

## **PLANNING COMMITTEE**

### **Minutes of a meeting of the Planning Committee held on Wednesday, 26 February 2014 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Whitehouse), Watling Street, Wellington, Telford TF1 2NJ**

**PRESENT:** Councillors J C Minor (Chairman), N A Dugmore, I T W Fletcher, E J Greenaway, A S Jhavar, J Loveridge, G C W Reynolds, S A W Reynolds and C R Turley.

#### **PC-082      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 5 February 2014 be confirmed and signed by the Chairman.

#### **PC-083      APOLOGIES FOR ABSENCE**

None

#### **PC-084      DECLARATIONS OF INTEREST**

With regard to planning application TWC/2014/0084, Councillor E J Greenaway commented that she was the Ward Member but had not engaged in any previous discussions and therefore she would not be withdrawing from the meeting for that item.

#### **PC-085      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PC-086      SITE VISITS**

The Chairman reminded Members that two site visits had been arranged to take place on the afternoon of 5 March 2014 as follows:-

3.45pm - Unit 108C, Halesfield 13, Halesfield, Telford, Shropshire, TF7 4QR (TWC/2013/0871)

4.15pm approx - Land to the north west of existing MOD Donnington, Donnington, Telford (TWC/2014/0042)

#### **PC-087      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/2013/0938; TWC/2013/0997 and TWC/2014/0006.

(a) TWC/2013/0938 - Land off Holyhead Road, Wellington, Telford, Shropshire, TF6 5AB

This was a proposal seeking full planning approval for the erection of a 63 bed extra care facility comprising of 100% affordable housing, together with associated communal/public facilities including a restaurant, café, multi-purpose room, and ancillary accommodation and the erection of 77 dwellings with associated open space.

Mr A Williams, the Applicant's Agent, spoke in support of the application highlighting the lack of a five year housing land supply, shortage of local facilities to meet the needs of an aging population, affordable housing, community benefits and design. Additionally, he commented that loss of view was not a material planning consideration.

The Planning Officer drew attention to aspects of the report dealing with the substantial need for extra care facilities in the borough, issues regarding the Council's lack of a five year housing land supply, how the application met the requirements of sustainable development as described in the National Planning Policy Framework (NPPF), minor impact on nearby heritage assets, design, highways and viability issues as set out in the update report tabled at the meeting.

Some Members raised concerns regarding highway capacity, education and leisure contributions, practicality of letting based on local connection, suitability of public transport networks, design, landscape and site sensitivity, how many jobs would actually be created and flood risk. In response, the Planning Officer explained that the junctions outlined in the report would operate at design capacity in ten years without any further developments, and as a number of other developments subject to separate applications were proposed in the near vicinity of this site highways had assessed the cumulative impacts of the developments and the requested Section 106 financial contributions towards Highways reflected this. Specific details regarding the design of cross roads at Oak Crescent were not available at the meeting. Contributions for education reflected the other community benefits gained from the application in terms of the gift of land and affordable housing provision above policy requirements, Leisure contributions were specific to Bowring Park and improvement works would be undertaken by the applicant themselves in order to assist with viability, public transport provision may improve if and when other schemes in the vicinity came forward, no flooding concerns had been raised by the Drainage Engineer and an approximate indication of the dimensions of the extra care facility were given.

The Assistant Director: Planning Specialist reiterated comments that the Highways, Education, Leisure and Drainage Officers were all satisfied with the application and Housing Officers were satisfied that WHT would satisfactorily manage the lettings. With regard to public transport and the site was served by local operators within resources available. The Assistant Director: Planning Specialist also commented on the rules surrounding viability, recent case law regarding the five year housing land supply and the pro-development ethos of the Growth Act coupled with the government's position that the development and construction sector would drive economic recovery.

Considering the responses above and also the site visit which had taken place that afternoon, some Members considered that the application was compliant with the NPPF's requirements for sustainable development, with public transport links and Wellington shops were not a significant distance away, job creation, social facilities and welcomed the affordable housing element and sympathetic design.

Upon further questioning, Members were advised that there were no local policy grounds to ask for Code for Sustainable Homes code 4 in this locality, but had requested based on recent appeal decisions; the extra care facilities would achieved BREEAM Very Good however increasing the open market housing standard to this level would significantly affect viability of the scheme and as half the scheme would be sustainably constructed this was satisfactory; whilst the location seemed isolated there was no policy guidance to state how close to the urban centre schemes should be, and sustainability was assessed as a whole on balance. Advice was also given that officers had negotiated the best package of financial contributions possible in view of the fact that the land was to be gifted, and delivered immediately.

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

**RESOLVED** – that with respect to planning application TWC/2013/0938 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement to provide affordable housing in the provision of a 66 bed extra care facility, and appropriate financial contributions towards highway mitigation measures (£80,020), education facilities (£100,000) and either contributions /works appropriate for offsite leisure and recreation facilities to the value of £65,100 and further subject to the conditions set out in the update report.

(b) TWC/2013/0997 - Land at, Lawton Farm Way, Leegomery, Telford, Shropshire

This application was a departure from planning policy seeking full planning permission for the erection of 27 dwellings and garages with associated parking, access roads and amenity space, following the demolition of existing buildings. The proposal also included the creation of replacement car parking for the adjoining doctors surgery. An update report was tabled at the meeting which detailed further comments submitted since the preparation of the original report.

A previous planning application was granted in 2007 for a development of 13 houses and 58 apartments as well as new retail units on this site and to the south, within the local centre. The retail part of the scheme was constructed but the residential development was never implemented. Due to the significant change in the total number of units proposed and the change to the red line site boundary Planning Officers had advised that a new application was required.

Members noted that the principle of development had already been established at the site but raised some concerns regarding the application in terms of traffic

congestion at peak times, management of green spaces and how the schedule of work would impact on parking for the doctors' surgery.

The Planning Officer advised that a balance needed to be struck between parking and freeflow of traffic and the highways solution was considered to best suit the circumstances, she advised that management of open space would fall to the developer in this instance, and that it would be reasonable for Members to request a condition to ensure the surgery car park remained accessible throughout construction work.

Members unanimously supported the application.

**RESOLVED** – that with respect to planning application TWC/2013/0997 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement for financial contributions of £3000 towards a Traffic Regulation Order and further subject to the conditions set out in the update report and an additional condition to ensure the car park for the doctors' surgery is retained until the new facilities are provided.

(c) TWC/2014/0006 - Hesbrooks HGV Yard, Avenue Road, Newport, Shropshire, TF10 7EA

This was an application for the erection of two storey houses and 2 two storey apartments on the site of Hesbrooks haulage yard. Vehicular access was proposed from Avenue Road, and another residential development of 61 units was under construction on the adjacent site (separate planning application TWC/2011/0334) where it was proposed shared parking arrangements for the apartments would be provided. An update report was tabled at the meeting which informed Members that amended plans had been received and revised comments had been received from the Highways Engineer.

Members welcomed the application.

**RESOLVED** – that with respect to planning application TWC/2014/0006 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement for financial contributions of £1500 towards a Traffic Regulation Order and further subject to the conditions set out in the update report (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager).

(d) TWC/2014/0084 - Unit 12 Telford Forge Retail Park, Colliers Way, Old Park, Telford, Shropshire, TF3 4AG

This was an application for the installation of a replacement mezzanine floor.

Members welcomed this application which supported local business needs.

**RESOLVED** – that with respect to planning application TWC/2014/0084 the Development Management Manager be authorised to grant planning permission subject to the applicants/landowners entering into a Section 106 Agreement for financial contributions of £21,219 towards strategic highways infrastructure and further subject to the conditions set out in the report.

**PC-088      TREE PRESERVATION ORDER 2013**

The Committee considered the report of the Assistant Director: Law, Democracy and People Services seeking confirmation of a provisional Tree Preservation Order (TPO) at Cappelquin House, Cappelquin Drive, St Georges. The report detailed an objection received from the owner of the property expressing concerns regarding the size and condition of the tree and a rebuttal by the Tree and Woodlands Officer together with a photograph of the trees and a map showing the tree's existence in 1882.

The Legal Advisor outlined the process and clarified that only one tree was subject to the TPO rather than two as suggested by the map submitted with the objector's report. The Tree and Woodland Officer explained the background to the making of the Provisional Order which applied to only one of the beech trees located on the property as it was conceded the second beech was in poor health. Despite the recent 100mph winds and concerns from the objector that the trees were unsafe, both trees were still standing and the Tree and Woodland Officer opined that there was no scientific basis to the objection. The Legal Advisor advised Members that the focus in this case should be on amenity and confirmed that the property owner could apply for consent to lop, prune or fell the tree at any time.

Members noted the concerns of the objector that the tree was unsafe together with the reports submitted and balanced this against the opinion of the Council's Tree and Woodlands Officer. Members unanimously concluded that due to the age of the tree and its prominence in the area, it was worth preserving for its visual amenity.

**RESOLVED** – that the Borough of Telford & Wrekin (Beech tree within the grounds of; Cappelquin House, Cappelquin Drive, St Georges, Telford, TF2 7BX) Tree Preservation Order 2013 be confirmed.

The meeting ended at 7.35pm

**Chairman:** .....

**Date:** .....

**TELFORD & WREKIN COUNCIL**

**PLANNING COMMITTEE**

**19<sup>th</sup> March 2014**

Schedule 1 - Planning applications for determination by Planning Committee

<b>TWC/2013/0920 Land adjacent Police Houses, 2 Park Lane, Woodside, Telford, Shropshire</b>	
Erection of a detached dwelling ***AMENDED PLANS RECEIVED*** .....	<b>2</b>
<b>TWC/2013/0995 Maddocks Sports &amp; Social Club, Church Street, Oakengates, Telford, Shropshire, TF2 6BP</b>	
Erection of 38no. dwellings with associated roads, retaining walls, screen fencing and improvements to existing landscaped embankment areas.....	<b>9</b>
<b>TWC/2013/1038 The Quarry, Waters Upton, Telford, Shropshire, TF6 6NP</b>	
Erection of a two storey detached dwelling and associated works.....	<b>25</b>
<b>W2007/0040 Brindleyford Primary School, Brindleyford, Brookside, Telford, Shropshire.</b>	
Residential development (Outline) .....	<b>34</b>

TWC/2013/0920

Land adjacent Police Houses, 2 Park Lane, Woodside, Telford, Shropshire  
Erection of a detached dwelling \*\*\*AMENDED PLANS RECEIVED\*\*\*

**APPLICANT**

Lee Smith Property & LS Engineering (Shropshire) Ltd

**RECEIVED**

19/11/2013

**PARISH**

Madeley

**WARD**

Woodside

**OFFICER**

Matthew Thomas

**COUNCILLOR KEVIN GUY HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF PLANNING COMMITTEE**

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Impact on residential amenity, character of locality, highways & site sustainability

**PROPOSAL:**

This full planning application seeks planning consent for the erection of 1 no. detached dwelling to the rear of No.41 Park Lane, Woodside, adjacent the Old Police Houses following the demolition of the existing detached garage. The proposed dwelling will be constructed in the centre of the site, in line with the existing front and rear elevations of The Old Police Houses. The proposed house will be positioned approximately 20m away from the rear elevation of No.41 Park Lane and 3m away from the neighbouring property, No.2 The Old Police House.

The design of the proposed dwelling has been subject to various changes following on-going discussions between the architect and the Local Planning Authority in order to achieve a development to reflect the character of nearby neighbouring properties. The proposed dwelling is to be erected beneath a pitched roof and finished in white painted render, concrete roof tiles and white upvc windows. Finer details include black painted window heads and cills, soldier brick courses above the windows and black coloured rain-water goods.

The proposed two storey dwelling will provide comfortable living accommodation at ground floor to include a living room, kitchen/dining room and a downstairs WC and at first floor level there will be 2no. sizeable bedrooms and bathroom.

On-site parking for two vehicles is proposed to the front where there is an established access to the existing garage and private amenity space will be provided to the rear extending to the proposed rear boundary of No.41 Park Lane. Proposed

boundary treatment consists of timber panel and post fencing and a small bin store is to be located to the front of the dwelling.

#### SITE AND SURROUNDINGS:

The application site lies to the rear of No.41 Park Lane in Woodside, Madeley. The site is currently used as private amenity space for this property and to the rear of the site is a detached garage and established access off Park Lane. The application site is relatively narrow; measuring approximately 26m x 6m and it is proposed to divide the site in two to accommodate a plot for a new, detached dwelling.

Neighbouring properties are a mix in age, size and design including 1980's two storey, semi-detached to the east finished in red brick, mature terraced cottages to the north finished in white/cream painted render and a recent development to the west. Beyond this development is the local Woodside centre consisting of 3 retail units and the Park Lane Centre which provides facilities such as café, dentist, pharmacy, children's nursery and youth centre.

The immediate surrounding area is predominantly residential comprising a mixture of dwellings of varied age, style and design. Park Lane is located in close proximity to bus routes with links to Madeley town centre, Wellington, Telford and further afield. This is a sustainable site which is in walking distance from supermarkets and other public amenities.

#### SUMMARISED CONSULTATIONS:

##### Standard consultation responses

##### Madeley Town Council: Object

- Previous application for development of the site was refused due to its failure to contribute positively to the character of the area in its form and appearance and its adverse effect on residential amenity of neighbouring properties
- Current scheme is unacceptable as proposed three storey, three bed dwelling is out of character with the prevailing form of development – characterised by two-storey properties. The proposal would be detrimental to the character, form and appearance and pattern of development within the area
- Vehicular access off Park Lane is unsatisfactory and does not provide sufficient visibility splay

##### Drainage: Support subject to conditions

- Scheme of foul drainage and surface water drainage
- Soakaway Test and locations

##### Highways: Support subject to conditions

- On-site parking

##### Ecology: Comment

- Include condition – erection of nest boxes and wildlife informatives

Shropshire Fire Service: Comment

- Include Fire Authority informative

### Neighbour consultation responses

Following neighbour consultation, 3 letters of objections were received and are summarised below:

- Loss of privacy on neighbouring properties
- Roof height of the proposed dwelling should not exceed that of the neighbouring properties. Three-storey inappropriate
- Loss of light to neighbouring properties
- Limited on-site parking proposed and vehicles would have to reverse on to Park Lane – which is a busy road.
- Further parking along Park Lane will restrict access for emergency vehicles
- Previous applications for residential development have been refused
- Proposed dwelling is to be built to let – previous tenants have been disruptive and this has had an adverse impact on amenity of neighbours
- Design of dwelling is out of keeping with surrounding properties

Following amendments to the scheme; internal consultees and neighbouring dwellings were re-consulted. Following this re-consultation the following responses were received:

Madeley Town Council: Object

- Madeley Town Council notes the extensive alterations to the scale of this development and the revised plans. The applicant now proposes a two storey, two bedroom detached dwelling (reduced ridge height) located more centrally within the plot and aligned with existing building line.
- Nevertheless, the objection still stands. Proposed dwelling remains out of character with the prevailing form of development and diminishes local identity
- Concerns over proximity of building to the boundary, issues of overlooking and overbearing impact as well as insufficient visibility splays

A further letter of objection was received from a neighbouring property however no new issues were raised.

### RELEVANT HISTORY:

W79/0799 - Erection of a double garage - Full Granted (07/12/1979)

TWC/2010/0333 - Erection of a 2no. bedroom bungalow including access, layout and scale (Outline) - Outline Refused (24/08/2010) On the grounds that the proposed bungalow, including a south facing principal elevation would be out of character with the prevailing form of development in Park Lane, which is

characterised by two-storey properties with private amenity space to the south. Subsequently the proposal taking account of its height and orientation would be detrimental to the character, form, appearance and pattern of development within the area, and will adversely effect the residential amenities of neighbouring properties

#### RELEVANT POLICIES:

National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes  
CS9 Accessibility & Social Inclusion

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

#### PLANNING CONSIDERATIONS:

This full planning application seeks consent for the erection of 1no. detached, two storey dwelling on land to the rear of No.41 Park Street, Woodside, Madeley, adjacent to The Old Police Houses following the demolition of an existing detached garage. The site is presently used as private amenity space and for off-road parking and it is proposed to divide the site in to two and erect a two bedroom dwelling, beneath a pitched roof and finished in white painted render, concrete roof tiles and white upvc windows. On-site parking and private amenity space is to be provided and the dwelling has been positioned to support the existing line of 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. The application site is located within walking distance of Madeley town centre and is in close proximity to the main bus routes. In addition, local convenience shops also exist in close proximity from the site and officers are therefore satisfied that this is a sustainable location suitable for residential development.

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. The Council's Drainage and Highways Engineers have confirmed that subject to conditions, they have no objections to the proposed development.

Policy UD2 of the Wrekin Local Plan advises the LPA to assess development proposals in relation to its scale, massing, form, density, orientation and layout, proportions, landscape elements, access and spatial quality. Policy CS15 of the Core Strategy encourages designs which will assist in creating and sustaining safe places, strengthening local identity and positively influence the appearance and use of the local environment. Officers consider the design to be the most appropriate, reflecting that of nearby dwellings, including the cottages to the north as well as the dwelling opposite, to the south.

The proposed scheme has been subject to amendments following discussions between the architect and Local Planning Authority. The scheme has been reduced in size from a 2.5 storey, 3 bed dwelling to a two storey, 2 bed dwelling and has been repositioned in order to be in line with the existing neighbouring dwellings and to have as minimal impact on the closest neighbouring dwelling, No.2 Old Polices Houses, as possible. Officers consider that there is sufficient space to build the proposed dwelling and to provide on-site parking and private amenity space without overdeveloping the site. Appropriate conditions can be included to ensure an appropriate choice of materials and boundary treatment.

Officers have given consideration to the objections received from Madeley Town Council and a number of neighbours. Whilst there was a previous application in 2010 for residential development, which was refused, this was an outline application and at the time it was considered that the scheme failed to contribute positively to the character of the area in its form and appearance and the proposal would have an adverse effect on residential amenity of neighbouring properties. The current proposal has been submitted following detailed discussions between the applicant and the LPA and it is now considered that residential development on this site is acceptable given it is a sustainable area and the design reflects local character. Officers disagree with Madeley Town Council that the scheme is out of character given it reflects certain features of neighbouring properties including being finished in white render and finer details to include black painted window heads and cills, soldier brick courses above the windows and black coloured rain-water goods. Officers considered that it would be inappropriate for a design to be submitted to reflect the styles of The Old Police Houses, given these are semi-detached and a much more recent development.

With regards to the impact on residential amenity in terms of potential loss of privacy, light and any overbearing impact, this too was considered as part of the design. The dwelling has been repositioned to be as far away from the neighbouring property, No.2 Old Police House as possible. The closest the dwelling will be to this neighbouring dwelling is 3m and at most it will be 6m away, including from the kitchen window of this neighbouring property. This neighbour was concerned that they would experience an unacceptable loss of light to their kitchen as a result of the development however officers consider that now the proposed dwelling has been reduced in size and will be situated 6m away from this kitchen window, the impact on daylight will not be significant. The applicant has submitted a daylight assessment plan which accompanies as part of the amended scheme, which successfully demonstrates the dwelling will not lead to a significant loss of light. Similarly, it is unlikely for there to be a detrimental impact in terms of privacy. The first floor window closest to the boundary will serve a dressing/storage room, not therefore a principle room. This window will be approximately 3m away from the boundary and given the nature of its purpose, officers are satisfied that privacy levels will remain largely unaffected.

The submitted plans demonstrate that the proposed dwelling can be comfortably accommodated along with on-site parking and private amenity space and therefore the scheme does not represent overdevelopment of the site. Finally, with regards to access and sufficient levels of on-site parking, the Council's Highways Engineer has assessed the proposed scheme against their normal criteria and has raised no objections to the scheme subject to standard conditions. No concerns are raised with regard to ecology, drainage or land contamination which can be adequately conditioned.

To summarise, the Local Planning Authority is satisfied that the proposed scheme is acceptable on this site. The proposed development will not have a significant adverse impact on the character of the area or the immediate neighbouring dwellings. The plot is of sufficient size to accommodate the proposed dwelling without being overdevelopment of the site and is situated within a sustainable location. The proposal will provide sufficient level of amenity; parking and adequate access and the overall impact on visual amenities will not be detrimental. Accordingly it is considered that the proposal complies with local planning policies including UD2 and H6 of the Wrekin Local Plan, policies CS1 and CS15 of the Core Strategy as well as guidance contained within the National Planning Policy Framework. For these reasons the proposed development is recommended for approval subject to conditions.

RECOMMENDATION

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

1. Time Limit – 3 years
2. Samples of materials
3. Scheme of foul drainage and surface water drainage
4. Soakaway Test and locations
5. Highways – onsite parking
6. Erection of nest boxes
7. Development in accordance with submitted plans
8. Removal of Permitted Development

Wildlife informatives, Fire Authority

TWC/2013/0995

Maddocks Sports & Social Club, Church Street, Oakengates, Telford, Shropshire, TF2 6BP

Erection of 38no. dwellings with associated roads, retaining walls, screen fencing and improvements to existing landscaped embankment areas

**APPLICANT**

The Wrekin Housing Trust

**RECEIVED**

06/12/2013

**PARISH**

Oakengates

**WARD**

Ketley and Oakengates

**OFFICER**

Tim Williams

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, design and appearance of the proposed dwellings together with impact on residential amenity, development in the Green Network and the loss of a bowling green, highway safety and other issues as discussed in report.

**THE PROPOSAL:**

The proposal submitted is a full application to develop a new affordable housing scheme of 38 units at land adjacent to the Maddocks Sports & Social Club, Charlton Street, Oakengates.

The house type mix comprises;

- 19 number 2 bedroom homes (4 person residence) and
- 19 number 3 bedroom homes (5 person residence).

The proposed homes would be a mixture of 2 and 2½ storeys in height (3<sup>rd</sup> bedroom in roofspace) and all would have private enclosed rear gardens. Some properties would have small front gardens although for some properties this would be mostly taken up with car parking. With regard to materials the walls are proposed to be a mixture of dark red and buff brickwork and also render. Roofing would interlocking concrete tiles of 2 styles to be agreed and windows would be white UPVC. Rear and side boundaries to properties would be enclosed to 1.8 metres high concrete post and gravel boards with timber infill panels.

The principles of the layout presents new dwellings with their frontage along a cul de sac road taken from the access point off Charlton Street, the majority of which is proposed to be adopted. The south eastern corner of the site would be undeveloped and existing trees retained. Similarly, the northern and north-western boundary of the site is to be undeveloped with existing trees retained. Along these boundaries

the development would involve the construction of new retaining walls and screen fencing to the perimeter of the development.

The proposed layout would result in the loss of one of the two bowling greens on site. A separate planning application submitted to Telford & Wrekin Council (reference TWC/2013/0967) seeks full consent for alterations and extension to the Maddocks Sports and Social Club and the retention of the remaining bowling green.

Of the total site area of approximately 1.45 hectares the refurbished and extended Clubhouse development, excluding part of the access road but including both of the car parking areas and bowling green, would take up 0.37 hectares (26%) and the residential development (subject to this application), including the access road, would take up 0.73 hectares (50%), which leaves 0.34 hectares (24%) of the remaining site comprising retained embankment and landscaping.

The proposed dwellings would be accessed via a new access road, the entrance of which is located at the existing site entrance position in Charlton Street. The existing site entrance point is to be adapted to provide a new 5 metre access road width, plus a new 2 metre footpath from Charlton Street, with proposed visibility splays, road improvements, and sightlines for vehicles entering and exiting the new residential area as well as for the existing Clubhouse.

The parking spaces of 2.4 x 4.8m relative to the new housing have been set back so as to not overhang the proposed highway at the rate of 1.25 spaces/social housing unit. Parking has been located as to be convenient to each property end user, with visitor parking interspersed throughout the scheme. Most properties either have a section of green at the front of their property or look out onto a section of green in the order of 20 – 30m<sup>2</sup>. Where the green is shown as smaller 'strips' it is anticipated that this would present areas of shrub planting.

The application states that the existing informal access path from the north east corner of the site, to the public footpath at the bottom of the existing embankment at the northern end of the site, has been removed on the advice of the Crime Prevention Officer to reduce the potential for this to be an escape route for would be offenders, to minimise overall crime in this area, and to improve safety for pedestrians.

The applicant states in this application that the proposals follow extensive investigation since an outline planning application (reference TWC/2012/0145) for a new Clubhouse and residential development of 30 units at this site was put before the Council Plans Board at their meeting on 11 July 2012, where it was resolved to approve the outline planning application subject to conditions, a Section 106 agreement with all matters reserved.

The applicant goes on to state that a Section 106 agreement was not signed at that time merely to limit the expenditure of the Club on legal fees at a time of hardship, as the whole purpose of obtaining an outline approval for the residential development was to raise sufficient funds from the sale of the surplus land to secure the continued future operation of Maddocks Sports and Social Club facilities.

Furthermore, it is stated that the sale of this land has recently been agreed and the current agreed price for the purchase of the land surrounding the Clubhouse building, with the benefit of full planning approval, reflects the current market conditions and lower land value than was originally anticipated by the Club. This has resulted in the previously proposed development of a new Clubhouse not being financially viable. A decision has therefore been taken by the Club to progress the refurbishment and extension of the existing facilities, and this forms the basis of a separate planning application submitted to Telford & Wrekin Council (reference TWC/2013/0967) that is being determined by Officers under Delegated powers.

The application has been submitted with the following documents in support of the proposals:

- Design Access and Planning Statement;
- A number of plans and elevations;
- Ecological appraisal;
- Lighting and Noise Assessments;
- Slope Stability Declaration;
- Flood Risk Assessment;
- Ground Investigation report;
- Tree retention and removal plan; and
- S106 Draft Heads of Terms.

#### SITE AND SURROUNDINGS:

The application site comprises Maddocks Sports & Social Club and covers 1.45 hectares. The club has occupied the present site since the mid 1960's and is a private members Club. It is roughly square in shape and comprises a Clubhouse, associated parking, 2 bowling greens and various ancillary sheds and buildings. The Clubhouse has a tired and dated appearance, the greens and flower borders are well maintained.

The north and eastern areas of the site, which are designated Green Network, slope away and include an unmaintained grassed area some of which is used as an overspill car parking and scrub areas with tree covered slopes including Sycamore, Goat Willow, Birch, Ash Hawthorne, and Pine. The southern boundary abuts the rear gardens of 6 dwellings located along Holyhead Road (which are approximately 2-3 metres higher than the application site) and a vacant piece of land on the corner

of Charlton Street and Holyhead Road; this land is being marketed for residential development (planning permission has previously been granted for 6 x 2 bed roomed dwellings on the site but never implemented W99/0539 OLG & W2001/0493 RMG).

The eastern boundary abuts a horse grazing paddock. The northern boundary abuts a public footpath which runs along the rear gardens of properties located in Station Fields. This footpath is at the bottom of a steep bank which leads up to the main body of the site, the difference in levels from the footpath to the top of bank is some 7 metres. The bank continues downwards and the ground floor of the properties on Station Fields is around a further 3 metres below the footpath. The western boundary abuts the rear gardens of dwellings fronting Church Street.

The ages and design of the existing dwellings in the locality vary from detached and semi detached traditional 2 storey dwellings, 1960/70's houses and ex local authority housing. Further to the east beyond the horse paddock are bungalows.

#### PLANNING HISTORY:

TWC/2012/0145 - Demolition of existing Clubhouse and outbuildings and erection of a new Clubhouse facility and bowling green with parking areas and 30 dwellings comprising of 18no. 2 & 3 bed houses and 12no. two bed apartments with new retaining walls, screen fencing and alterations to vehicular entrance to provide a new access road. Resolution made by Plans Board on 11th July 2012 to grant outline permission subject to signing of a Section 106 legal agreement and conditions. No permission has been issued as no agreement has been signed.

Prior to the submission of this application the applicant engaged in pre application discussion with Council Officers.

#### PLANNING POLICY CONTEXT:

National Planning Guidance

National Planning Framework (NPPF) 2012

#### Core Strategy:

CS1 Homes

CS5 District and Local Centres in Telford

CS9 Accessibility and Social Inclusion

CS10 Community Facilities

CS12 Natural Environment

CS13 Environmental Resources

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

#### Saved Wrekin Local Plan Policies

UD2 Design Criteria

EH7 Contaminated Land  
EH14 Land Stability  
H6 Windfall Sites in Telford & Newport  
H22 Community Facilities  
H23 Affordable Housing  
LR6 Developers Contributions to Outdoor Recreational Open Space Provision within  
New Residential Developments  
OL3 Green Network  
OL4 Development in the Green Network  
OL5 Extensions and Redevelopment in the Green Network  
OL11 Woodland and Trees  
OL12 Open land and Landscape-Contributions from New Development

#### CONSULTATION RESPONSES:

Oakengates Town Council – No comment.

#### Ecology – Comment.

An Ecological Appraisal was carried out on this site in January 2012. Because no bat activity surveys were carried out, the usage of the scrub and woodland as foraging habitat for bats has not been given any consideration. There is a known bat roost at Ashdowne and the owner of Ashdowne has identified that the woodland area in the south-east corner of the site are used by the bats for foraging. As much as possible of this woodland should be retained, enhanced and managed in the final design. The current design removes most of the eastern scrub, which removes both a foraging habitat and a linear feature which will be used by bats for commuting. To compensate for this it is expected the planting scheme to include significant planting of native trees, shrubs and flowers which are valuable to invertebrates, and therefore bats. A vegetated linear corridor will need to be created along the eastern boundary in order to retain a commuting route.

Recommend the following conditions covering the following: Replacement and enhancement planting, erection of nest boxes and lighting plan. Informatives also suggested be attached to any permission granted.

#### Urban Design – No objection (Updated response).

Some initial comments and concerns were raised that the applicant responded to with revised plans and drawings; following this the view above has been given.

#### Highways – Comment.

No objection to the proposal subject to a Section 106 contribution of £10,000 towards local footway infrastructure between the site and Bridge Street to the north of the site that requires Dropped Tactile Crossing Improvements to ensure the sustainability of the site is fully maximised and ensuring safe routes to Oakengates Centre. Also ask for the following conditions, regarding design and construction of

roads etc, Parking, Turning, Loading and Unloading and also full construction and design details of the Visibility Splay Improvement Scheme at the access onto Charlton Street. Also ask for Informative to be included with any consent granted.

#### Parks and Open Spaces – Comment.

There are some nearby older children’s play facilities in need of upgrading for children in order to maximise the capacity and meet the need arising out of this development.

Suggest that should development provide 2 or more bedroom properties; that they meet this need through conditioning of WLP Policies LR4 and LR6. This could be provided by providing a contribution towards the upgrading of the nearest community use play facilities (which would serve the development area). An appropriate sum to request would be £375 per 2 bed property (or above) in relation to this policy.

There are areas of open space proposed within the development and no confirmation as to who and how this area is to be managed. Would request that a management plan for these areas is conditioned for agreement as part of any approval.

#### Leisure Services – Comment

Leisure Services concurs with Sport England’s comments which are based upon the previous application was reluctantly accepted due to ensuring the viability of the sports club.

#### Education – No objection.

Given the size of this development, its proximity to Wombridge Primary school and the considerable surplus capacity at Wombridge Primary, Telford and Wrekin will not be seeking an education contribution from this development.

#### Arboricultural – Comment.

Section 5.02 of the Design and Access statement refers to a section of adopted road which is to be constructed using block paving. If this road is proposed to be adopted by Telford & Wrekin Council then we would insist that it is constructed using tarmac. Suggested conditions relating to landscaping Design, Landscape Management Plan and Tree Protective Fencing

#### Drainage - Support subject to conditions.

Whilst the principles of the Flood Risk Assessment are acceptable, there are issues with the proposed method of surface water drainage. The layout shows an attenuation tank under front gardens of private properties. All attenuation features must be in areas of POS. Details on the future ownership of this feature and also the oversized pipework will be required. A simulation file of the drainage system once these changes have been made should be submitted.

Environmental Health – Support subject to conditions.

Having reviewed the contaminated land assessment submitted with the application, the report has identified that some remediation/mitigation is required within the development and is detailed in section 5.2.3. If minded to approve the application would recommend a land contamination condition be imposed requiring the submission of a remediation scheme.

Having reviewed the noise report and have the following comments: The proposed housing development is directly linked to TWC/2013/0967 for the alteration to the Maddocks social club, the noise report submitted with the application has determined that noise mitigation is required to prevent break out of noise from the building from live music events held in the social club, these include:

- Construction of an additional brick skin behind the stage, eliminating the main hotspot of the fire door and the possible hotspot of the louvre
- Install/construct an additional lobby to the kitchen and general store, eliminating the minor hotspots of the door and windows to the left of the main stage
- Install a sound limiting device to limit music noise escaping the building

If minded to approve the application then a condition should be placed on the development ensuring that the works to the social club are completed before the occupation of the houses.

Shropshire Fire Service – Comment.

Suggested informative to any permission granted.

West Mercia Constabulary - Support subject to conditions.

Condition that the applicant should aim to achieve the Secured by Design (SBD) award status for this development.

Shropshire Council (Archaeology) – No comment.

Severn Trent Water – Comment.

No objections to the proposals subject to the inclusion of condition requiring drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority.

Environment Agency – Comment.

No objection to the proposed development and would offer the following comments at this time.

The site geology comprises made ground, overlying glacio-fluvial sand and gravel which in turn overlies the Middle Coal Measures. Both the drift and solid strata are

designated as Secondary A Aquifers which are permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers. These are generally aquifers formerly classified as minor aquifers. On the basis of the site geology, the area is moderately vulnerable to contamination.

Suggest a contamination related conditions and informatives.

Coal Authority – No objection (Updated response).

The Coal Authority considers that the content and conclusions of the additional information submitted is sufficient for the purposes of the planning system in demonstrating that the mine entry to the east of the application boundary poses no significant risk to the proposed structures. The Coal Authority therefore withdraws its objection to the proposed development.

The Coal Authority concurs with the recommendations of the Report on Ground Investigation (November 2013); that coal mining legacy potentially poses a risk to the proposed development and that proposed mitigation measures are necessary to be undertaken prior to development in order to allow development to be undertaken.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed mitigation measures to be undertaken as an integral part of development. The mitigation strategy is set out in section 5.1.1.5 of the Report on Ground Investigation.

The Coal Authority considers that the content and conclusions of the Report on Ground Investigation are sufficient for the purposes of the planning system and meets the requirements of the NPPF in demonstrating in demonstrating that the application site can be made, safe and stable for the proposed development with the proposed mitigation measures. The Coal Authority therefore would have no objection to the proposed development subject to the imposition of the above condition.

Neighbour consultation responses.

In response to this application the Council has received 8 sustained objections, the bullet points below summarising the reasons for the objections lodged:

- Houses proposed to north of site would result in deprivation of light and sunshine to properties in Station Fields which are built at lower level. Light is already limited in winter because of this and trees. Loss of privacy those living in Station fields from overlooking given the proximity of the new dwellings and their elevated position - made worse by some properties being 2½ storeys in height – dwellings should be bungalows.
- Additional run off from development increasing risk of flooding and affecting stability of slopes. Likewise construction of buildings at northern end creating subsidence and stability of slopes with increased risk of landslip.

- Impact on bats nearby and that bats foregoing habitat is coppice of trees behind Ashdowne dwelling.
- Concern on increased number of units proposed from that submitted previously.
- Insufficient parking leading to on street parking that would be a danger to pedestrians.
- Unsafe visibility at main entrance into site; and
- Loss of trees.

## PLANNING CONSIDERATIONS:

### Principle of Development

The National Planning Framework (NPPF) gives Government advice on new housing developments, amongst other issues it states that housing applications should be considered in the context of the presumption in favour of sustainable development. The mix, type size and tenure of housing should reflect local demand.

Saved policy H6 of the Wrekin Local Plan states that housing development will be permitted on land between 0.4 and 1 hectare in Telford when the site is located less than 800m from a District Centre, as is the case with this application given Oakengates District Centre is 400 metres to the north of the site. In addition, the site should be adequately drained, accessed and parking provided; where there are land stability and contamination issues, the Council is satisfied that the developer has taken adequate remedial action; the proposal does not have an adverse impact on the local environment, especially in its relationship with adjacent land uses and the proposal shows a high quality of design.

Core Strategy policy CS1 states that housing development will seek to provide every household in the Borough with an affordable, decent and appropriate home with CS3 noting that Telford will be the focus of the Borough's spatial development. Policy CS5 requires all new residential development to be situated in highly accessible locations, creating vibrant, safe and attractive places, with designs which respect and respond to the locality.

The location is within the built up area of Telford and lies less than 400m from Oakengates District Centre, employment opportunities, various amenities and public transport facilities, and therefore, considered a sustainable location. It is therefore considered that the proposed development is acceptable in principle and compliant with saved policy H6 of the Wrekin Local Plan, policies CS1, CS3 & CS5 of the Core Strategy and national guidance contained within NPPF.

With regard to saved policy H23 relating to Affordable Housing, this particular application is a development that would provide a wholly affordable scheme which it is understood would be then managed by the Wrekin Housing Trust. As a result the

scheme more than meets the requirements of policy H23 and is supported given the need for additional affordable dwellings in the Borough.

#### Design and appearance of the proposed dwellings together with impact on residential amenity

National guidance contained in NPPF, asserts that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute to making places better for people. Policy CS15, amongst other issues, states that development will assist in creating and sustaining safe places, positively influencing the appearance of the local environment. Policy UD2 provides guidance to assess whether or not proposals are of an appropriate design quality and relate positively to their context. It advises the Council to assess proposed development in relation to its scale, massing, form, density, orientation and layout, proportions, materials, landscape elements, access, parking and spatial quality.

The layout of the proposal is considered acceptable given the shape of the site and some of the physical features of the site – that is the smaller embankment/slope to the south of the site next to the rear of the properties on Holyhead Road and also the larger embankment/slope to the north of the site leading down to properties at Station Fields. In this latter location the majority of the existing tree belt is to be retained along with trees in the south eastern corner to the rear of ‘Ashdowne’ property on Holyhead Road, as such the proposed houses are predominantly on the level plateau of the site.

The proximity of the Clubhouse to the proposed properties needs to be taken into account with regard to noise nuisance on any future residents and the ability of the Club to trade without undue restrictions upon them. The noise report submitted with the application has determined that noise mitigation is required to prevent break out of noise from the Clubhouse building from live music events held at the Club. The identified measures would need to be implemented prior to the occupation of the new houses. Because these measures form part the separate application for the Clubhouse (TWC/2013/0967) this requirement would need to be incorporated into a Section 106 agreement to this application.

The density of the scheme is considered acceptable for a location in the urban area and in close proximity to Oakengates centre whilst still providing adequate private amenity space at the rear of all the properties. The development incorporates a mixture of 2 and 2½ storeys in height. In the 2½ storey height dwellings a 3rd bedroom is provided for in the roofspace. Because the extra bedroom is in the roofspace the overall height of these dwellings is only marginally higher than the 2 storey homes and is therefore considered acceptable.

The appearance of the proposed dwellings is considered acceptable given that brick and render are common materials used in the locality. Precise details can be agreed

via planning condition. Following some initial concerns raised by the Council's Urban Design officer the applicant submitted revised plans and drawings that improve the overall appearance of the proposed dwellings.

With regard to the proposed layout in relation to neighbouring residential properties, objections have been received that the proposals would result in the deprivation of light and sunshine and also a loss of privacy from overlooking. In particular concerns have been raised from residents in Station Fields to the north of the site where these properties are sited on lower ground and where the difference in ground floor levels is in the order of 10 metres on top of which would be the height of the new dwellings themselves (2½ storey home in order of 9 metres in height to ridge). In terms of loss of light, the siting and mass of the new dwellings may limit the amount of direct sunlight in winter but sunlight is already restricted in these months for these properties given that the slope is currently covered by semi mature trees. Also relevant is the fact that the distance between the edge of the proposed dwellings at the northern end of the site and the properties in Station Fields is in the range of 36 to 41 metres which should allow overall light levels at these properties to be relatively unaffected in winter months. Sunlight is lower and more spread out in those months as opposed to any shading in summer months which the applicant has demonstrated from site sections and a shading analysis plan in respect of the properties along Station Fields would not arise for the larger part of the year.

This distance is also a relevant factor when considered issues of privacy and overlooking. Because of this distance between the buildings together with retained planting on this slope it is not considered that there would be any adverse impact on the amenity of neighbouring properties.

With regard to the properties to the rear of Holyhead Road to the south of the site the level differences are smaller (2-3 metres at ground level) with the distance between buildings being some 20 metres plus. Again because of this distance between the edge of buildings together with existing and proposed boundary treatment it is not considered that there would be any adverse impact on the amenity of neighbouring properties.

On balance it is considered that the indicative layout has satisfactorily demonstrated that the site is sufficient to accommodate the 38 units proposed with adequate off street parking, private amenity space, and separation distances.

Additionally, it is not considered that there would be significant adverse impact upon the residential amenity of the neighbouring properties arising from a loss of light and privacy despite differences in ground levels. The proposal is therefore considered compliant with policy UD2 of the Wrekin Local Plan, policy CS15 of the Core Strategy and national guidance contained in NPPF.

### Development in the Green Network and the loss of a bowling green

With the exception of the eastern edge of the site, the entire area is within the Green Network. The main issues in regard to Green Network are the loss of one of the bowling greens and the development of surrounding Green Network for the housing. Government guidance in the NPPF states that to deliver the social and recreational facilities decisions should ensure that established facilities are permitted to modernise in a way that is sustainable, and retained for the benefit of the community, and to ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

As the site falls within the Green Network, saved policies OL3 to OL5 of the Wrekin Local Plan apply. Policy OL3 states that the council will protect the Green Network in order to achieve the six aims set out in paragraph 8.2.12 of the plan. Many of these aims relate to the visual and structural qualities of spaces as part of the overall network. This site is relatively isolated in relation to other areas of Green Network so the potential for it to link with other spaces is quite limited. One of the aims is 'to provide an appropriate supply of open land to meet the diverse recreational needs of an expanding population, combining the more formal parkland and recreation areas with the wider landscaped areas valuable for informal recreation'. As this site contains both formal (bowling greens) and informal (the surrounding natural and semi natural green space) areas, it has a role in achieving this aim.

Policy OL4 states that development may be permitted in the Green Network where there are exceptional circumstances (predominantly open land uses), where the development contributes or is complimentary to the aims of the Green Network (see above) or where community and environmental benefits are an integral part of the proposal. The loss of a bowling green would be detrimental but the current plans for the refurbishment and extension of the existing Clubhouse which is dated and considered not fit for purpose, together with the retention of the remaining bowling green, resulting from the sale of part of the site for the affordable housing proposed, offers an overall betterment of facilities and is therefore compliant with policies OL4 as well as OL12 which highlights that where a facility is lost a suitable replacement of equal or greater quality and accessibility must be provided. Thus, the proposal would provide a community benefit would arise for bowling and non bowling users of the Club through enhanced Clubhouse facilities.

Policy CS11 of the Core Strategy is policy in regard to open space. This states that areas of open space both formal (e.g. the bowling greens) and informal (e.g. the surrounding green space) are to be protected and enhanced and that development will only be permitted if it can be demonstrated that there will be significant community and environmental benefits delivered by the proposal and that the land does not contribute to the open space standards set to meet the requirements of the local population. With this in mind both Sport England and the Council's Parks and Open Space Officer do not raise any objection to the application as it will result in an

improvement to the current facilities, as well as helping the long term future of the Club. Environmentally, the development would see the reuse of brownfield land previously affected by contamination, subject to conditions that requires the submission of a remediation scheme.

Whilst the Clubhouse and parking area is within the application plan submitted, the proposed refurbishment and extension works proposed have been submitted under a separate application (TWC/2013/0967) as mentioned above. Given that these works are the primary justification for allowing residential development in the Green Network there needs to be a degree of certainty that they would be implemented. On the request of Officers the applicant has supplied confidential details on the level of finance the Club would receive from the sale of part of the site set against the anticipated costs of the works to the Clubhouse in line with that put forward under application TWC/2013/0967. The figure for the sale is in excess of what the costs of the work to the Clubhouse have been estimated to be, therefore there is a degree of certainty that the funds available should cover the costs. However, to ensure that the funds generated by the sale are directed to the works on the Clubhouse, a Section 106 agreement should be entered into with the Club so that a lump sum based on the estimated cost of the works is provided to the Council which the Club can then submit invoices for payment provided the invoices are in connection with those works to the Clubhouse. This Section 106 agreement would also allow for certain works relating to acoustic insulation and noise protection to be carried out within a certain timescale and before the new dwellings proposed were occupied in order to ensure that there the two uses can acceptable co-exist adjacent to one another.

#### Highway safety

The Club have purchased additional land adjacent the existing entrance to the Club and the proposed layout is considered to be an improvement to the existing access and the applicant has discussed the access with the Council's Highway Engineer prior to submitting the application. Accordingly, the proposal would not adversely impact upon highway safety. The local footpath infrastructure between the site and Bridge Street to the north requires dropped crossing improvements to ensure the sustainability of the site is fully maximised and ensuring safe routes to Oakengates. Accordingly, a Section 106 contribution of £10,000 to fund these improvements is required. The proposed development is deemed compliant with policy UD2 of the WLP, policy CS15 of the Core Strategy and national guidance contained NPPF.

#### Other Matters

The Council's Drainage Engineer supports the application subject to conditions. Similarly, Severn Trent Water do not raise any concerns subject to conditions. Therefore concerns regarding flood risk are not considered to be an issue in the determination of this application.

The applicant has considered stability issues associated with the proposals and submitted a Slope Stability Declaration Form which suggests the site is suitable for its new use. As with contaminated land (as outlined in paragraph 120 of the NPPF) where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. With regard to the initial objection made on the application by the Coal Authority further information has led to the removal of this objection subject to the imposition of an appropriate planning condition.

There is a known bat roost at Ashdowne and the owner of Ashdowne has identified that the woodland area in the south-east corner of the site are used by the bats for foraging. The Council's Ecologist has not objected to the proposals even though the current design removes most of the eastern scrub, which removes both a foraging habitat and a linear feature which would be used by bats for commuting. To compensate for this it is recommended that details of a planting scheme to include significant planting of native trees, shrubs and flowers which are valuable to invertebrates (and therefore bats) will need to be created along the eastern boundary in order to retain a commuting route.

Policies LR4 and LR6 require developers to contribute to the provision of recreational open space. Based on the proposed scale of development, the above policies require the developer to contribute £375 per dwelling giving a total of £14,250 towards recreational facilities in the local area.

### Conclusion

The site is sustainably located and its redevelopment for housing is therefore considered acceptable in principle and compliant with saved policy H6 of the Wrekin Local Plan, policies CS1 & CS5 of the Core Strategy and national guidance contained within NPPF.

On balance it is considered that the indicative layout has satisfactorily demonstrated that the site is sufficient to accommodate the 38 units proposed with adequate off street parking, private amenity space, and separation distances. Additionally, it is not considered that there would be significant adverse impact upon the residential amenity of the neighbouring properties arising from a loss of light and privacy despite differences in ground levels.

Development may be permitted in the Green Network where there are exceptional circumstances or where community and environmental benefits are an integral part of the proposal. Likewise the loss of a bowling green is also a consideration. Given the current plans for the refurbishment and extension of the existing Clubhouse which is dated and considered not fit for purpose, together with the retention of the remaining bowling green, resulting from the sale of part of the site for the affordable housing proposed, offers an overall betterment of facilities and is therefore compliant

with saved policies OL4 and also OL12 which highlights that where a facility is lost a suitable replacement of equal or greater quality and accessibility must be provided. Thus, the proposal would provide a community benefit would arise for bowling and non bowling users of the Club through enhanced Clubhouse facilities. As the enhanced facilities are being proposed via a separate planning application a Section 106 agreement would need to be entered into to provide a mechanism so there is a degree of certainty that they will be delivered.

The proposed new access can be accommodated without detriment to highway safety and level of parking provision is satisfactory.

Appropriate planning conditions as outlined above and requested through the consultation process would be able to ensure that other matters are adequately addressed and controlled to facilitate an acceptable development.

Financial contributions towards recreation would help support the amenities of nearby recreational facilities and highway improvements to local footpaths. The residential development would provide much needed affordable housing.

Accordingly, the proposal is considered acceptable and compliant with both local and national policy and guidance as outlined above.

## RECOMMENDATION

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

- A.) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (terms to be agreed by the Development Management Service Delivery Manager) relating to:
  - (i) To provide financial contributions of £14,250 towards recreational facilities in the local area, £10,000 towards highway improvements and a Financial Monitoring Contribution sum of £1,212; and
  - (ii) Transfer of a sum of money to the Council based on the estimated cost of the works to implement the refurbishment and extension of the Clubhouse being sought under application TWC/2013/0967 which the Club can then submit invoices for payment provided the invoices are in connection with those works to the Clubhouse. This part of the Section 106 agreement would also allow for certain works relating to acoustic insulation and noise protection to be carried out prior to the occupation of any dwellings on site.

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

1. A04 Time limit - Full.
2. B010 Details of materials (including those of retaining walls).
3. BCustom Scheme of surface and foul water to include restriction on run off rate and ownership details.
4. B121 Landscaping Design (to include replacement and enhancement planting as requested by Ecology).
5. B126 Landscape Management Plan.
6. B130 Tree Protective Fencing.
7. BCustom Land contamination condition (includes EA condition on contamination previously not identified).
8. BCustom Details of the design and construction of any new Roads, Footways etc.
9. BCustom Construction and design details of the Visibility Splay Improvement Scheme at the access onto Charlton Street.
10. BCustom Erection of nest boxes.
11. B150 Site Environmental Management Plan for construction works.
12. C20 Parking, Turning, Loading and Unloading.
13. CCustom Implementation of mitigation strategy as set out in section 5.1.1.5 of the Report on Ground Investigation.
14. C038 Development in accordance with deposited plans
15. CCustom All houses to be affordable as set out in application
16. DCustom No infiltration of surface water drainage into the ground at this site unless agreed.

Informatives:

I106 – Section 106 agreements

I32 – Fire Authority

ICustom – Ecology informatives

ICustom – Environment Agency requested informatives

I11 – Section 184 Highways Licence

I40 – Conditions

I41 – Reason for grant of permission

RANPPF - Approval – National Planning Policy Framework

TWC/2013/1038

The Quarry, Waters Upton, Telford, Shropshire, TF6 6NP

Erection of a two storey detached dwelling and associated works

**APPLICANT**

M A Bufton & Sons Ltd

**RECEIVED**

23/12/2013

**PARISH**

Waters Upton

**WARD**

Ercall Magna

**OFFICER**

Libby Harper

**WATERS UPTON PARISH COUNCIL HAVE REQUESTED THAT THIS APPLICATION BE REFERRED TO PLANNING COMMITTEE FOR DETERMINATION**

OBJECTIONS RECEIVED: Yes

**MAIN ISSUES:**

Design and impact on the character of the surrounding area

**PROPOSAL:**

This application seeks full planning permission for one detached, two storey 3no. bedroom dwelling, front garden and new landscaping to the front, a rear patio and garden incorporating a bin and recycle store – all enclosed by a new low wall, parking for two vehicles, and turning area. Partial repositioning of the existing wall fronting the road had been proposed at the outset of the application where a change in direction occurs to remove existing recess and be relocated further away from the building. Further to concerns raised by officers at to the desire to retain this wall as existing, this element of the scheme has been removed, with plans amended to show no change arising.

The occupancy of the proposed dwelling is linked to the operation of the neighbouring industrial units (Units 1, 2 and 3 with B2 permission; light engineering works undertaken). The application site and the remainder of the wider employment site are in the ownership of the applicant M A Bufton & Sons Ltd. Purchasing of the site was undertaken to enable the business to be relocated from The Wharfage, Ironbridge. The business is run by 4 directors 3 of whom lived on site at their former premises.

Permission is therefore sought for a dwelling for the benefit of the business to house one of the directors or a key worker, in order to ensure an appropriate level of security and delivery of operating procedures. Much of the processes undertaken on site are by computer controlled turning and milling machines. The applicant asserts

that whilst these do not require constant supervision, they do need checking at frequent intervals. Further benefit of the development is provided that living on site would remove travelling time from Ironbridge of 25-30 minutes each way.

The principle of this development has recently been approved under TWC/2013/0338

full planning permission for one detached, two storey 2no. bedroom dwelling. The design of the unit was approved as a standard two storey pitch roof unit, however the applicant wishes to vary the design and is subsequently the material planning consideration for this application.

## SITE AND SURROUNDINGS

The application site comprises an area of landscaping (a range of planting and bark chipped area) and part hardcored (finished in gravel) to the south of an existing linear single storey brick building with corrugated metal roof comprising 3 units, and is positioned centrally within the area. There are openings to the front and rear of the unit. There is gravelled parking and access to the front of the units; the access road is defined by kerbing.

The application site adjoins the highway to the west via a gated access stepped back from the road with a sandstone wall either side (at its maximum around a metre high), this runs along the road frontage edge. The existing industrial building is positioned with its gable-end to the highway and is set back approx. 9m, screened by the existing boundary treatment of mixed hedgerow and trees.

The site is a former quarry and the remainder of the site is bounded by substantial red sandstone walls and various planting, as well as timber fencing dividing the car parking area and the rear of the building. The building was formerly used by painting contractors but the company went into liquidation in 2010. The adjoining unit within the building, Unit 3 had been operating as a vehicle maintenance business for a number of years but the business has now been relocated and occupied by the applicant. Units 1 and 2 received planning permission to be used as a light engineering business during July 2011. The site itself is relatively level ground covering approximately 0.05ha.

The site is located in a predominantly residential area in the centre of the village of Waters Upton, within the rural area approximately 7 miles to the north west of Telford. There are residential properties opposite the site entrance and along the highway, and at either end of the former quarry site, including Smithy Cottage to the south, adjacent to the site entrance.

## SUMMARISED CONSULTATIONS

### Standard consultation responses

#### Waters Upton Parish Council: *Object*

Having considered the application at length and in particular recalling the history of applications on the site, the Parish Council can find no planning policies that support such an ultra-modern design of building. Parish Council have looked in depth at the information contained in the NPPF (considered conflicts with para's 7, 55, 61 and 64) and find support that developments must be in keeping with the area and should complement or add value to the area or village. Accept that permission has been granted for a development, however, have to work towards this being in-keeping and appropriate for this historic and picturesque site within the village.

#### Urban Design: *No Objection*

The statement featured in the D & A statement advising that *the proposed building is "significantly" lower than the height of the approved dwelling* should be qualified as it only really tells "half the story". The highest point of the original dwelling is the apex of the gable i.e. the ridge which although is much higher than the "top" of the proposed dwelling is less significant visually primarily because the latter has higher eaves and its overall length is longer at two storey. However the sculpting and setting back of the various rooms along the frontage helps to reduce the overall visual impact of this unit. Conclude no objection in principle to this application, but would condition materials.

#### Highways: *No Comment*

#### Drainage: *Support subject to conditions*

Request for condition requiring submission of foul and surface water drainage scheme including percolation test results.

#### Arboricultural: *No Comment*

#### Ecology: *Comment*

Request for condition relating to the erection of bat and bird nest boxes, together with informatives relating to trenches.

#### Fire: *Comment*

Request for consideration to be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications".

### Neighbour consultation responses

One letter of objection has been received, and can be summarised as follows:

- Development out of keeping for this site within the 'historic' village of Waters Upton
- Size - much bigger than previous applications
- Poor design concept – would look better placed on Hortonwood industrial estate, looks like an office block, does nothing to enhance the existing amenity of the village or other properties within the village
- Considerable amount of new build & planned new build within the village, most within the 'spirit' of the village but this appears contrary to saved policies as not in keeping with the rest of the properties within the village.

## RELEVANT HISTORY

TWC/2013/0338 – Erection of one detached, two storey 2no. bedroom dwelling

TWC/2011/0954 - Erection of one residential property. Outline Refused 18/01/12, Appeal Dismissed 10/12/12

TWC/2011/0955 - Erection of one residential property. Outline Refused 18/01/12, Appeal Dismissed 10/12/12

TWC/2011/0751 - Erection of a single storey rear extension, installation of replacement windows and new windows and doors to existing building. Full Granted 17/10/11

TWC/2011/0453 - Change of use of existing premises from B1 to B2 (units 1 & 2) and retention of vehicle maintenance business (unit 3). Full Granted 21/07/11

W2007/0008 Erection of 11no. dwellings. Full Refused 26/03/07

The application was refused as the site was not considered to be a suitable infill plot within a built-up frontage and the number of units proposed exceeded the one or 2 dwellings on an infill plot. Furthermore, the design of the development was not appropriate in terms of the character of the area and there would be highway safety issues.

W2006/0817 Erection of a residential development comprising 12no. 2 and 3 storey houses (Outline). Withdrawn 02/08/06

W97/0713 - Change of use and sub-division into 3 separate light industrial units. Full Granted 07/11/97

## RELEVANT POLICIES

National Planning Policy Framework (NPPF)

Core Strategy:

CS1 Homes

CS2 Jobs  
CS7 Rural Area  
CS9 Accessibility and Social Inclusion  
CS15 Urban Design

Wrekin Local Plan:  
UD2 Design Criteria  
H10 Scale of Development

## PLANNING CONSIDERATIONS

The principle and need for residential development, amounting to provision of a detached dwelling associated with the existing employment use on site, has been established on this parcel of land through grant of TWC/2013/0338. Specifically, Waters Upton is one of the three rural settlements where new development is to be focussed in accordance with policy CS7, and this site being in a central position following a linear form along the principal road servicing the village. The need for one dwelling on the site having been emphasised on the grounds of security reasons - owing to the value of materials (machinery and stock) on site, in addition to the ongoing running of the facility.

This approach is further supported by the National Planning Policy Framework which seeks to promote sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities, whilst also placing a strong emphasis on supporting economic growth in rural areas.

Guidance further supports this application as the proposed residential usage adds a mixed use element to the use of the land. As per the preceding consent, a link between the employment use and proposed dwelling can be secured through an appropriate restrictive condition (to ensure the dwelling is not sold or let separately from the business).

Key to the determination of this new application is therefore consideration of a notable shift from a more traditionally designed dwelling to a more contemporary style within the context of the setting of The Quarry site.

Material submitted as part of this application outlines the rationale for a more modern design seeking to respond more positively to its context within the former quarry site - reflecting the history of the site in the building's aesthetics, form and articulation and seeking to pick up on the quarry wall as an important feature of the site, whilst being respectful of the neighbouring properties, including the existing adjacent commercial facility, with a new materials palette including aluminium framed doors and windows, timber cladding, painted render, red sandstone (previously brick, uPVC windows and doors).

The form proposed is a two storey flat-roofed dwelling with a green roof, being principally sandstone on the proposed façade facing the road with a cedar clad wing on each side in a setback position. The design evolution document submitted provides an overview of the various stages of the design process at the pre-application stage to present the final design as submitted. Compared to that now proposed, the original form of the building was a single mass set within the sandstone wall fronting the road i.e. requiring partial demolition in order to achieve development.

Revision has been sought to split this façade – with the two wings set back from the central sandstone element, as well as, stepping the proposed property back from the existing wall, thus protecting the nature of this edge in accordance with the value of this feature as recognised (retention conditioned) in the previous approval. A further benefit of this revision being to help soften the development through the retention of the existing boundary treatment to a greater extent, thus integrating with the existing sandstone wall and vegetation. The application originally entailed part of the front wall being repositioned - where a change in direction occurs to remove an existing recess and be positioned further away from the building (as shown on the ground floor plan PL-004). The need for this amendment is not considered sufficient, amended plans have therefore been submitted showing retention as is. Provision of a front and rear garden will help enhance the quality of the design helping to soften this edge of the site.

Greater variation in the proposed materials is now proposed, to again break up the scale and massing of the unit. The elevation fronting the road would include provision of habitable rooms to ensure a positive relationship whilst continuing the linear form of the village. At the first floor, windows associated with these rooms are proposed at a higher level accounting for the internal layout of the rooms, whilst also ensuring no loss privacy or overlooking issues. Further in this respect, the proposed unit is positioned in a gap between properties on the opposite side of the road, with separation distances of in the region of 20 metres applying for The Oaklands and No. 8 Pinfold Croft opposite (west) and in excess of 25 metres for Smithy Cottage (No. 15) as the nearest neighbour to the side (south). Environmental credentials include the aforementioned green roof, together with sustainable timber and low-e glazing (energy efficient – preventing heat escaping through windows).

The position of the unit within the streetscene is of particular note. The Existing & Proposed Streetscape drawing (PL-011) indicates the distinction between the height of the approved dwelling, the proposed, and its relationship with properties along this stretch of road. Whilst the Urban Designer notes that there is a difference in terms of the approved property in terms of its eaves and the ridge height i.e. the former is lower than the height of the proposed unit, the overall height of the property is lower and is set down compared to neighbouring properties, in addition to the employment unit on site, and was notably lowered further to pre-application discussion. Like the

approved dwelling, it will be further softened by the soft planting present, with existing vegetation kept and maintained where possible, a condition can be applied to control the form of landscaping secured. The topography of the site and adjoining land – the ground level being lower than the height of the road level which slopes along this edge with a stone wall and hedgerow above will further reduce the scale and massing of the dwelling in the streetscene.

Access will be via the existing access with two car parking spaces provided within the application site. The area of the wider site taken up by the proposed residential development is deemed appropriate to facilitate adequate parking and servicing areas outside the application site for the factory units. The Highways Engineer has raised no comment on this application; and the Local Planning Authority accepts that visibility splays are limited at the site. A number of factors are however relevant here, following the relocation of the vehicle maintenance use from unit 3, its occupancy has now been replaced by the applicant, with no additional traffic movement arising. It is considered that through this change, the building now represents one planning unit, furthermore in conjunction the proposal is being considered as a whole unit associated with staff to the commercial unit, conditioning the tie to the employment use; subsequently the majority of movement associated with the house will be outside of business hours and on a par with movement attributed to the working day, with one staff member less visiting the site in work hours as they will live on the site, leading to a neutral impact overall. It is therefore considered that the proposal will not harm the safety or free flow of highway users utilising this access and sufficient parking can be maintained within the site.

It is considered the proposal will not harm the natural habitats of current wildlife. Comments from the ecologist are noted, and improvements can be made through conditions; including the installation of bat and bird boxes.

It is also considered that the site can be adequately drained, and concerns with regard to potential land contamination can be conditioned as proposed for the previous applications by Geotechnical and Environmental Health officers, to include an intrusive investigation to determine the actual on site ground conditions, and the nature of excavations to be undertaken. Taking into account noise from the associated commercial use, scaling back of the proposal from earlier applications for two dwellings means an explicit tie between the residential unit and the employment use on site can more easily be achieved and sustained; limiting the level of harm to occupants, and more greatly respects the separation between uses on the site, thus maintaining an emphasis on an employment use of the broader site. Residential amenity can also be protected from noise through the use of acoustic glazing and trickle vents.

With regard to other comments received from the Parish Council and local representation, it is confirmed that the unit has increased in size from the previous

application. In terms of rooms, this comprises the addition of a dining room and store at the ground floor, and a third bedroom/office at the first floor, whilst the overall massing of the building has increased. On balance, it is considered that a unit of this size affords scope to meet the longer term needs of an occupant (reflective of a family sized property) where there is a link to the neighbouring employment site - maintained through conditioning, and permitted development rights removed to control the potential for future extensions without the need for a planning application.

The NPPF has been referenced by the Parish Council in terms of an ultra-modern design conflicting with the character of the village and considered to be out of keeping, as reiterated by the neighbor representation. It is clear that the design of the house is completely different to the style of houses in the village. In addition to reiteration of matters covered above, the NPPF advises that decisions should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The design is considered to balance the introduction of a modern design within the context of an employment site with the introduction of sandstone to afford a link with the rest of the village and particularly the historic context of the quarry usage. Notably, there is no character assessment for the village stipulating that the design is required to be of a certain form. Accordingly it is considered that the proposal meets the requirements of the NPPF and Local policy.

In conclusion, the principle of residential development comprising one detached property has been established on this site through grant of planning approval for TWC/2013/0338, being acceptable within the identified settlement of Waters Upton where new development in the rural area will be focused and will help aid the progression of this business in this rural location, a position encouraged by local and national planning policy. It is considered through appropriate conditioning, the residential amenities of the proposed unit can be maintained, that the site can provide a scheme which will not harm the visual amenities or character of the area. In addition that the proposal will not prejudice the safety or freeflow of highway users and can provide adequate parking, and the impact to any flora and fauna can be appropriately mitigated against. A key distinction of this new application being a more modern design than that approved but delivered in a form that facilitates innovation whilst respecting the context of the village setting - through reductions in its height, massing, integration of elements of materials emphasised in the locality secured through amendments to the proposal prior to submission.

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

1. A04 Time limit
2. B010 Details of Materials
3. B012 Sample Brick Panel

- 4. B019 Details of windows and doors
- 5. B061 Foul and Surface Water – to include soakaway test and location of soakaway
- 6. B121 Landscaping Design
- 7. C029 Location of quarry and foundations
- 8. C109 Erection of nest boxes (bat and birds)
- 9. CCustom Protection and retention of sandstone wall
- 10. CCustom Acoustic glazing and trickle vents
- 11. C38 Development in accordance with plan Nos.
- 12. D01 Removal of PD
- 13. Dcustom Association residential and employment use

#### Informatives

- I17 Minerals area
- I20 Contaminated land
- I25e Trenches
- I35custom Crown lifting Norway Maple
- I40 Conditions
- I41 Reason for grant of permission
- RANPPF1 Approval - NPPF

W2007/0040

Brindleyford Primary School, Brindleyford, Brookside, Telford, Shropshire.  
Residential development (Outline)

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

02/01/2007

**PARISH**

Stirchley and Brookside

**WARD**

**OFFICER**

Julian Pye

**PURPOSE OF REPORT:**

The purpose of this report is to amend the Memorandum that was signed for the outline residential application (W2007/0040) at the former Brindleyford School to allow some of the money allocated for various sports and leisure improvements to be spent differently. The Brindleyford monies total £240,000.

**BACKGROUND:**

The site was the former Brindleyford school site at Brookside and was owned by Telford & Wrekin Council. The Council sought outline planning permission W2007/0040 for residential development (52 dwellings), which was granted in April 2007. The sale of the site required the then Asset & Property Management department of the Council to transfer monies via a Memorandum (instead of through a Section 106 agreement) to Leisure & Recreation for the following works:-

- £120,000 for off-site pitch improvements at Stirchely.
- £55,000 new on-site equipped play area (LEAP),
- £65,000 new ball court/improvements at the existing Brookside centre,

The Brindleyford school has now been demolished and combined with the nearby Brookside Primary School. The site has now been developed and built with 100% affordable housing.

**RELEVANT HISTORY**

W2007/0040 – Outline residential development (all matters reserved). Granted 3 April 2007

W2008/0086 - Reserved matters for the erection of 52 dwellings, access road, parking and garaging. Granted 4 Nov 2008

W2009/0664 – Reserved Matters for erection of 52 no. residential dwellings, access road and parking and substitutions of house types (amendment to W2008/0086). Granted 9 Nov 2009.

TWC/2012/0714 - Renewal of outline application W2007/0040 to extend time for implementation. Granted

#### PLANNING CONSIDERATIONS:

The main issues to consider are whether the reallocation or distribution of the some of the Brindleyford monies is appropriate and that the revised provision is acceptable.

Since the grant of planning permission in 2007 over six years ago and the intended sport and leisure works set out in the Memorandum, the Council has continued working with local communities to provide and improve facilities that local communities actually want. Following consultation with local residents, Ward Councillors and the Parish Council in the Brookside area in 2008, general issues that came to light was that the design of the existing centre was poor due to it being small, dark and closed in, with poor access for those with mobility issues. It was also considered that there was insufficient parking especially around the school area, issues of anti-social behaviour and an unattractive environment. The community centre was considered too small and there was a lack of provision for the under 5's. The positive issues were that there was no-through road, that the existing facilities at the community centre and youth centre are well used and attended and there was some good open space.

The Council has since embarked on the phased regeneration of Brookside in line with the views of the community and there has been a series of outline, reserved matters and full applications that have sought to provide for the replacement of shops, services and residential units, remodelling of the Community Centre building and construction of new children's play area in an area of open space to the south, new parking, creation of a community square and improvements to the public realm and associated demolition works. Following planning approvals, a new play area has been constructed [*this is the one south of the existing play area*], the new shops are approaching completion and flats are being demolished. Work will commence on the extension to and refurbishment of the Community and Youth Centre in March 2014, followed by construction of the new public realm. As a result, £155,000 of the Brindleyford monies secured by the Memorandum is required to continue to help fund this.

£85,000 has been spent on the intended new ball court/improvements at the Brookside Centre. However, the provision varies from what was originally envisaged as it has been expanded and range of provision increased to provide activities for older children and increased opportunity for those with a disability (e.g. a basket swing / carousel chair) and gender (e.g. Carousel / basket swing / climbing large tower / slide) who would not have necessarily used a full ball court, and upgrade adjacent play areas. So whilst only a half ball court has been built instead of a full

one, there has been a significant gain in play value for the wider community and the improved facilities are now second only to Town Park in their range and play/recreational value in the Borough.

With regards the new LEAP that was to be provided adjacent to the new completed Brindleyford housing estate, this new LEAP is to be provided from with the support of other Council funding, including £6,000 from the Brookside regeneration and £4,000 from a developer Unilateral Undertaking. A planning application TWC/2014/0137 has recently been submitted to upgrade this facility and the application is currently being determined.

With regards sports pitch drainage improvements to Stirchley Recreation Ground, this proposal has been amended and money is to come from Building Schools for the Future programme. A full planning application (TWC/2014/0021) was approved at Plans Board on 5<sup>th</sup> March 2014 for the construction of a multi-purpose synthetic sports pitch with fenced enclosure and erection of 8no. flood lights instead of improving the drainage of the grassed pitches per se. The proposed all-weather pitch is on a part of the grassed pitch area that is the worst drained part of the recreation ground. Currently this area cannot be utilised for sport due to the significantly poor drainage in this particular location. Considerable drainage works to this area would be needed to bring this grassed area back into sporting use, which would create a pitch that could only be competitively used for approximately 4 hours a week. Therefore the Council's Parks & Open Spaces department considered that the cost benefit analysis for increasing access and opportunity to play sport favoured investment in the creation of an all-weather pitch instead of improving the drainage on the grass sports pitches.

Sport England has been consulted on the synthetic pitch and considers that the artificial pitch will be able to sustain a far greater level of use than a natural turf pitch and the proposed floodlights will enable usage in the darker winter months. With regard to the perceived detriment caused by the loss of the natural turf area of playing field, Sport England consider that the siting of the proposed artificial pitch would be on the footprint of one of the existing pitches but would not affect any other pitches and the layout of the rest of the playing field. Sport England considers that, depending on the level of play, the presence of an artificial pitch would provide the same opportunities for formal matches that currently exist but would also offer extended opportunities for formal use, training and skills development. The likely detriment caused by the loss of the current area of grass playing field is thought to be minimal. Overall, Sport England considers that the sporting benefits of the proposed artificial pitch outweigh the likely detriment to sport caused by the loss of the area of natural turf. Sport England has been consulted on this proposed variation of the spending of the Memorandum money and has no objection to how the money is being spent.

In conclusion, officers consider that the re-allocation of some of the Brindleyford funds to bring about improved and enhanced leisure/recreation facilities beyond that

which was specifically identified in the original Memorandum when the outline planning permission was originally granted, is acceptable. The Brookside ball court has been provided and adjacent play areas upgraded and the remaining £155,000 would go towards the continuation of the Brookside regeneration. The new LEAP will still be provided, but from a mixture of other Council funding, and a planning application has been submitted which is confirmation of the Council's intent. And works to the Stirchley sports pitches will be in the form of providing an all-weather pitch instead, with wider usage and funded from other sources, and again a submitted application endorses the Council's commitment.

Officers are therefore satisfied that in this instance the reallocation of the Brindleyford monies, in particular the £155,000 toward the wider Brookside regeneration will serve to improve the facilities for the new residents of Brindleyford as well, so the money will actually have far wider reaching community benefits. The other facilities, namely the LEAP and improvements to Strichley pitches will take place through other funding streams and planning applications have been submitted and approved to this effect. And whilst the improvements to the Strichley pitches will be though the provision of an all-weather pitch instead of drainage works to the grassed pitches, this will provide increased capacity of usage that will also have wider community benefits.

#### RECOMMENDATION:

Amend the Leisure Contribution section of the Memorandum for the Brindleyford School Site that refers to money amounts to read:-

- £155,000 towards improvements as part of the Brookside regeneration;
- £85,000 towards a new ball court/improvements at the existing Brookside centre;
- The new on-site equipped play area (LEAP) adjacent to the Brindleyford housing development shall be provided (using other funding streams).
- The all-weather pitch at Stirchley recreation ground shall be provided in lieu of grassed pitch improvements.

