR6, and therefore . suggest an appropriate sum to request would be £600 per property in relation to this policy and has been previously agreed on past approved applications.

They add that there is open space proposed within the development but no indication as to how and who specifically is to manage this. If this is not to be adopted by the Council there will be a requirement for a detailed landscape management plan which not only identifies how the area is to be managed, but also identifies how this is to be funded for the long term.

No additional comment has been made for the 2nd round of consultation.

Education: Comment

Having reviewed the current situation with pupil numbers at what are considered to be the local schools for the area, and current known developments within the vicinity of the proposed development, Education confirm that in the circumstances they would not be seeking a section 106 contribution to primary education facilities from this development.

Environmental Health (Contaminated Land): No comment

West Mercia Constabulary: Comment

There are opportunities in this scheme to design out crime and /or the fear of crime and to promote community safety. Therefore should this proposal gain planning approval, condition requested that the applicant should aim to achieve the Secured by Design (SBD) award status. SBD is a nationally recognised award aimed at achieving a minimum set of standards in crime prevention for the built environment, the scheme has a proven track record in crime prevention and reduction. No further comment made.

Shropshire Council Policy & Environment Sustainability Group: Comment

No comments regarding the proposed development itself. However, the proposed development site lies 140 metres to the northwest of Coalport Bridge, a Scheduled

Ancient Monument (SAM Ref: 1006235, "Coalport Bridge"), and 530 metres to the southeast of the Hay or Coalport Inclined Plane, also a Scheduled Ancient Monument (SAM Ref 1003023, "Coalport Inclined Plane"). The development may impact on the setting of these Scheduled Monuments. I therefore recommend that English Heritage be consulted for their views on this application prior to its determination. Reiterated for 2nd consultation.

Shropshire Fire Service: Comment

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". Reiterated for 2nd consultation.

Neighbour consultation responses:

Four representations objecting to the scheme further to the 1st consultation and one representation supporting the scheme; with one representation objecting further to the 2nd consultation and three supporting the scheme. Issues raised can be summarised as follows:

1st consultation

Object

- Poor design – including overshadowing the Silkin Way and creating a poor outlook from The Brewery Inn, Brewery Cottage, the Inn's car park, the High Street
- Concern substantial surface water run-off from sloping gardens and hill behind due to height difference - averting or diverting the flow must be an important consideration, residents nearby were evacuated from their flooded homes several years ago and the High Street suffers annually from flooding, impermeability of the site's hardstanding can only add to the problem
- A more modest proposal would be better - 2 to 4 individually designed houses of architectural and particularly ecological merit, with larger gardens, decreased density
- Development does nothing for Coalport forming part of the World Heritage Site
- Increased traffic – road already busy
- Narrowness of bridge in vicinity of site, subject to hold ups already
- Lots of accidents on bend in road
- Loss of privacy
- Land stability – ongoing problem in the Gorge, problem of slippage on neighbouring land at rear following works to retaining wall behind Ivydale by current owner [applicant]
- Land drainage – groundwater pooling after ground has been cut into and a retaining wall built
- Potential terracing of land behind houses - not clear from plans whether land will be terraced with retaining walls, or covenant on sale preventing future owners terracing land. Agree with recommendation of stability assessment construction of new cut slopes and retaining walls should be assessed by a suitably qualified engineer, and assessment should consider both land stability of new earthworks and retaining walls as well as impact on overall

stability of the site area – request as condition of any approval, with Severn Gorge Countryside Trust being consulted with retaining all and drainage detail

Support

- Coalport in need of some regeneration – needed to support business, village
- Once a thriving community with a shop, post office, church, triple the amount of public houses, bus service, thriving industries and ten times as many residents
- Sympathetic regeneration required

2nd consultation

- Amendments not sufficient to make development acceptable
- Poor design – including too cramped between selection of Listed Buildings
- Impact on wildlife
- Impact on heritage
- Too much development - three or four individually different homes could be an acceptable alternative, too many people with ongoing services and transport needs
- One way bridge next to site listed
- Fear of water run-off from the steep hill behind - already shown photographed signs of movement following a previously small project
- Questioned why approve such a dense scheme when previous unacceptance including demolition of small scale applications nearby

Support

- New custom for Public House, could warrant extending opening hours
- Never seen land stability issue on site over 35 years of residence
- Design, planning, position and screening supported
- Existing trees and planned planting will allow the proposal to sit neatly on the site now reduction in number of properties from fifteen to twelve
- Reference to new builds e.g. Waterloo Street, cottages on Hodgebower with garage and off street parking taken away worst eyesore in Ironbridge.

PLANNING CONSIDERATIONS:

Principle of development

The National Planning Policy Framework represents the most up to date national policy guidance that all development needs to be assessed against. Paragraph 14 defines that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking, and advises Local Authorities to ‘proactively drive and support sustainable development to deliver homes. At the local level, both the Core Strategy and Wrekin Local Plan pre-date the NPPF. The Core Strategy through policy CS1 and CS3 identify Telford as the focus for the overwhelming majority of new housing development in the Borough over the plan period affording merit to the scheme. The site falls within the built up area of Telford, it is located within walking distance of a number of facilities and services, and the proposed housing can be viewed in terms of supporting and maintaining the existing local services.

The site falls within the Green Network as shown on the adopted Proposals Map. Specifically, Policies OL3 and OL4 of the Wrekin Local Plan relate to the intrinsic value of the Borough's Green Network as well as providing guidance to development within this designation. Policy OL3 sets out the 6 aims of the Green Network which include maintaining Telford's image as an attractive place to live and work, the separation of the built up areas with green wedges, to provide informal recreation and open space and to protect the Borough's ecological and archaeological heritage. The NPPF however asserts the local green space designation should only be used where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife.

It is argued within the application material that the purpose of the Green Network is not reflected within this application site in that the proposal is of a high quality comprising a mix of houses enhancing the housing stock for the benefit of the local community and will enhance the Borough's image and more specifically that of the Gorge; that the development is small scale and would be compatible with the general density, grain and linear form of development in this part of Coalport therefore reinforcing and enhancing the individual identity of Coalport and the Gorge; consolidate the existing linear pattern of Coalport and not lead to coalescence of any other settlement; site does not form an integral part of an easily accessible 'green lung' and its loss would not diminish the value of the surrounding Green Network – such as the more open countryside that rises up steeply to the north, or the wooded area immediately to the west; the site is in private ownership and there is no public right of access across or immediately adjacent to it, so it does not constitute open land that helps to meet the recreational needs of the area; the land is of low ecological value but could be enhanced through appropriate measures arising from development; the site does not function as an open space link that accommodates a footpath, cycleway or an ecological corridor, nor would it prejudice any of these aspects related to the Silkin Way.

Given the case made, as well as that a portion of the site is taken up by the stables and ménage, that the site is inaccessible to the public and the fundamental features of the site worthy of retention in terms of the established and more higher value trees in terms of adding visual character to the site can be retained through development, that the site links to built development at its eastern edge, it is considered that development of the site would associate strongly with the existing character in the locality and would not create harmful visual impact and therefore would not have a detrimental impact on the Green Network; thus the principle of development on this site is acceptable.

Design and Heritage

The site is located within the Ironbridge World Heritage Site and the Severn Gorge Conservation Area where 'development will be expected to be of the highest standards of design and will preserve or enhance the character or appearance of the area...and the international value of the Severn Gorge as a World Heritage Site' as outlined in policies SG1 and HE3 of the Wrekin Local Plan. Policy H6 further necessitates that proposals show a high quality of design, especially in Conservation Areas, or have an adverse impact on the local environment, especially in its relationship with adjacent land uses. Policy UD2 of the Wrekin Local Plan asserts

that development must respect and respond positively to the context, and enhance the local environment through high quality design, and it will be assessed in relation to its scale, form, density, orientation, layout, proportions, materials and access etc.

This application is accompanied by a Design & Access Statement and Heritage Assessment seeking to demonstrate that the above policy requirements have been fully satisfied. In drawing together the scheme, an assessment of the local vernacular was undertaken, with a reflection of local character sought within the scheme derived, the eastern edge of the plot seeks to reflect its nearest neighbour of Ivydale with what has been termed 'bookend' features through the extending elements from the principal elevations at the front seeking to create a courtyard context as the entrance to the development. These features have been subject to debate and amendment by Officers, and were considered too dominant being both tall and wide and thus essentially detracting from the attractiveness of the rest of the principal elevation. The application material highlights that visually the larger buildings require larger doorcases to keep in proportion to the mass of the frontage, this point is agreed and highlights the need to let such a feature be clearly evident as a fundamental feature of the design rather than being diminished by an overly large extension. The design has been duly revised through movement away from the front door and the extensions reduced in scale to present a more subservient component on plots 1 and 4.

The middle stretch of the development represents a transitional element of mid-range scaled properties leading to the terraced units at the west of the site with this edge marked by a further 'bookend' feature through plot 12. This plot has been subject to amendment through a reduction in its scale to read more appropriately related to neighbouring units, and the style of its porch with the original considered to be out of character with the rest of the development. As requested by the Parish Council, further chimneys have been added to the design reinforcing the traditional appearance and adding variety to the roofline, a greater emphasis on achieving a more standard terrace formation at the western end has further been achieved. This lower scale development would be more exposed and therefore a smaller scale development is considered appropriate, where as to some extent the larger developments would be screened to a greater extent and its impact reduced. Features not in keeping with the prevailing form have been removed, including the roundel features, screening of the roof terraces, to create an appropriate streetscene for this location.

The proposed density equates to 24 dwellings per hectare, this is considered acceptable on the basis of the position of the site in Coalport, the mix of dwellings entailed from 3 to 5 beds, the sloping nature of the site to the rear, and notably denotes a reduction from the pre-application stage where 14 dwellings was proposed, and was considered to represent overdevelopment of the site.

An indication of materials and detailing is proposed within the application submission. This includes an indication that traditional depth window reveals are to be used of minimum 40mm, in this respect a reveal of 75mm minimum is a standard sought by the Local Planning Authority and would be conditioned as such; the two parts of the development are to be given different facing brickwork using more of a buff brick to the formal areas and more red to the lower part of the development to

further highlight the distinction between the formal courtyard and the remainder, this is considered to be a feature in keeping with the locality. It is proposed that the frontages are to be laid in Flemish bond with rear and side elevations are to be laid in stretcher bond. However, as a number of units have side elevations clearly visible in the immediate and in part wider streetscene, including plots 1, 4 and 12, this is not considered appropriate and Flemish bond would be required on all but the rear through appropriate conditioning.

Amendment has been sought as to the headers on plots 5-11 to be in more in keeping with The Brewery Inn and the neighbouring stretch of terraces as the closest existing reference point for this section of the development. Hard landscaping at the front is proposed as Raj Green natural stone paving, which has the appearance of York stone, and road surfaces to be tarmacked with use of setts to break the areas of tarmac and for edging. Agreement around the final collection of materials would be required should this application be approved by Members through condition, the road surface for instance should not be a standard black top finish, a brown say being considered more appropriate.

Further conditions are requested by the Conservation Officer to address the detail of materials. Subject to appropriate conditioning, the scheme is considered to preserve and enhance the Conservation Area and World Heritage Site, and development will not have a significant effect upon the setting of designated heritage assets.

The proposed development will directly improve and enhance the area and therefore complying with policy CS14 of the Core Strategy as well as policy SG1 of the Wrekin Local Plan. Furthermore, the Council's Conservation Officer is supporting this application subsequent to the amendments secured.

A loss of privacy has been raised related to properties sitting to the south of the development, at the closest point the distance applying is 30 metres and entails notable planting in between, a greater level of separation applies to units sitting at the western edge. It is therefore considered that the site is a sufficient distance from nearby residential properties with adequate screening remaining and proposed to ensure that the proposed development can be accommodated without detriment to existing residential amenities, and moreover the proposal will not adversely affect the setting of the Listed Buildings in the locality and neighbouring Building of Local Interest. An issue was identified with a 2nd floor side window and an inadequate separation distance to neighbouring Ivydale, an amended plan has been submitted removing the window accordingly.

A particular emphasis has been placed by Officers on delivering a form of rear garden that would provide a more practical form of amenity, bearing in mind the family sized context of the units and the nature of the slope entailed. Amendments have been made to the scheme to provide a partial terracing approach at the rear. In addition to the originally proposed rear and side terraces (applying to a number of plots), a terraced garden element is proposed on 9 of the 12 plots, where this is approach not proposed this relates to the position of respective Root Protection Areas, one of the properties entails a side and rear patio, and entails lesser graded slope.

Whilst ideally a garden with a lesser extent of slope would be secured against the size of the properties entailed, the approach is considered the best compromise achievable for a property in The Gorge, notably it also enables a standard approach to be secured across the site at the outset that has been desired by Officers, and enabled consideration of the cumulative stability context rather than a piecemeal approach as could be anticipated down the line should an element of terracing not be included if this application is determined favourably and duly implemented. The Conservation Officer has raised concern over further terracing of the gardens, and notably as an earthworks operation would require planning permission in any case, a future control is therefore already in place in this respect.

Land Stability

Policy EH14, in combination with H6 and paragraph 120 of the NPPF make clear the need for proposals to demonstrate that land stability will not arise within the site or elsewhere through delivery of the development and that appropriate remedial action is taken, the latter placing the responsibility for securing a safe development as resting with the developer and/or landowner. The site lies within Zone 4 of the Jacobs Geomorphological Mapping Report for this part of the Ironbridge Gorge where a 12 month monitoring period of an application site is required. An assessment as required has been undertaken and a slope stability declaration form completed by a competent person duly submitted identifying that ground instability cannot reasonably be foreseen within or adjacent to the site within the design life of the proposed development, this has also been resubmitted for the site having taken in to account the revised design with particular reference to the introduction of further retaining walls and terracing at the rear. Works will be conditioned accordingly; with the proposal according with the requirement of policy.

Highway Safety and Drainage

Policy H6 necessitates that a new housing site can be adequately accessed and parking provided. The proposed vehicular access would be provided towards the eastern edge of the development, with removal of some of the existing trees along the southern edge to gain access and to provide the required visibility. The Agent has had pre-application discussions with the Council's Highways Engineer and has sought to address their comments, in order to design appropriate access arrangements for the development.

Local concerns regarding the narrowness of the road bridge to the south west, proximity to the associated bends in the road and concerns over increased traffic are noted. The Highways Engineer has however assessed the access arrangement and the local context, determining that the requisite visibility splays for the access can be accommodated and that the proposal meets highways requirements subject to conditions relating to provision of visibility splays to base course level before any other operations are commenced and completed to adoptable standard before the development is fully occupied, provision of the Parking, Loading, Unloading and Turning arrangement prior to commencement of use, that any gates to the proposed access are set at a distance of 5 metres from the carriageway edge and shall be open inwards only, and provision of a Site Environmental Management Plan. The proposal is therefore considered to accord with this requirement of policy H6.

Concern has been raised as to the means of controlling surface water run-off from the site. The application proposes that surface water will be dealt with by a combination of mains sewer, sustainable drainage system and soakaway. At the pre-application stage reference was made by the Council's Drainage Officer of awareness that during the 2007 event a large volume of surface water runoff flowed along the footpath to the south of the site and discharged into the Brewery Inn car park causing some damage. In addition several properties at the junction of Coalport High Street and Coalport Road were internally flooding during the 2007 event.

As the site did at that point fall within Flood Zone 2 associated with the River Severn to the south, a Flood Risk Assessment (FRA) was requested and whilst flooding in this location is unlikely, it was identified that all properties should be designed with flood resilience measures such as self-closing air bricks and flood resistant doors to prevent water ingress, and that due to the sloping nature of the site and adjacent flooding issues there is a need for overland flow to be addressed. Further clarification has been sought by officers as the representation of the Drainage Engineer did not specifically reference overland flows, they have confirmed that have subsequent to the pre-application stage, the Environment Agency has revised the flood zone mapping for main rivers. The most up to date flood extent indicates that the site is no longer within Flood Zone 2 (now Flood Zone 1).

As the risk of flooding from the River Severn is now better understood the requirement for flood resilience measures need no longer be included. They are however still concerned about the potential for overland flow from the above slope to affect the development, and that the FRA prepared for the site has identified overland flow as a possible source of flooding but no details were included on how these will be addressed. They have therefore requested an additional condition relating to details of how overland flows running across the site will be addressed prior to commencement of development. On this basis, the known issue can be appropriately mitigated through a condition, such that the scheme is supported by the Drainage Engineer and the site can be adequately drained in accordance with H6.

Trees, landscaping and Ecology

Development comprises removal of a number of trees along the southern perimeter of the site, along with stretches of conifers around the ménage, and two trees across the existing boundary between the two parcels of land comprising the site. Removal is sought principally to facilitate provision of the access and driveway, as well as to enable delivery of plot 12. A pre-commencement Tree Protection Plan has been submitted and works can be conditioned accordingly; it is also proposed that replacement planting will be undertaken.

The original objection of the Arboricultural Officer has been removed further to the submission of additional detail particularly in respect of where the tree protection is to go, what is protected, and where the ground protection areas are. Clarification is sought as to how the ground protection no dig areas are to be constructed and installed, and details of the replacement planting (species and location), and will be addressed prior to determination. On this basis, the trees that make the more valuable contribution to the character of the landscape across the site are retained, replacement will be secured for those trees lost, therefore retaining a leafy natured setting for the development, whilst strengthening the relationship between the

proposed development and the streetscene along High Street. The development is therefore considered to accord with the requirements of policy OL11.

The context of the trees within the development is a principal issue in the representation from Ecology seeking to ensure that bats and birds are protected through the construction phase and longer term. Officers consider that the protection and enhancement of biodiversity can be sufficiently addressed by the requested conditions and informatives in accordance with policy CS12.

A landscaping plan has been submitted as part of this application indicating the intensification and formalisation of low level planting along the southern edge of the site. Bearing in mind the additional level of terraced garden introduced, the requirement for further native species within the context of ecology, and as required by the Conservation Officer, a landscaping condition requiring the submission of a revised scheme covering the site as a whole is considered appropriate.

Planning Obligations

The application triggers the consideration of contributions towards education provision and parks & open space due to its size as a 10+ dwelling scheme; as the site falls below 15 dwellings and 0.5ha the requirement for affordable housing has not been triggered. The development proposes a number of properties which will contribute to the need of recreational facilities for the area, the Silkin Way having been identified as a nearby recreational facility which could be enhanced in order to maximise the capacity and need arising out of this development. The Council's Parks & Open Spaces Officer therefore seeks a contribution of £600 per dwelling towards offsite play and recreation to satisfy the requirements of saved Wrekin Local Plan policies LR4 and LR6. In this instance, the Education department have confirmed that no request is made for a contribution towards education provision.

Other matters

The Local Planning Authority has given consideration to the objections received by neighbouring dwellings and the Parish Council. A desire to see the development built in a timely fashion to prevent long term disruption to neighbours is appreciated. Whilst it is noted from the material submitted that it is the applicant's intention to build out the development for sale at the earliest available opportunity, a control can only be placed over commencement of development rather than delivery of the scheme in its entirety, what can be controlled is measures for the control and reduction of noise from construction works, and the hours of operation of construction works and other works on the site, through imposition of a Site Environmental Management Plan. Notably, this condition is also requested by the Highways Authority in terms of avoiding congestion and safety issues on surrounding roads requiring details of measures for the prevention of mud being deposited on the highway.

Shropshire Council recommended that consultation with English Heritage be undertaken as the site lies 140 metres to the northwest of Coalport Bridge, a Scheduled Ancient Monument (SAM Ref: 1006235, "Coalport Bridge"), and 530 metres to the southeast of the Hay or Coalport Inclined Plane, also a Scheduled Ancient Monument (SAM Ref 1003023, "Coalport Inclined Plane"). Whilst the distances entailed are acknowledged, bearing in mind the position of the site and

citing of the proposed development related to the topography and position of neighbouring development, this was not felt necessary in this instance.

To summarise, the proposed development will have a positive impact on the immediate locality as well as the World Heritage Site designation, the principle of the development including the proposed new access on to High Street is considered acceptable in this location, and the layout demonstrates that the development can be accommodated without significant impact on nearby residential amenity, the prevailing character, highway safety of the natural environment. Accordingly, officers consider that proposal complies with the relevant national and local planning policies and recommend the application for approval subject to a financial contribution towards recreation provision and appropriate conditions.

RECOMMENDATION: that DELEGATED AUTHORITY be granted to the Service Delivery Manager of Development Management to GRANT PLANNING PERMISSION subject to the following conditions:

A)The Applicant entering in to a Section 106 Agreement with the Council relating to:
i. A contribution of £600 per 2 bed unit (and above) towards off-site play and recreation

B)The following conditions (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management):

A04	Time limit – full
B016	Details of Materials – Conservation Area
B017	Samples of Materials – Conservation Area
B018	Sample brick panel - Conservation Area
B021	Details of Doors and Windows - Conservation Area
B062	Surface Water Drainage – including future ownership
B079	Drainage – means of addressing overland flows
B092	HE – Details of Services : Exterior
B095	HE – Details of heads, cills, eaves and corbelling
B121	Landscaping design – include native hedgerow and tree species planting
B133	Replacement trees
B149	Ecology – Lighting Plan
B149	Ecology – Bat Survey
B150	Site Environmental Management Plan
C013	Parking, Loading, Unloading and Turning
C016	Gates
C020	Highways – visibility splays
C029	Geotechs – land stability
C38	Development in accordance with deposited plans
C109	Ecology – Erection of nest boxes
C109	Ecology – Landscaping Plan

Informatives

I06	S106 Agreement
I11	Highways

I21d	Instability – Zone 4 Jacobs
I25a	Nesting birds (pre-construction)
I25e	Trenches
I35	Ecology – Storage of materials
I40	Conditions
I41	Reasons for grant of permission
RANPPF1	Approval NPPF

TWC/2014/0348 Littlehales Manor Farm, Lilleshall, Newport, Shropshire, TF10 9AN

Erection of 4no. Poultry houses, heating building with associated vehicular access, ancillary equipment and landscaping *Amended plans to alter the site access*****

APPLICANT

H Timmis Farms Ltd, H Timmis

RECEIVED

10/10/2014

PARISH

Chetwynd Aston and Woodcote, Church
Aston

WARD

Church Aston and Lilleshall

OFFICER

Emma Green

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of Development, Design, Impacts on adjoining properties

PROPOSAL

The proposal has been amended since the previous committee, with the removal of the biomass heating element, which is to be replaced by a ground source heat pump system. As a result the shed previously for the biomass system has now been reduced in size to 10m by 15m and 3m to eaves height.

The other alteration relates to the access to the site. This has now been amended to be a new access road, directly off the A518, to cross the farmers land, cross Pitchcroft Lane and link to the new farm building and other farm buildings. This proposed alternative access would be utilised for the majority of the farm traffic, with the exception of tractor and trailer movements to access individual fields as part of the farming operation.

ADDITIONAL CONSULTATION COMMENTS

Chetwynd Aston and Woodcote Parish Council: The new road would be very advantageous and protect existing properties from constant noise, vibration and damage caused by heavy vehicles. Councillors strongly feel that the new proposed access would also make the Parish a safer place to live. The Parish support the above application subject to a guarantee that all farm traffic would use the proposed new access.

Church Aston Parish Council: Comments:

- The provision of the alternative route for traffic is welcomed
- The access point onto the A518 is of concern and will exacerbate road safety concerns
- A traffic assessment should be undertaken
- Restriction on the use of this route for only the poultry operation traffic
- Consider only a left in and left out operation of the access point and lower speed limit to 50mph

- Protection of the Hutchison Way right of Way

Arboriculture: There needs to be more information about the proximity of the road to existing hedgerow and trees to protect them from damage

Environment Agency: No change to original comment made

Highways: comments are awaited

Shropshire Fire Service: No objections subject to a fire safety informative
3 letters of objection on the following grounds:

- Bring additional heavy goods vehicles to a lane which is unsuitable for the amounts and type of traffic
- Disturbance to residents from overnight collections
- Serious consideration needs to be given to a new access and egress to the site to not impact on Pitchcroft Lane and its residents.
- Odour issues from chicken muck
- Issues of visibility where the new road crosses Pitchcroft Lane
- Creation of 1 job is not an appropriate trade-off for the adverse impact of proposal on the community and environment

1 letter of comment stating that the amendment has taken into account some of the neighbour view points and the amended road will avoid traffic on Littlehales Road.

PLANNING CONSIDERATIONS

The previous report was for a recommendation for refusal. At the last committee members deferred the decision to allow the case officer to continue to discuss matters with the applicant and agent to seek to overcome the issue. There have been extensive negotiations and meetings to consider the issue.

The main reason for opposing the scheme related to the noise and disturbance that would be generated by the traffic movements associated with the new Chicken operation, particularly given that the majority of the activity is at night time, when background noise is at its lowest. Furthermore, the alterations to Pitchcroft Lane to accommodate the HGV vehicles would have adversely impact on the character of the area.

This objection has now been overcome due to the landowner acquiring additional land and therefore being able to provide a new road which links directly to A518 and will remove existing farm traffic along with traffic associated with this new proposal from using Pitchcroft Lane. The applicant's highway consultant contends that a simple T junction is sufficient bearing in mind the number, type and frequency of vehicle movements.

The proposed new route will need to cross Pitchcroft Lane and will require the removal of some hedgerow on either side to create the new road. At this point the road will be reduced from 6m of crushed hard core to 3.5m in width of tarmac

finished road for first 20m in from the two new accesses to allow only perpendicular crossing of traffic and not allow for traffic to turn onto Pitchcroft Lane, posts within the fields will also prevent these manoeuvres from occurring.

At the new crossing points on Pitchcroft Lane, there will need to be visibility splays provided for highway safety purposes. Given that this road is for use by HGV's and other large farm vehicles, it was agreed that the adjacent hedge row needs to be maintained at a height of below 1.5m for 2.4m by 68m.

It is considered by your officers that this alteration to the access road, as significantly overcome the previous concerns raised and whilst details of the junctions and construction method are yet to be agreed in principle this new route is an acceptable solution, and these detailed issues can be controlled through conditions. The removal of the majority of other farm traffic of Pitchcroft Lane is also a benefit of the scheme.

The ancillary building for this development has been amended to reduce the height and scale, given the alteration to the heating method for the Chicken sheds. This alteration in design is welcomed. The siting is close to existing buildings and reflect of rural scale development, an amended landscaping design has been discussed and will further screen and soften this building. The amended details have not yet been fully drawn up and can be secured through planning conditions.

With regards to the issues of noise and odour, previously the major issue with noise related to traffic movements late at night and the route going past existing residents. The alteration to the road has now overcome this concern and addressed the issue. Turning to the issues of odours, the nature of the chicken business will be odorous and the level of offence is subjective on an individual basis. The applicant has sought to address this concern with altering the method of heating for the shed to underfloor heating which has the added benefit of drying out the chicken muck. The Environment Agency has considered the issue and has raised no objection and issued a permit for the works. Your officers had previously raised concerns that the existing farm house as the nearest property could be sold or let separately to the chicken business, and that the proximity could lead to issues with odour. The applicant has agreed to a condition linking the occupation of the main dwelling to the new business and it is considered that this is an appropriate measure to mitigate any potential future impacts and overcomes the previous reason for refusal.

In conclusion, the applicant has submitted sufficient additional and amended information to address the previous concerns relating to access, noise, odours and design and these alterations can be controlled and mitigated through conditions. The amendments will also have added benefits for the local community by removing existing farm traffic of Pitchcroft Lane and Littlehales Road.

RECOMMENDATION: delegate to the Development Management Service Delivery Manager to grant planning permission subject getting satisfactory agreement on the highways issues and to the following conditions including any additional highways conditions as necessary:

1. Time limit

2. Materials in accordance with submitted details
3. Details of highways design and construction prior to first installation of new road and timetable for implementation of new road
4. Visibility splays
5. Traffic management plan for the farm
6. Drainage outfall details
7. Landscaping design and implementation
8. Tree and hedge protection
9. Lighting scheme
10. Bat and bird boxes
11. Site Environmental Management Plan
12. Development in accordance with deposited plans
13. Link existing property to the chicken operation and not for separate sale, or let.

Informatives

bats and trees,
 nesting birds,
 habitat regulation assessment
 highways
 conditions

-----Original Report-----

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of Development, Design, Impacts on adjoining properties

PROPOSAL

The proposal is for the construction of four poultry (broiler) houses with associated low profile feed soils, together with ancillary works and biomass heating fuel storage buildings.

The size of the broiler building will be 97.53m long by 24.38m wide and a height of 4.6m to the ridge and 2.44m to the eaves. The four biomass boilers and woodchip fuel store will be 18m by 18m with an eaves height of 4m and a ridge height of 6m. There will also be 4 chimneys

The new building is to house approximate 45,000 birds however it has a maximum capacity of 180,000 on completion.

This application has been subject to an Environmental Impact assessment.

SITE AND SURROUNDINGS

The application site is part of the farmstead of Littlehales Manor House and is located approximately 300m north of the farmhouse.

The nearest neighbouring property is located approximately 380m away to the north east. The site is approximately 2km north east of the village of Lilleshall and 2.5km south west of Newport.

The site is currently farm land with an existing concrete track to the southern side. The land has a gentle slope to the south west.

CONSULTATIONS

Consultations have been undertaken in accordance with the Development management Procedure Order 2010, in the form of direct letter notification of adjacent land owners and display of site and press notices.

Summarised standard consultation responses

Sustainability: We should actively support and help drive the delivery of renewable energy. Obviously, any adverse impacts should be addressed satisfactorily. DCLG planning guidance stresses that:

- It is important that the planning concerns of local communities are properly heard in matters that directly affect them;
- The need for renewable energy does not automatically override environmental protections;
- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of planning proposals on views important to their setting;
- Proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Planning permission should only be refused where the concern relates to the above bullet-points. We should give significant weight to the wider environmental, social and economic benefits of renewable projects whatever their scale.

Contaminated Land: No comment

Church Aston Parish Council: Object on the grounds that traffic assessment appears to overstate existing usage of the road whilst understanding the proposed traffic movements for this development, so there are significant concerns about highway safety.

Concerns about the visual impact on this building on residential amenities.

Waste created by the site will lead to issues.

Also on the grounds of the overnight working of this type of facility and the impact on noise and traffic movements on residents in Pitchcroft Lane. There is an adverse environmental impact thought removal of hedgerows to accommodate widening of Pitchcroft Lane to incorporate passing places

Chetwynd Aston and Woodcote Parish Council: Objection on grounds of noise and smell and traffic concerns. This is an industrial development and is not suitable for the area. There are reassurances from the applicants that Littlehales road will not be used this should be controlled through conditions and other farm traffic should also use the new access, a weight restriction should be applied to Little Hales road.

Shropshire Fire Service: comment application should include fire safety informative

Natural England:

The proposed development has the potential to have a likely significant effect on Motte Meadows Special Area of Conservation (SAC) a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations').

The application site is in close proximity to an element of the Midlands Meres and Mosses Phase II Ramsar site (Aqualate Mere). The National Planning Policy Framework (paragraph 118) applies the same protection measures, i.e. those set out in Regulations 61 and 62 of the Habitats Regulations, to any listed or proposed Ramsar sites, sites formally proposed as European sites, and sites identified or required as compensatory measures for adverse impacts on European site interest. The site is also notified at a national level as Aqualate Mere Site of Special Scientific Interest (SSSI). In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have¹. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Natural England is satisfied that provided the proposed development is being carried out in strict accordance with the details of the application, as submitted, the proposals will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that with the exception of Aqualate Mere, that these SSSIs do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Please note however that further information relating to Aqualate Mere SSSI is still required before adverse effects on this SSSI can be ruled out. We are aware that your ecologist has contacted the applicant and requested that this information be provided and Natural England is happy to make further comment if necessary when this information is submitted.

Natural England does not hold locally specific information relating to the protected species on site. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

Drainage: Whilst the details contained in the FRA are acceptable, no details on the final point of discharge are provided other than stating they are going to an adjacent watercourse. A revised layout plan showing this connection should be submitted.

Arboricultural: Erection of 4no. Poultry houses, biomass fuel storage with associated vehicular access, ancillary equipment and landscaping

I have no objections to the proposal however I would like to make the following comments;

Without the aid of a tree survey, I would suggest that the new access road is moved southward outside of the canopy and the root protection area of the Oak tree on the northern boundary, to the east of the current passing place by Field Cottage. This will eliminate the need for pruning the lower branches of the tree for passing high sided vehicles it will also prevent the root protection area from being compacted by the hardcore surface proposed.

The *Malus sylvestris* (apple trees) proposed to be planted adjacent to Pitchcroft Lane within the hedges should be replaced by another species, the low growing canopy of these trees may lead to ongoing management issues to continually prune for road clearance the apples may also cause problems for users of the road. *Tilia cordata* has been proposed to be planted elsewhere within the scheme and would make a suitable replacement for the apples as a roadside tree.

The replacement hedging species has not been specified

Environment Agency: No objections

The proposed development falls under Schedule 1 of the EIA Regulations and therefore EIA is required. Schedule 1 sets the following thresholds, above which EIA is a mandatory requirement: Installations for intensive rearing of poultry or pigs with more than (a) 85,000 places for broilers or 60,000 for hens.

National Planning Policy Framework (NPPF): Paragraph 122 of the NPPF states *"local planning authorities should focus on whether the development itself is an acceptable use of land and the impact of the use, rather than the control of the processes or emissions themselves where these are subject to approval under pollution control regimes."*

To clarify, we would not seek to 'control' the proposals through planning, those matters that may be controlled through the permit. But, you should seek adequate 'assessment' of material planning issues (odour, noise, etc.) when considering the

impact of the use at the proposed location. This is to ensure, as the NPPF states that the location/land use is appropriate and acceptable. To assist the planning decision, the “effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account”

The site does not currently operate under an Environmental Permit (EP). The EP will control day to day general management, including operations, maintenance and pollution incidents. In addition, through the determination of the EP, issues such as relevant emissions and monitoring to water, air and land, as well as fugitive emissions, including odour, noise and operation will be addressed

Odour: Our guidance (Intensive farming ‘How to comply’ versions 1 and 2, Odour management at intensive livestock installations) states that odour must be considered where:

- There are ‘sensitive receptors’* located within 400m of the installation; and/or
- The installation (if existing) has a history of substantiated odour related complaints within the last three years.

The issue of odour can be a qualitative issue as it is influenced by individual perception. It is highly unlikely that odours can be completely eliminated from an intensive poultry unit. We aim to regulate odours so that they are controlled so as to not materially affect any neighbour’s enjoyment of their property, cause them harm or offence, or reduce their legitimate use of the environment. The management of the operational unit is therefore critical for both agricultural and amenity purposes.

The applicant has progressed odour modelling to consider the 99.8th percentile (hourly mean odour concentrations over the year) as detailed in the submitted Odour Assessment (Dated 21 March 2014). Based on the odour reports submitted we don’t perceive odour as being a problematic issue. There is the potential for one off extreme weather events to increase odour but this is beyond the scope of the assessment.

The OMP can reduce the likelihood of odour pollution but is unlikely to prevent odour pollution when residents are in proximity to the units and there is a reliance on air dispersion to dilute odour to an acceptable level.

Noise: Our permit guidance (Intensive farming ‘How to comply’ version 2) advises that noise should be considered where there are sensitive receptors (i.e. residential properties) located within 400m of the proposed installation.

As stated above our interim regulatory guidance suggests this does not include properties owned by the operator or resided in by an employee of the operation. It has been clarified that Littlehales Manor itself is owned by the applicant and is therefore not considered a sensitive receptor.

The noise assessment indicates a negligible impact of surrounding dwellings and therefore a low probability of complaints. If actual emissions from the broiler unit are greater than those modelled your Council should recognise the potential limitations of further noise reduction using commercially available techniques.

Dust: Whilst intensive poultry farms produce dust, past experience has shown that the majority of it is deposited on the farm itself. Therefore provided that the farm is operated to the Best Available Technology (BAT) we would not anticipate it causing a nuisance to residents living nearby.

Flood Risk: The site is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Map. Whilst development may be appropriate in Flood Zone 1, a Flood Risk Assessment (FRA) is required for 'development proposals on sites comprising one hectare or above where 'there is the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off'

We note that surface water from the proposed development will be attenuated to 1 in 100 year event with a 20% and will utilise a swale.

Under the Flood and Water Management Act (2010) the Lead Local Flood Authority (LLFA) should be consulted on the proposals and act as the lead for surface water drainage matters in this instance. We would also refer you to our West Area Flood Risk Standing Advice – 'FRA Guidance Note 1: development greater than 1ha in Flood Zone 1' for further information.

Water Management: Clean Surface water: e.g. rainwater from roofs and yard areas that is clean must be separated from contaminated (dirty) water and can be collected for re-use, disposed of via soakaway or discharged directly to controlled waters (as discussed above).

The Design, Access & Planning Statement outlines that Dirty Water i.e. derived from shed washings; will be drained into sealed underground dirty water containment tank.

Any tanks proposed would need to comply with the Water Resources (control of pollution, silage, slurry and agricultural fuel oil) Regulations 2010 (SSAFO). The detail of such will be reviewed within the EP application.

Manure Management (storage/spreading): Under the EPR the applicant will be required to submit a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, so long as this is done so within the applicants land ownership. The manure/litter is classed as a by-product of the poultry farm and is a valuable crop fertiliser on arable fields.

Pollution Prevention: Developers should incorporate pollution prevention measures to protect ground and surface water. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at specific activities.

Ecology: Habitats the site comprises a large arable field surrounded by agricultural buildings, some mature hedgerows with mature trees with no other semi-natural habitats being present according to John Campion Associates Ltd (2014).

Bats: The mature oak and ash trees within the hedgerow have some bat roosting potential according to John Campion Associates (2014) and the hedgerows have value for foraging and commuting bats. There is also bat roosting potential in some of the older farm buildings but not in the modern barns which are close to the development site. The environmental statement chapter confirms that no hedgerow

trees will be removed. Some sections of hedgerow will be lost but an extensive program of new hedgerow planting, native species shrub and woodland planting is proposed as part of the development.

Bat boxes should be provided around the site and new lighting should be carefully designed in line with the recommendations of John Campion Associates (2014) and the Bat Conservation Trust Bats and Lighting in the UK leaflet.

Badger: No field signs of badgers or their setts were recorded during the survey by John Campion Associates (2014).

Great Crested Newts: There are no ponds in close proximity which provide potential habitat for amphibians.

Nesting Wild Birds: The hedgerow sections to be removed have potential for nesting wild birds. Careful removal of vegetation will be required and a suite of bird boxes should be provided on the site.

Dormouse: There is no potential habitat for this species to be present.

Hedgerows and Trees: Sections of hedgerow will be removed to facilitate access which will be significant initially but the landscaping proposals for the site include a significant net increase in hedgerow length using native species planting and also planting of native species trees to screen buildings and new areas of native shrub and woodland planting. Overall there will be a net increase in both tree and hedgerow present on the site.

Recommend conditions relating to nesting and roosting boxes, lighting plan, and informatives on bats and trees, nesting birds, habitat regulation assessment,

Pollution Control: The application site has an existing use as agricultural (in particular farmland). The proposal to develop the site for the intensive rearing of poultry site is required to operate to the terms of a permit issued by the Environment Agency.

Paragraph 122 of the National Planning Policy Framework notes that LPA's should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than attempt to duplicate the control of processes of primary pollution control regulators, using pollution control regimes. However, in this instance there is some reason for concern due to the presence of the Farmhouse on the application site. Environment Agency permitting policy does not recognise as a relevant sensitive receptor for permitting purposes. It cannot be guaranteed that the farmhouse will always remain in the occupation of persons connected with the business; on that basis it would seem appropriate to consider the Farmhouse a sensitive receptor for planning purposes. This will have some impact on the submitted reports.

The proposal will put in place an extensive building, which will have significant ventilation requirements. The intensive rearing units produce large quantities of animal waste (chicken manure), and a requirement for movement of livestock

(chickens) during the night, which is accepted as a means of reducing stress in the birds due to transit. These issues therefore create potential environmental concerns which are normally controlled by the Environment Agency under the terms of an environmental permit. However from a planning perspective the LPA may wish to consider the amenity impact for the installation as part of the overall land use acceptability.

Noise

The potential noise issues associated with the proposal have been addressed in the report produced by Resource Environmental Consultants (REC) dated 21st March 2014 reference 90496r1. I would make the following observations in respect of the report:

General points

1. The report considers environmental exposure for noise to noise sensitive receptors in accordance with Environment Agency Guidance (see above). This does not include the farm house building. It is noted that from a planning perspective these residential building are likely to be more severely affected than others outlined in the report. This has a bearing on some of the comments noted below.
2. The report uses measurement methodology and standards considered to be acceptable, namely:
 - a. BS4142:1997
 - b. BS8233:2014
 - c. WHO guidance
 - d. IEMA/IOA guidance 2002.
 - e. DMRB

The standards used apply to activities on the application site, and an assessment for more general environmental impact off site due to vehicles.

3. The ambient noise levels quoted appear higher than expected for 8 hour and 16 hour LAEQ's in a rural environment. No comment has been provided to qualify the principle noise sources or explain the data. Review of the data in Appendix 1 of the report shows higher than expected LAEQ levels expressed as hourly averages compared to other rural areas of the borough. Receptor R3 which has been used as NMP 1 is located within approximately 80m of the Main A518 and therefore is influenced heavily by road traffic which isn't prevalent at receptor R2 and R3. The conclusions of the report are therefore considered to be biased and could lead to inaccurate conclusions from receptors remote from the main road, which is the principle noise source.

Odour

Odour is one of the environmental issues covered by the Environmental Permit issued by the EA. In accordance with paragraph 122 of the NPPF, it would not be normal to duplicate odour controls for the proposed site on a planning decision with those on an environmental permit. It is therefore noted that the issue would be to determine if the odour likely to be generated by the proposed development is severe enough so as to create an unacceptable amenity issue in the area. If this is the case, then it would be entirely appropriate to refuse consent for the proposal on the grounds that the residual odour is unacceptably strong.

The odour assessment appears not to have considered the ancillary activities associated with raising of chickens, in particular, waste storage (from manure), handling and moving chicken waste, spreading of chicken waste on fields. In my opinion the impact of these activities is likely to cause odour events unless very carefully handled. As this activity is new to this area, and the spreading of chicken manure is likely to be routine, it would be expected that these activities would be assessed as part of the application.

There are no national standards for offensive odour. Odour determination is subjective. Individuals will perceive odour differently due to their olfactory sensitivity and individual subjective assessment of the smell present.

The environmental information submitted in the proposed EIA provides some evidence to demonstrate the acceptability of the proposed development; however, there are omissions and uncertainty as indicated above. Moreover, the gap between EA regulation of the site under the environmental permit, and the local authority determination of acceptability of the land use, needs to be carefully considered.

It is my view that the submitted information contains a number of technical deficiencies and that the submitted information does provide a level of comfort decision makers to approve the application as it stands.

The Environment Agency has recommended that the applicant twin tack the planning application with an environmental permit application. This would, in my opinion from the basis of a greater level of detail, and enhance the understanding of the environmental aspects of the application. Hence I would concur with their observation. However, for planning permission to be granted, there is a fundamental land use determination required, it is my opinion that the applicant should go further and explain, in sufficient detail, how the amenity issues associated with this type of development can be overcome.

Highways: In receipt of the amended plans, Drawing no. 02 Rev A Submitted 25th July 2014, I refer to the above application and would confirm that in principle I have no objection to the proposal. However, I do ask for the following conditions:

- 1) C14 – Visibility Splay – 2.4m x 66m
- 2) Prior to commencement of development a scheme of off-site Highways works including full design and construction detail of the following:
 - Localised road widening along Pitchcroft Lane from the proposed site access to the junction onto the A518 to provide a minimum width of 3 metres,
 - 1 Passing bay to accommodate a Heavy Goods Vehicle located along Pitchcroft Lane between the A518 and the site access as outlined on the submitted drawing no. 02 Rev A Submitted 25/07/14,
 - And Localised widening on Pitchcroft Lane as outlined on the submitted drawing no. 02 Rev A Submitted 25/07/14.

Shall be submitted to and approved in writing by the Local Planning Authority. The agreed works shall be completed prior to first operation of the development.

Reason: In the interest of Highway Safety

- 3) Prior to commencement of use of the development improvements to the section of Public footpath (PROW No.9) where it crosses Pitchcroft Lane shall be provided. These works shall be to a standard first agreed in writing by the Authorities Public Rights of Way Officer, Andrew Careless.

Reason: In the interest of Highway Safety

- 4) Before the proposed development is brought into use the private access road within the site shall be surfaced in a bound material for a minimum distance of 15m from the rear of the highway boundary.
- 5) The proposed access is to remain ungated for the life of the development.
- 6) All vehicles associated to the proposed development shall enter the site from the direction of the A518 via Pitchcroft Lane to the proposed access and exit the site via the proposed access along Pitchcroft Lane in the direction of the A518 as outlined in the Environmental Statement Chapter 6.4, prepared by Halls Holdings Ltd, dated March 2014. There shall be no variation without the prior written consent of the Local Planning Authority.

Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users.

I would also ask for the following informative comment:

The applicant is to be aware that all off site Highway Improvement Works will need to be secured via Legal Agreement with the Local Highway Authority under S.278 Highways Act 1980.

Please advise the Applicant to contact Highways & Transport Maintenance (01952 384000) prior to commencing work for permission to work on the adopted highway, under Section 184 Highways Act 1980, and for advice/assistance in constructing the accesses. Please note the Applicant will need to present a valid Planning Consent and approved plan to the Highway Engineer before access works can proceed.

It is also my understanding that the applicant will be providing a Section 106 contribution of £11,000 towards Traffic management measures on the Highway network within the general vicinity of the site. The monies to be paid upon the commencement of development, indexed and any unspent monies after 5 years refunded to the applicant.

Neighbour consultation responses

Following consultation 17 letters of objection have been received these can be summarised as follows:

- Smells from the chicken sheds
- Muck spreading on fields
- Issues of noise from fans on 24 hours a day
- Additional traffic on Pitchcroft Lane
- Need for a weight Limit on Little hales Road
- Issues of general noise with the operation
- Property devaluation
- The extent of the noise survey is inadequate to assess the impact on all properties in the area, and will have an impact
- Impacts on privacy from passing HGV movements related to the development
- Impacts of working 11pm til 4am during harvest period
- Increase of 886 traffic movement will have safety implications on Pitchcroft Lane and limit walking access
- Creation of 3 jobs not sufficient to outweigh the impacts of this development
- Increase traffic use on a single track road
- There needs to be restrictions on traffic movements
- Controls on smells and odours
- Visual impact of such a large development
- A new road should be constructed linking to the A518

Letter of support

National Farmer Union: Food security for Shropshire is important and the challenge of the 21st century is to increase productivity, maximise out puts and minimise inputs to achieve sustainability. The UK has a large poultry market and growth in this field is predicts. The proposed enterprise will ensure diversity and sustainability within the existing business and will provide new employment opportunities. Broiler litter will be returned to the land to improve soil organic matter and reduce farmer reliance on fertilisers and therefore reduce the carbon footprint of food production.

Historic concerns about odour have been addressed with modern ventilation and codes of conduct and the biomass boiler is a positive use of renewable energy. The rural economy will benefit from ancillary activities. This is strongly support as it will safeguard rural jobs, the local economy and contribute to sustainable food production.

RELEVANT HISTORY

There are numerous historical planning applications on this site, but none of relevance to this proposal.

RELEVANT POLICIES

National Planning Policy Framework
Core Strategy

CS2 Jobs
Cs12 Natural Environment
CS13 Environmental resources
CS15 Urban design

Wrekin Local Plan
UD2 Urban Design
E6 Rural Employment General

PLANNING CONSIDERATIONS

Principle of development

Through the NPPF and Local plan policies there is a commitment to secure economic growth and create jobs and prosperity, and planning should operate to encourage and not impede sustainable growth. This is of particular importance with the rural economy. The NPPF is clear that planning authorities should support the growth and expansion of existing rural businesses in well design new buildings that promote diversification.

In principle the LPA therefore considers that rural farm development in this location is acceptable subject to the design of the building being in keeping with urban design principles and there are no adverse environmental impacts or other material considerations which outweighs this. These issues are discussed further below.

Design

Due to the nature of this intensive chicken rearing building and scale of the business the proposal is for a substantial sized new building. Which is configured into four sheds with lower interlinking buildings and associated silos and chimneys.

There sheer scale of this building will create a striking feature within the rural landscape. Whilst the applicants have attempted to mitigate this impact through siting the development on lower land level and adjacent to other fairly substantial farm structures. Officers remain un convinced that the building design can be considered well designed as it is not of sufficient high quality design of a scale which integrates will into the site and the proposal fails to include any landscaping mitigation to soft the elements and is therefore considered to be contrary to planning policies CS15 of the Core Strategy and UD2 of the Wrekin local plan and guidance in NPPF as the scheme fails to improve the character and quality of the area.

Highways

The proposed development is to be accessed off the A518 via Pitchcroft Lane and new access road is to be installed to the west of Keld Cottage along Pitchcroft Lane, rather than utilising the existing farm access off Littlehales Road.

Pitchcroft Lane is a typical narrow rural road and has limited passing bays and poor visibility. This proposed development will have intensive HGV vehicle movements associated with it. The Local Highways Authority have worked closely with the

applicants to look to create improvements to the highway thought removal of hedgerows to implement localised widening of Pitchcroft Lane and create passing bays and agreed a financial contribution for local highway management improvements to mitigate the impacts of the development and have therefore raised no objection to the proposed development.

It is noted that local residents have raised significant concerns relating to highways safety particular in relation to pedestrian movements along the lane and the impacts of a significant number of HGV movements that this intensive industrialised use will create in this rural locality.

Officers whilst noting that there are technical highway improvement works which can be undertaken to mitigate issues of visibility and passing places, such works will have a detrimental impact on the character of this area and have an urbanising impact on this rural road which is considered inappropriate within this context. The development is considered to fail to preserve or reinforce historic street patterns and has potential for loss of important hedgerows to implement the recommended improvements and therefore is considered to be contrary to planning policies UD2 of the Wrekin Local Plan and CS12 of the Core Strategy.

Impacts on adjacent land uses.

There have been significant neighbour objections relating to the environmental impacts of this type of land use on adjacent residents amenities in relation to issues of noise and odours and visual impact. Officers have addressed the visual impact element as part of the design consideration and fail to consider that this is acceptable.

The Local Planning authority needs to consider the amenity impact of the proposed land use but not the environmental permit which covers the issue of noise and odours.

The accompanying noise report does not include the existing farm house as a receptor. Given that there is no control to link this property to the business; officers consider that the impacts on this property need to be assessed. The ambient noise levels of this intensive farming operation will be higher than that expected in this rural location, particularly given that a significant number of the highways movements associated with the development will be at noise sensitive times, i.e. night time. Furthermore, the relocated site entrance has not been modelled into the noise assessment to consider the impacts of traffic movement's noise on the nearby residential properties. There also needs to be consideration given to the tonal noise issues arising from the large number of fans that a development of this size requires. The noise levels quoted in the report are from unknown source and are not reflective of the site context as a rural location. On this basis your officers remain unconvinced that there is sufficient evidence to support the assertions within the Environmental statements and sufficient mitigation to overcome the noise impacts of this development on amenities of nearby resident and is considered contrary to guidance in NPPF.

With regards to the issue of Odours, it needs to be noted that odour is a subjective matter and there are no national standards. The application is supported by an odour report which identifies negligible problems and no significant impact. Your

Environmental health officer fails to concur with this view point and considers that the report has failed to properly assess the new operation of handling and moving chicken waste at this location. Officers therefore consider that there will be an adverse impact to nearby residential amenity by virtue of odours contrary to guidance in NPPF.

Landscaping and Ecology

The Councils Ecologist has considered the impact of the development on the nearby European designated Site at Aqualate Mere and undertaken a Habitat regulation assessment and concluded there is no significant or adverse impact generated by this proposal.

Turning to the onsite ecology issues there are no issues regarding Great Crested Newts, and Badgers and impacts from the loss of hedgerow can be compensated through replacement bat boxes on the scheme which can be controlled through conditions.

With regards to landscaping the landscape assessment does include some proposed woodland planting adjacent to the building, however officers do not consider there is sufficient details or extent of planting mitigation to overcome the concerns of the visual impacts of the building of this scale and mass in the open countryside location and fail to consider that the application complies with UD2 and UD 4 of the Wrekin Local Plan.

Ground conditions

There are no adverse ground conditions, stability or issues or mine working constraints to the site. With regards to drainage the application has been supported by a Flood risk assessment which has raised no issues of concern. The Drainage Engineer has raised no principle objections but there is insufficient detail regarding the location outlet of water to the nearby watercourse, however if members were minded to approve this application such details could be covered through imposition of conditions.

In conclusion, whilst there is a presumption in favour of supporting rural employment and diversification of farm enterprises on balance this is outweighed by the detrimental impact on this intensive industrial type use within this sensitive rural location, issues of noise and odours have failed to be fully addressed to ensure no adverse impact on amenities of adjacent residential properties. The proposed highways improvements will have an adverse impact on the character and appearance and fails to reinforce the local street pattern of this rural location and result in the loss of hedgerows and potential adversely impact on biodiversity. The Scale, mass and design of the building is of poor quality and fails to reinforce local distinctiveness and does not afford sufficient mitigation planting to overcome these concerns.

RECOMMENDATION: REFUSE PLANNING PERMISSION for the following reasons:

1. The scale, mass and design of the proposed building fails to respect and respond positively to the visual amenities of the area and is not of a high quality or distinctive design, it also fails to respect or integrate with the wider landscape setting. Furthermore proposed traffic improvements will fail to preserve or respect the prevailing rural characteristics of the locality and will have a detrimental impact on the visual amenity and is considered to be in conflict with and is therefore considered contrary to planning policy CS15 of the Core Strategy, UD2 of the Wrekin Local Plan and guidance on design in NPPF.
2. The location and intensity of the proposed use is considered incompatible with existing adjacent residential land uses and the industrial nature of the building in the rural location will cause adverse impacts in terms of noise and odours on neighbouring residential amenities contrary to guidance in the NPPF.

**TWC/2014/0765 1-3 Castle Lane, Hadley, Telford, Shropshire, TF1 6RD
Demolition of existing house and erection of a block of 11No. flats including
parking area**

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: Principle of development, scale & design, highways & ecology

PROPOSAL

This full planning application seeks permission for the demolition of an existing dwelling and garaging off Castle Lane in Hadley and the construction of a block of 11no. flats including a private car parking area to the rear. The proposed building will range from two to three storeys in height and will provide 4no. one bedroom flats and 7no. two bedroom flats, each having their own open plan kitchen/dining/sitting area and bathroom.

It is proposed for the building to be constructed beneath gabled roofs and finished in a mixture of light red facing bricks and render, interlocking roof tiles, upvc windows with stone cills and brick soldier courses with final samples to be agreed. It is proposed to utilise the existing foul connection to the sewer in Castle and for storm water to be discharged into soakaways within the site.

The existing access to the north of the site will be utilised to serve the development and private on-site parking provision will be provided to the rear of the site comprising 2 spaces for each two bedroom flat and 1 space for each one bedroom unit. Landscaping will be provided along the frontages to Cast Lane with existing landscaping between the existing house and Castle Street being retained.

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.

The site adjacent the application site has recently been subject to a separate planning application for residential development. Outline consent was approved in January 2012 for 3no. dwellings and a subsequent reserved matters application for the erection of a terrace of 3no. dwellings has recently been approved by members at Committee. (October 2014).

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: No Objections subject to the following conditions

- C13 – Parking & Turning
- The area in front of the proposed block of flats is highway verge and must be kept clear of all obstacles and obstructions
- Highways informative

Drainage: No objection subject to conditions

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

Ecology: Initial comments Object – Bat survey required

Following receipt of the requested survey, the Council's Ecologist has lifted this objection and now supports the application subject to conditions and informatives to include bat/bird boxes and a lighting plan.

Arboriculture: No comments received

Shropshire Fire Service: Include Fire Authority informative

Neighbour consultation responses

Following neighbour consultation a single letter of objection was 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 noise

- 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)

TWC/2014/0756 – Reserved Matters application for the erection of 3no. terraced dwellings with associated parking, landscaping and access – RM Granted 21/10/14

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

Principle of Residential Development

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 National Planning Policy Framework (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, the Core Strategy (2006-2016). Evidence has now come to light demonstrating only a 2.5 year supply exists, meaning that where the LPA cannot demonstrate a 5 year land supply then relevant policies for the supply of housing should not be considered up-to-date. For Telford & Wrekin Council this means policies CS1 (Homes) which identifies dwelling requirements for Telford, Newport and the rural area and potentially CS6 (Newport) and CS7 (Rural

Area) which seek to direct housing into certain locations in line with the strategy. This means that applications cannot be refused on the grounds of housing supply alone and there will be a presumption in favour of sustainable development.

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 home 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.

Policy CS5 of the Core Strategy identifies Hadley as a suitable area for new development to provide facilities which serve the needs of the community. The policy asserts that the District & Local Centres will contain core services and facilities, be well served by public transport and have a mix of retail, recreation, leisure and cultures, employment and housing uses. Having a range of facilities in local centres help meet the day to day needs of local residents. It is considered that the proposed use will meet the criteria set out in this policy which is also supported by the guidance contained within the NPPF. This previously developed site is situated within a highly sustainable area which contains core services and facilities and is well served by public transport and the principle of this proposed development in this location is therefore considered acceptable.

Layout, Scale & Design

Policy UD2 of the Wrekin Local Plan advises the Local Planning Authority to assess development proposals in relation to its scale, massing, form, density, orientation and layout, proportions, landscape elements, access and spatial quality. Policy CS15 of the Core Strategy encourages designs which will assist in creating and sustaining safe places, strengthening local identity and positively influencing the appearance and use of the local environment. The National Planning Policy Framework 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 proposed flats will be constructed in a prominent position fronting the highway, on the junction with Castle Lane and Castle Street. The adjacent Castle Meadows development facing Castle Street are a mix of 3 storey flats and 2 storey houses, with the houses being closest to the application site. It is therefore proposed that the element nearest these is also 2 storey, increasing to 3 storey as the building turns the corner towards Castle Lane.

The Local Planning Authority considers the proposed building to have an acceptable appearance being constructed beneath gabled roofs with proportionately sized windows with detailed headers and cills. The finishing materials include facing brick with render, interlocking roof tiles and upvc windows; however final specifications will be agreed with the LPA at a later date by condition. 11no. flats will be provided, 4

single bedroom flats and 7 two bedroom units with each having open plan dining/kitchen/living areas and bathrooms. General landscaping will be provided to the front and rear of the apartment block including low box hedging along the site frontage. The site will have a general open feel throughout and therefore there is no requirement for any additional boundary treatments. On-site parking will be provided to the rear of the site with dedicated parking spaces for each flat and a communal bin storage area will also be provided.

Officers are satisfied that the scale of development is appropriate for the location and considers the design is acceptable and will be in-keeping with the surrounding area. Subject to agreement of materials the proposed development will be of an acceptable quality and will complement the existing street scene. Given the separation distances between neighbouring properties, the amenities of these neighbours will not be adversely affected by any significant loss of light, privacy or any overbearing impact and officers are therefore satisfied that the scheme complies with policies UD2 of the Wrekin Local Plan, CS15 of the Core Strategy as well as the guidance contained within the NPPF.

Access & Highways

Entrance to the site will be via the existing access to the north of the site off Castle Lane. On-site parking will be provided to the rear of the site comprising 2 spaces for each two bedroom flat and 1 space for each one bedroom unit as well as adequate on-site turning. The Council's highways department have been consulted on this application and following a couple of minor amendments to the proposed car parking layout, raised no objections to the scheme subject to standard conditions. Considering that an existing access is being utilised, officers are satisfied that there will not be any significant intensification on the highway and highway safety will therefore not be adversely affected.

Drainage

With regards to the drainage scheme for the site it is proposed to utilise the existing foul connection to the sewer in Castle Lane and for storm water to be discharged into soakaways within the site. The Council's Drainage Engineer has been consulted as part of this application and has raised no objections subject to conditions. These drainage conditions relate to the provision of schemes for foul and surface water drainage and soakaway tests to ensure that the site can be adequately drained. The above details will need to be approved to and agreed in writing by the Local Planning Authority prior to the commencement of any development on site.

Ecology

The Council's Ecologist initially objected to the proposed development due to the absence of a bat survey which was deemed necessary due to the proposed demolition of the existing dwelling. The applicant has since submitted the requested report which determines the presence or absence of protected species and potential for the damage or destruction of habitats of ecological value. The report found that no evidence of nesting birds was found within the buildings and considers that the proposed development can proceed without the loss of habitat of significant value and without the loss of favourable conservation status of any protected species. Enhancement for bats and birds were recommended and the Council's ecologist has requested conditions be imposed to this effect.

Other Issues

The Local Planning Authority has considered the consultation response received from Hadley & Leegomery Parish Council as well as a local resident and note the issues raised mostly relate to concerns over highway safety and adequate on-site parking provision. Officers have considered these concerns however the proposed development will utilise an existing access point off Castle Lane and officers are therefore satisfied that there will not be any significant intensification on the highway. With regards to on-site parking provision, this will comprise 2 spaces for each two bedroom flat and 1 space for each one bedroom unit as well as on-site turning. This provision meets the requirements of the Council's Highways Engineer who has raised no objections to the proposed scheme subject to conditions.

Conclusion

To summarise, the principle of residential development on this site is acceptable given its sustainable location close to services and facilities in Wellington District Centre with excellent public transport links to the wider area. The layout of the site and the scale and design of the new dwellings and associated parking, amenity space and landscaping is considered acceptable and in keeping with the context of existing surrounding residential development. When considering the current use of the site and likely traffic levels associated with the proposal, the Local Planning Authority is satisfied that there will be no significant adverse impact on highway safety. Accordingly, the application remains compliant with both local policy and the guidance contained within the National Planning Policy Framework and is therefore recommended for approval subject to conditions.

RECOMMENDATION: GRANT PLANNING PERMISSION subject to the following conditions:

1. A04 Time limit – Full
2. B011 Samples of materials
3. B009 Details of communal bin storage
4. B150 Site Environmental Management Plan
5. B061 Scheme of foul & surface water drainage
6. B064 Soakaway test/locations
7. C13 Parking & Turning
8. C020 Highway verge to be kept clear of obstruction
9. C076 Landscaping Implementation
10. C100 Ecology – Bat/Bird boxes & Lighting Plan
11. C38 Development in accordance with plan Nos.

Informatives

Ecology – Nesting Wild Birds
Highways
Shropshire Fire Authority
Broadband
Conditions

**TWC/2014/0883 25 Weavers Rise, Ketley Bank, Telford, Shropshire, TF2 0EX
Felling of 1no. Yew tree**

APPLICANT
Mr & Mrs Poole

RECEIVED
06/10/2014

PARISH
Oakengates

WARD
Ketley and Oakengates

OFFICER Tom Carruthers

THIS APPLICATION HAS BEEN CALLED INTO COMMITTEE BY CLLR HILDA RHODES

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Impact on amenity, local environment and character of the area.

THE PROPOSAL:

This application seeks consent to fell one Yew Tree which are subject to a Tree Preservation Order (TPO) situated in the grounds of 25 Weavers Rise.

The reason provided by the applicant for the required felling is due to health and safety concerns relating to the excessive berrying (season runs from end of June to beginning of December), low amenity value and excessive shading.

SITE AND SURROUNDINGS:

The application site is a residential property with a substantial side garden, in a predominantly residential area.

PLANNING HISTORY:

There is no relevant planning history

PLANNING POLICY:

Core Strategy

CS12 Natural Environment

Wrekin Local Plan

OL11 Woodlands and trees

UD2 Design Criteria

CONSULTATION REPOSSES:

Oakengates Town Council – Comments are awaited and will be updated at the Committee.

Arboricultural Officer: Objection; The Yew is a good specimen the applicants have been unable to provide evidence to justify the tree's removal on arboricultural grounds.

The Yew appears healthy and stable and is showing no signs of disease or decay. It has good form for the species having only ever been crown lifted in previous remedial operations. This work has occurred below the fence line therefore the overall canopy and amenity value of the tree has remained unaltered for the past 24 years. The tree is prominent in the street scene growing in the space between 25 & 25a Weavers Rise.

The TPO was made on the 17th of August 1990. According to the Land Registry the applicants acquired 25 Weavers Rise on the 30th of March 1990. The land from where the tree is growing was obtained by the applicants on the 25th of March 1992. Therefore the tree had been subject to the order for two years prior to the applicants acquiring the land.

With regard to the Yew, there are mitigation measures which could be employed to abate the issue of heavy fruiting years such as installing a small fence and gate to prevent unsupervised entry by children into the area. The rope swing could also be removed from the canopy of the tree. The cost of the proposed felling could be used to employ a gardener for a number of years to remove the fallen berries. Additionally, The tree could be pruned at the time of flowering to prevent the seeds from becoming fertilised and thus stopping the fruit falling until the tree re-establishes itself.

In 24 years of the applicants living in the property Telford and Wrekin Council have not received any applications to prune or reduce the Yew tree in question. Yew trees are Britain's oldest growing trees which can live upwards of 1000 years+. The applicants have raised concerns over the mess created by the tree. However mess is usually seasonal and is considered to be seen as a short term inconvenience, with some years producing more seed than others. This year has been a prolific year for fruit & berries given the length and temperatures of the growing season.

In conclusion, the Yew is considered to be a good specimen that contributes to the visual amenity of the street scene. The applicants have been unable to provide evidence to justify the removal of the tree on arboricultural grounds and I object to its proposed removal.

Local residents have been consulted and no comments have been received.

PLANNING CONSIDERATIONS:

This application seeks consent to fell 1no. Yew tree which is subject to a Tree Preservation Order (TPO) which was made on the situated in the grounds of 25 Weavers Rise, Ketley.

The reason provided by the applicant for the required felling is largely due to the issues relating to the berrying of the tree and potential health and safety issues for their grandchildren during this time and that during the berrying period End of June to December the garden is unusable around the tree. The have also state that the

tree is of low amenity value and causes excessive shading. The applicants would replace the lost tree with a silver birch or similar non-fruiting tree of 15 to 20cm in diameter.

Following a site visit from the Local Authority's Arboriculture Officer it is considered that the proposed felling of the Yew tree is unacceptable as there is no valid Arboricultural reason or justification to fell and the amenity value the tree currently provides could not be compensated by planting a replacement tree.

The Arboricultural officer has suggested various mechanisms by which the applicant could minimise the impact including undertake maintenance works and pruning within the canopy, and that through continuous maintenance; this will impact on the berrying of the tree and can lead to a number of years without the tree bearing fruit.

Policy OL11 of the Wrekin Local Plan relates to woodlands and trees and the councils responsibility to retain and enhance those that contribute to the landscape character of the borough. Where trees are of significant amenity value they are to receive Tree Protection Orders, which is the case with the Yew Tree. The policies continue to resist proposal for the loss of trees which make a valuable contribution to the character of the landscape and its setting.

Furthermore, the NPPF in paragraph 118 is clear that consent should be refused for schemes resulting in the loss of trees, unless the needs for or benefit of the development out weights the loss.

Officers agree with the Arboricultural Officer that felling this Yew tree cannot be justified and the loss of the amenity value currently provided by the tree would be detrimental to the character of the immediate environment, and therefore in direct conflict with the aims of Policy OL11 and guidance in NPPF.

In conclusion, it is considered by officers that the tree works are considered unacceptable in that it fails to maintain amenity value of this tree within the estate. The work is not necessary to maintain highway or public safety, and there is no arboricultural justification to support the felling and therefore the loss of this Yew tree conflicts with Wrekin Local Plan saved policies OL11, UD2 and CS12, CS15 of the Core Strategy and guidance in NPPF.

RECOMMENDATION: REFUSE Tree Preservation Order

Reasons for Refusal:

The Local Planning Authority considers that the proposed felling of the Yew tree cannot be justified. The tree provides significant amenity value and contributes to the character of the area and its removal would be significantly detrimental to the immediate environment. Accordingly, the proposal is contrary to policy CS12 and CS15 of the LDF core strategy and 'saved' policy OL11 and UD2 of the Wrekin Local Plan and guidance within the NPPF.