



Telford & Wrekin  
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

## PLANNING COMMITTEE

Date	Wednesday, 23 <sup>rd</sup> November 2016	Time	6.00pm
Venue	Shropshire College Hotel School Ltd (The Telford Whitehouse) (Telford Suite), Watling Street, Wellington, Telford TF1 2NJ		

### Enquiries Regarding this Agenda:

Democratic Services	Stacey Worthington	(01952) 382067
Media Enquiries	Corporate Communications	(01952) 382406
Lead Officers	David Fletcher – Development Management Service Delivery Manager	(01952) 384133
	Katherine Kynaston – Assistant Director: Business, Development & Employment	(01952) 384012

**Committee Membership:** Councillors J C Minor (**Chairman**), C R Turley (**Vice Chairman**),  
N A Dugmore, I T W Fletcher, J Loveridge, L A Murray, N C Lowery  
and P Scott

**Substitutes:** Councillors K T Blundell, G H Cook, J A Francis, E J Greenaway,  
R T Kiernan, S J Reynolds, C F Smith and M J Smith

## AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes** Appendix A  
To confirm the minutes of the meeting of the Planning Committee held on  
2<sup>nd</sup> November 2016.
4. **Deferred/Withdrawn Applications**
5. **Site Visits**
6. **Planning Applications for Determination** Appendix B  
Please note that the order in which applications are heard may be changed  
at the meeting. If Members have queries about any of the applications,  
they are requested to raise them with the relevant Planning Officer prior to  
the Committee meeting.

7. **Tree Preservation Order**

Appendix C

Borough of Telford & Wrekin (Maple Tree at; 9 and 11, Castle Road, Dawley, Telford, Tf4 3EU) Tree Preservation Order 2016

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## PLANNING COMMITTEE

# A

### Minutes of a meeting of the Planning Committee held on Wednesday, 21 September 2016 at 6.00pm in the Telford Suite at Shropshire College Hotel School Ltd (The Telford Whitehouse Hotel), Watling Street, Wellington, Telford TF1 2NJ

**Present:** Councillors J C Minor (Chair), N A Dugmore, I T W Fletcher, J Loveridge, N C Lowery, L A Murray, P Scott and C R Turley.

#### **PC-031      Apologies for Absence**

None.

#### **PC-032      Minutes**

**RESOLVED** – that the minutes of the meeting of the Planning Committee held on 12<sup>th</sup> October 2016 and part minute PC-030(c) held on 21<sup>st</sup> September 2016 of be confirmed and signed by the Chairman.

#### **PC-033      Declarations of Interest**

In respect of planning application TWC/2016/0749 Councillor C R Turley declared a non-pecuniary interest in that he was a Member of the Great Dawley Town Council but had not been involved in any discussions on this application.

In respect of planning application TWC/2016/0560 Councillor P Scott was a Member of Newport Town Council but had not been involved in any discussions on this application.

In respect of planning application TWC/2016/0604 Councillor L A Murray was a Member of Hadley and Leegomery Parish Council but had not been involved in any discussions on this application.

#### **PC-034      Deferred/Withdrawn Applications**

None.

#### **PC-035      Site Visits**

No site visits were recommended by Officers.

The Chair had been approached by the Ward Councillor for Oakengates and Ketley Bank who had requested that a site visit take place with regard to planning application TWC/2016/0769. Following a vote it was unanimously:-

**RESOLVED** – that the following applications be deferred for a Site Visit to take place on Wednesday, 23<sup>rd</sup> November 2016:

**3pm - TWC/2016/0769 – Site of Clifton Cottage, Hillside Road, Ketley Bank, Telford.**

#### **PC-036      Planning Applications for Determination**

Members had received a schedule of planning applications to be determined by the Committee and fully considered each and the supplementary information tabled at the meeting regarding TWC/2016/0560, TWC/2016/0668 and TWC/2016/0769.

(a) Land north of Keepers Crescent & Daisy Bank Drive, St Georges, Telford, Shropshire

This was an application for the erection of 40no. dwellings with associated access, landscaping, surface water drainage, public open space and associated earthworks. This application had been deferred at Planning Committee on 20<sup>th</sup> July in order for the applicant to reconsider the financial aspects of the application and it had been confirmed by the Applicant that there was no change. The principle of development had already been established in 2007 and within the urban area located in a sustainable area with shops, services and facilities within walking distance.

The site layout had been designed to take into account the mineshafts, the slope of the ground /ground conditions and a 20m easement to the existing play area. Window glazing and ventilation could be used to mitigate noise. There was limited affordable housing and a S106 would therefore be required £16,500 for improvement of the existing play area and a £30,000 commuted sum for ongoing maintenance.

During the ensuing debate some Members felt that this was a good news story with the play area being preserved and maintained.

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

**RESOLVED** – that with respect to planning application TWC/2016/0162 authority be delegated to the Development Management Service Delivery Manager to grant planning permission, subject to the applicant entering into a S106 agreement with the Local Authority for the provision of:

- £16,500 for the improvement of the existing play area off Keepers Crescent;
- £30,000 commuted sum for maintenance (for the fenced equipped play area only – landscape buffer to be maintained by Housing Trust);
- all costs to be index linked from the date of Committee

and the conditions and informatives set out in the report (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management).

(b) TWC/2016/0260 – Land adjacent The Knoll, Church Aston, Newport, Shropshire

This was a reserved matters application for the erection of 17no. dwellings with appearance, scale, layout and landscaping pursuant to outline TWC/2014/0415 and the main access from The Dale.

Councillor A Eade, Ward Councillor for Church Aston and Lilleshall, spoke against the application and raised concerns with regard to density, impact, quality of life of new and existing residents, drainage, parking, highways and traffic impact, lack of footpath to the local School, the impact of shading and lack of natural light and the proximity to the acoustic bund and was of the opinion that the application was against Policy. He suggested that the 6 affordable housing units were removed and that the £10,000 be used towards improvements to the Church Aston play area.

Mr J Maclauchlan, local resident, spoke against the application on behalf of residents from the neighbouring properties who raised concerns regarding proximity loss of

light and privacy, impact, parking, narrow roads, the A518 junction, access and traffic flow. Further concerns were raised regarding the shading of the properties, the slope of the land, the 2 metre high acoustic fence and the impact on local wildlife and loss of habitat.

Ms H Howie, Applicant's Agent, spoke in favour of the application which gave detailed layout drawings and landscaping. She recognised the concerns of local residents regarding shading, privacy and wildlife and had worked with the Tree Officer to protect the tree belt without having a detrimental impact on the surrounding area. There were no objections on highways, drainage or ecology grounds and potential buyers would be aware of shading issues. The affordable housing had south facing gardens. She felt this was a well-designed application with no technical reasons for refusal.

The Planning Officer informed Members that this application had a density of 23 dwellings per hectare and was a mix of dwellings that suited the local character. There were acceptable separation distances with Plot 17 being 33 metres away from the nearest property and did not rely on screening and privacy was not compromised. The outline application with access had already been approved, therefore the principle of residential development had already been established. Members were asked to consider the design and layout of the scheme.

During the ensuing debate some Members raised concerns regarding parking, highways, the shading of the dwellings and the design. Some Members felt that if there was a reduction in numbers of dwellings that the scheme would be more acceptable and it was asked if the S106 monies could be used to upgrade the Church Aston Play Park to benefit the young people in the area, Officers would need to refer to terms of the signed S106. Other Members considered that there were no circumstances to refuse the application.

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

**RESOLVED – that with respect to planning application TWC/2016/0260 authority be delegated to the Development Management Service Delivery Manager to grant reserved matters permission subject to the conditions and informatives set out in the report.**

(c) TWC/2016/0560 – Land between Beech Hill & Blue House Barns, Chetwynd

This application sought full planning permission for the erection of 19no. detached dwellings and the creation of new vehicular access. An update report was tabled at the meeting. The development was outside the Newport boundary but this would be included in the emerging Local Plan. The Scheme was considered satisfactory and did not adversely impact on the surrounding area. The tree belt would be retained and provide continued visual amenity. A pedestrian crossing was to be provided and there were no technical reasons to refuse. There was a 35% provision for affordable housing which was subject to a viability assessment and the applicant had agreed to contribute £69,654 towards education facilities within the local area and £11,400 towards recreation facilities at Victoria Park together with £350,000 towards the provision of off-site affordable housing as previously approved.

During the ensuing debate some Members raised concerns regarding the speed of traffic and the safety of the highway, overdevelopment and density

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

**RESOLVED** – that with respect to planning application TWC/2016/0560 authority be delegated to the Development Management Service Delivery Manager to grant planning permission subject to the applicant entering into a Section 106 Agreement with the Council relating to:

- £350,000 payment towards off-site affordable housing (to be ring-fenced to the Newport area)
- £69,654 towards Primary and Secondary education facilities in the vicinity of the development (kitchen and associated enhancement at Newport infant and music block works at the Burton Borough)
- £11,400 towards improvements to facilities and equipment at the Victoria Park, Newport
- To be indexed linked from the date of Committee.

The conditions and informatives set out in the report and update report (with authority to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management).

(d) TWC/2016/0594 – Land adjacent & South of Breezes 8 & 11 Allscott, Telford, Shropshire

This application sought full planning permission for the erection of 2no. bungalows and associated parking.

Although the application was contrary to Core Strategy Policy CS7 officers took into account that with time Allscott would become a substantially larger village. This modest proposal would make a significant contribution towards highway junction improvements which would be of benefit to both the proposed development and the wider community. Officers considered that the scale, design and layout of the development were acceptable and would not harm the character and appearance of the surrounding area. It was not considered an extension to the village or an encroachment into the countryside. A section 106 agreement for £35,000 would include works to the junction of Back Lane, Rushmoor.

During the ensuing discussion some Members raised concerns regarding the weight given to the emerging Local Plan and the adverse impact on the Grade II listed building, was contrary to policy which was not outweighed by the community benefit. Other Members felt that the scheme would work well and benefit the whole community.

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

**RESOLVED** – that with respect to planning application TWC/2016/0594 authority be delegated to the Development Management Service Delivery Manager to grant full 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) **A contribution of £35,000 towards highway improvements (to be spent specifically on junction improvements between Back Lane and Rushmoor Lane, Allscott). To be indexed linked from the date of Committee.**

**The conditions and informatives set out in the report (with authority delegated to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management).**

(e) TWC/2016/0604 – Site of Hadley Centre Car Park, Haybridge Road, Hadley, Telford, Shropshire

This application was for the erection of No.19 houses and No.6 flats with associated parking, highway works and landscaping which would complete the recent regeneration works in Hadley and would have a positive contribution to the setting of the Grade II listed which included boundary screening and ample separation distance. The Planning Officer clarified that paragraph 6.5.2 should refer to '36-43 parking spaces'. It had been difficult to locate all car parking spaces immediately adjacent to the dwellings, however the parking spaces and visitor spaces would be overlooked by other properties. There would be a financial contribution towards the nearest existing NEAP (Neighbourhood Equipped Play Area) of £11,300 and there was now sufficient viability to allow 3 affordable units for rent. Improved mitigation measures for environmental protection, boundary treatment and ventilation were now in place.

During the ensuing discussion some Members welcomed the development as this site had been boarded up for some time and would further enhance the recent regeneration of Hadley, it was a sustainable development. Some Members raised concerns regarding the density, the lack of financial contribution towards education and poor design of the development.

Upon being put to the vote it was unanimously:-

**RESOLVED - that with respect to application TWC/2016/0604 authority be delegated to the Development Management Service Delivery Manager to grant planning permission subject to the following:**

- a) **The Council submitting a signed Memorandum of understanding relating to**
- i. **Parks and Open Space contribution of £11,300 towards the enhancement of the existing NEAP (Neighbourhood Equipped Area of Play) located at Millstream Way, Leegomery. To be indexed linked from the date of Committee.**
  - ii. **The provision of 3 units for affordable rent in perpetuity.**
- b) **The conditions and informatives set out in the report (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager.**

(f) TWC/2016/0668 – Site of 14 The Rookery, Madeley, Telford, Shropshire

This was an application for the erection of 1no. detached dwelling to provide 2no. bedroom apartments with associated car parking and landscaping. An update report was tabled at the meeting. A site visit had taken place during the afternoon prior to the meeting.

Cllr P Watling, Ward Councillor for Madeley and Sutton Hill, spoke against the application which he considered was “garden grabbing”. Concerns were raised regarding the HMO (house of multiple occupation) already on the site and the disruption to the quiet neighbourhood. Further concerns were raised regarding highways, vehicular access across the unadopted footpath and the lack of need for further housing within Madeley.

Mr M Hinshelwood spoke against the application on behalf of local residents. He considered this development to be a destructive case of garden grabbing and raised concerns regarding the inappropriate development, the path being unsuitable for traffic and safety issues, the scale and appearance and the lack of sympathy to the surrounding area.

The Planning Officer informed Members that this development was for a two storey property with sloping roof to the rear with the first floor being within the roof section of the property. The plot was considered large enough to accommodate the development with adequate on-site parking and turning.

During the ensuing discussion Members raised concerns regarding the unsuitable development which was of poor design and was overbearing and would adversely impact the surrounding properties. Further issues of concern were the slope of the ground, parking spaces, the turning circle and lack of access.

On being put to the vote the recommendation of approval was defeated. Subsequently a recommendation of refusal was made and seconded from the floor. Following a vote it was unanimously:-

**RESOLVED - that with respect to planning application TWC/2016/0668 be refused on the following grounds:**

- 1. The Local Planning Authority considers the site is of inadequate size to satisfactorily accommodate the property, amenity space and parking by reason of its location and scale of development, and would result in overdevelopment and a cramped form of development. The development by reason of its location and orientation, and the prevailing character of development, would have an overbearing impact and a detrimental effect on the amenities of adjoining residential properties, and would lead to overlooking and loss of privacy. Hence, the development would be contrary to 'saved' policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006, CS15 of the Core Strategy, BE1 of the emerging Telford & Wrekin Local Plan and the National Planning Policy Framework.**
- 2. The Local Planning Authority considers that the proposal does not provide suitable vehicular access or accommodate adequate off-street parking and turning to allow vehicles to exit the site in a forward manner and would therefore encourage parking along the adopted highway and**

**interfere with the free-flow of traffic on the highway. Accordingly, the proposal is contrary to H6 of the Wrekin Local Plan 1995 – 2006 and the National Planning Policy Framework.**

(g) TWC/2016/0749 – Land opposite Phoenix Academy, Duce Drive, Dawley, Telford, Shropshire

This was an application for the erection of 18no 2 bed bungalows for the over 65s with associated access, parking and landscaping. The application was on vacant land and formed part of the wider Dawley Masterplan. This was a well-designed application but due to the S106 agreement contained within the application it was necessary for it to be brought to Committee.

The Planning Officer provided a verbal update that no objections had been received from Environment Protection regarding noise and land contamination, subject to conditions.

Noise impact mitigation measures such as acoustic windows and trickle vents would achieve suitable noise reductions. There would be standard conditions regarding land investigations and a contribution of £10,800 towards offsite leisure/recreation facilities which will go towards improving the nearby Dawley Park. A further condition restricting occupation to persons over 65 would also be required.

During the ensuing discussion some Members felt that this application met the needs of the aging population, was near to the local centre and would have a positive impact on the area.

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

**RESOLVED - that with respect to planning application TWC/2016/0749 authority be delegated to the Development Management Service Delivery Manager to grant planning permission subject to the following:**

- a) **Section 106 Agreement to secure a financial contribution of £10,800 towards offsite leisure/recreation facilities.**
- b) **To be indexed linked from the date of Committee**

**The conditions and informatives set out in the report (with authority delegated to finalise and impose additional conditions to be delegated to the Service Delivery Manager of Development Management)**

The meeting ended at 7.16 pm

**Chairman:** .....

**Date:** .....

TELFORD & WREKIN COUNCIL

PLANNING COMMITTEE



23<sup>rd</sup> November 2016

Schedule 1 - Planning applications for determination by Planning Committee

**TWC/2016/0365 Site of Sutherland Farm, Back Lane, Tibberton, Newport, Shropshire** Outline application for the erection of up to 8no. dwelling with all matters reserved following demolition of existing agricultural buildings ..... **13**

**TWC/2016/0646 Land fronting Southwater One, Park Avenue, Southwater, Telford Town Centre, Telford, Shropshire** Erection of hotel (Use Class C1) with ground floor bar/restaurant (use class A3 or A4) and provision of multi-function open space area together with associated hard and soft landscaping, disabled parking and ancillary works..... **30**

**TWC/2016/0769 Site of Clifton Cottage, Hillside Road, Ketley Bank, Telford, Shropshire** Outline application for the erection of 1no. detached dormer bungalow with associated access with appearance and landscaping matters reserved \*\*\*\*AMENDED DESCRIPTION AND PLANS RECIEVED\*\*\*\* ..... **50**

**PLANNING COMMITTEE**  
**LIST OF BACKGROUND PAPERS**

The Background Papers taken into account when considering planning applications on this list include all or some of the following items. Items 1 to 4 are included on the file for each individual application.

1. Application: includes the application form, certificate under Section 65 of the Town and Country Planning Act, 1990, plans, and any further supporting information submitted with the application.
2. Further correspondence with applicant: includes any amendments to the application – including any letters to the applicant/agent with respect to the application and any further correspondence submitted by the applicant/agent, together with any revised details and/or plans.
3. Letters from Statutory Bodies: includes any relevant letters to and from the Parish Councils, Departments of Telford & Wrekin Council, Water Authorities and other public bodies and societies.
4. Letters from Private Individuals: includes any relevant letters to and from members of the public with respect to the application, unless the writers have asked that their views are not reported publicly.
5. Statutory Plans and Informal Policy Documents: some or all of the following documents will comprise general background papers taken into account in considering planning applications in the administrative area of Telford and Wrekin (“Telford and Wrekin”)
  - (a) The Telford and Wrekin LDF Core Strategy (adopted December 2007)
  - (b) Saved policies of Wrekin Local Plan (adopted February 2000)
  - (c) Saved policies of Shropshire and Telford and Wrekin Joint Structure Plan (adopted November 2002)
  - (d) Saved policies of Shropshire, Telford and Wrekin Minerals Local Plan (adopted April 2000)
  - (e) Government Planning Guidance – National Planning Policy Framework and Circulars
  - (f) Town and Country Planning legislation, case law and other planning decisions and articles
  - (g) Telford and Wrekin Supplementary Planning Documents: Design for Community Safety SPD (adopted June 2008) and Telecommunications Development SPD (adopted May 2009)
  - (h) LDF Central Telford Area Action Plan (adopted March 2011 )
6. Past decision notices and reports referred to in specific reports.
7. The following additional documents (if appropriate):-

TWC/2016/0365

Site of Sutherland Farm, Back Lane, Tibberton, Newport, Shropshire

Outline application for the erection of up to 8no. dwelling with all matters reserved following demolition of existing agricultural buildings

**APPLICANT**

Michael Redfern

**RECEIVED**

25/04/2016

**PARISH**

Tibberton and Cherrington

**WARD**

Edgmond and Ercall Magna

**OFFICER** Matthew Thomas

**OBJECTIONS RECEIVED:** Yes

**1.0 THE PROPOSAL**

- 1.1 This outline planning application seeks permission for the erection of 8no. dwellings following the demolition of a group of existing agricultural buildings at the 'Sutherland Farm' off Back Lane in Tibberton. The application site measures 0.40ha and is currently largely occupied by a range of large redundant agricultural buildings and yard areas. This application seeks permission for the principle of residential development only with all other matters, including layout, appearance, scale, access and landscaping, reserved for later approval.
- 1.2 Whilst the application seeks outline permission only, an indicative proposed site plan has been submitted to illustrate how 8 dwellings could be accommodated on site. The positioning of the existing farm buildings is shown and the proposed dwellings appear to be broadly within the confines of these buildings. A new shared access is proposed to the north of the existing residential dwelling ('Far Heath') and will be located centrally within the site. Each unit will be provided with on-plot parking and private amenity space to the rear. Landscaping of the site including a new hedgerow to the side and rear boundaries are proposed however will be dealt with at a later stage.
- 1.3 This application is supported by a Planning, Design & Access Statement (including addendum) and a Phase 1 Habitat Survey & Protected Species Assessment Report. The supporting information also sets out the planning obligations to be provided as part of this application, which includes financial contributions towards local recreation, highway improvements and a fixed level of on-site affordable housing provision.

**2.0 SITE AND SURROUNDINGS**

- 2.1 The application site extends to approximately 0.40ha and is set back from the Back Lane in the rural village of Tibberton and is currently largely occupied by a range of large redundant utilitarian agricultural buildings and yard areas. The redundant buildings include a large steel portal framed building which was formerly used for the housing of cattle, a former dairy parlour of concrete

block construction, large steel framed Dutch barn formerly used for the storage of straw and forage and a utilitarian building of steel, timber pole and profiled sheet construction. The applicant has confirmed that these buildings were last used for the purposes of agriculture in 2001/2002. Since then, the land has been farmed by another party under a Farm Business Tenancy but the buildings have remained redundant.

2.2 The site is positioned close to the core of the village and between residential developments to the north and south, fronting Back Lane. The land is set back from the highway where grass verges form the boundaries to the front. The western boundary and the western portions of the northern and southern boundaries open onto arable fields and to the east of the site is Back Lane with existing residential development beyond. The site is relatively level and is partially obscured when viewed from Back Lane by the existing dwelling, 'Far Heath'.

2.3 There is a mix of development along Back Lane including traditional cottages, post war detached and semi-detached dwellings and more recent development that reflects the character of this village. Tibberton is located around 5 miles west of the town of Newport and 7 miles north of Wellington in rural Shropshire. The village has a limited amount of infrastructure including a church, a Primary School, a Pub and a local shop run by the community. There are some open spaces and a bus service that connects Newport with Shrewsbury.

### **3.0 RELEVANT PLANNING HISTORY**

3.1 No relevant planning history

### **4.0 PLANNING POLICY CONTEXT**

4.1 National Guidance:  
National Planning Policy Framework

4.2 Telford and Wrekin Core Strategy:  
CS1 Homes  
CS7 Rural area  
CS9 Accessibility and Social Inclusion  
CS12 Natural Environment  
CS15 Urban Design

4.3 Saved Wrekin Local Plan:  
H9 Location of New Housing  
H10 Scale of Development  
UD2 Design Criteria  
T22 Planning Obligations

4.4 Telford and Wrekin Local Plan (Submission Version):  
SP3 Rural area  
SP4 Presumption in favour of sustainable development

## 5.0 SUMMARY OF CONSULTATION RESPONSES

### Standard consultation responses

#### 5.1 Tibberton Parish Council: Object

- Application fails to meet policy H9 of WLP as it is neither for one or two units nor can it be described as an infill or ribbon type development that clearly extends the developed area of the village into open countryside
- Proposal is not in accordance with CS7 of CS – applicant has failed to demonstrate any specific local need – more important given outcomes of recent appeals within the village
- Fails to meet SP3 of emerging local plan as it fails to address the needs of rural community – development encroaches beyond current bounds of existing agricultural buildings. Development provides no contribution to local employment or local business and buildings are currently in use for storage of materials by local contractors
- Conflict within the D&AS with regards to the provision of the 3 units of affordable housing
- Concerns regarding drainage – foul sewerage and surface water drainage – existing infrastructure already at capacity and concerns of flooding
- No evidence that affordable housing is needed in the village
- Lack of frequent public transport and existing highway cannot cope with likely increase in vehicle movement
- Reference made to community shop however this is used by villagers to supplement their normal supermarket shop and is manned by volunteers – no realistic prospect of shop ever becoming independently financially viable

#### 5.2 Highways: Comment – no objection subject to conditions/s106 contribution

- Visibility splays – 2.4m x 43m
- Details of design and construction of new roads, footways, accesses, street lighting and disposal of surface water to be submitted and agreed
- Details of parking, turning, loading and unloading of vehicles to be submitted and agreed
- S106 contribution of £500 per dwelling towards a Traffic & Speed Management Scheme on the B5062 within the vicinity of the Back Lane/ B5062 junction & £1500 towards the provision of 1 passing bay on Back Lane
- Include highways informative

#### 5.3 Drainage: Support subject to conditions

- Scheme of foul and surface water drainage to be submitted and agreed
- SUDS Management Plan

#### 5.4 Severn Trent Water: Comment – no objection subject to conditions:

- Drainage plans for disposal of foul and surface water to be submitted and agreed scheme to be implemented before development is bought in to use
  - Advise that there may be a public sewer located within application site and applicant is encouraged to investigate this
- 5.5 Ecology: Support subject to conditions
- Ecological Mitigation Strategy and Method Statement for the protection of great crested newts and bats shall be submitted to and approved in writing
  - Erection of artificial nesting/roosting boxes
  - External Lighting Plan
  - Informatives – Bats, nesting wild birds & Great crested newts
- 5.6 Arboricultural: Comment
- Landscaping scheme to be conditioned
- 5.7 Parks & Open Spaces: Comment
- The application will contribute towards generating a need for children's play and recreation in the area – a contribution of £600 per dwelling should be sought to go towards improving play and recreation facilities in the nearby Tibberton playing field
- 5.8 Affordable Housing: Comment
- This application will deliver 37.5% provision of affordable housing (3 dwellings)
  - A Parish Housing Needs Survey for Tibberton carried out in August 2011 identified a significant unmet need for affordable homes. Firm requirement for 2 two bedroom bungalows and 1 two bedroom house for social rent to be integrated fully within the overall development. Local lettings plan also required
- 5.9 West Mercia Police: Comment
- Condition Secure by Design (SBD)
- 5.10 Shropshire Fire Service: No comment

#### Neighbour consultation responses

- 5.11 Following neighbour consultation, 2 letters of objection were received together with 2 letters of support (subject to conditions). The issues raised are summarised below:
- Unprecedented amount of development in Tibberton – a village extremely limited in physical and social infrastructure
  - Telford & Wrekin has 8.2 years' worth of housing land and this has been referred to in recent decisions (including a refusal of up to 60 dwellings in Tibberton)

- The Local Development Plan indicates 80 new homes across 5 rural villages – permission has already been given for more than double the number of homes Tibberton could expect under the plan
- Application seeks to remove agricultural land, trees and hedgerows. Proposal encroaches onto green fields therefore seeing the loss of agricultural land
- Existing built form along this stretch of the village with larger dwellings and larger garden extending into opening countryside – proposal is out of keeping
- Tibberton has limited key services, minimal broadband speeds, limited bus routes and has no key employment sites other than the local primary school
- Proposed layout illustrates a high density development which extends beyond the natural village boundary and is therefore out of keeping with the local area
- Back Lane is narrow and single vehicle width in places – limited on-site parking. Increased commuting and vehicular movements
- Potential overlooking to neighbouring properties along Back Lane and adversely affect existing living conditions
- Concerns regarding damage to existing hedgerows from development of the site and possible contamination

Letters of support:

- Application site can be seen as a ‘brown field’ site and therefore is supported
- Entrance road would be better to the left of ‘Far Heath’

## **6.0 PLANNING CONSIDERATIONS**

6.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The Development Plan comprises the “saved” policies of the Wrekin Local Plan (WLP) and the Telford and Wrekin Core Strategy (CS). The National Planning Policy Framework (NPPF) is a material planning consideration. Para 49 of the NPPF advises that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

6.2 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of residential development
- Assessment of Sustainable Development
- Impact on the character and appearance of the village
- Impact upon the living conditions of neighbouring properties
- Access and highway safety
- Ecology & Trees
- Drainage

- Affordable Housing & Developer Contributions

#### Principle of residential development

- 6.3 In June 2016 Telford and Wrekin Council issued a statement (Telford and Wrekin Five Year Housing Land Supply Statement 2016-2021) indicating that the Council has 12.9 years' worth of housing land supply. This figure is based on a revised borough-wide housing requirement for the five year period (2016-21) using the Telford and Wrekin Objectively Assessed Need Report (OAN) as an up to date evidence base. The report presents an up to date assessment of housing need and also considers important factors such as the potential for past under-supply. As a result of this work, the position on housing land supply for the rural area has changed and the housing supply policy CS7 (Rural Area) is currently considered to be up to date. The development plan, which includes the housing supply policies, is the starting point for any decision-making and any development proposals need to be considered against national policy and the NPPF's "golden thread" of sustainable development which requires LPAs to 'boost significantly the supply of housing' and approve development proposals that accord with the development plan without delay.
- 6.4 Relevant to the determination of this planning application therefore is the Development Plan consisting of the Wrekin Local Plan (WLP) and Core Strategy (CS) together with the guidance of the NPPF. The Telford and Wrekin Local Plan (TWLP) is now also a material consideration. In accordance with paragraph 216 of the NPPF this is to be given weight in considerations as it has been written to be consistent with the NPPF and is in an advanced stage of publication. WLP Policy H9 focusses small scale rural housing on some thirteen settlements, and elsewhere in the rural area development will be resisted unless there are exceptional circumstances such as rural exception accommodation for agricultural or forestry workers. Policy CS7, the more recent counterpart to WLP policy H9, states that within the rural area residential development will be focussed on the three settlements of High Ercall, Tibberton and Waters Upton. Outside of these specified settlements development will be limited, and in the open countryside will be strictly controlled. Whilst Policy H9 is still part of the development plan, the LPA acknowledges that H9 will not be relied upon as it is older, less strategic and therefore more subservient to the more recent CS policy CS7.
- 6.5 Policy CS7 of the CS states that within the rural area residential development will be focussed on the three settlements of High Ercall, Tibberton and Waters Upton. Outside of these specified settlements development will be limited and within the countryside will be strictly controlled. Directing development to these three rural settlements, that offer rural residents a number of key local services and facilities, should help sustain rural communities. By focussing housing, employment, and service and facility development within these settlements, a pattern of development should be created that maximises the accessibility of services and facilities to rural residents, whilst reducing the need to travel by car and enhancing local identity and character.

- 6.6 In June 2016 the Council submitted the Telford and Wrekin Local Plan (TWLP) to PINS for independent examination. In accordance with paragraph 216 of the NPPF this is to be given weight in considerations as it has been written to be consistent with the NPPF and is in an advanced stage of publication. This is therefore a material consideration. Policy HO10 of the TWLP relates to residential development within the rural area and this too identifies Tibberton as a suitable settlement to accommodate new development. It states that limited development in the five settlements will be supported and elsewhere in the rural area residential development will be strictly controlled.

#### Assessment of Sustainable Development

- 6.7 Notwithstanding the above, paragraph 49 of the NPPF requires that proposals are considered within the context of the presumption in favour of sustainable development. Paragraph 7 identifies three dimensions to sustainable development; an economic role, a social role and an environmental role. The consideration of the application against each of these is as follows:

- Economic role

In terms of the economic dimension of sustainable development, there will be limited economic activity associated with the building out of this development. Once occupied the residents of the new housing would use services, support the local primary school and shop locally which would also contribute towards and boost economic activity in the area and Tibberton. This in turn helps meet the economic aim of sustainable development to a degree. There is the potential for loss of economic activity at Sutherland Farm however as the buildings have been redundant since 2002 this is very unlikely to recommence at this site and is given limited weight in the balance.

- Social role

The proposed development would deliver a range of social benefits including the provision of five open market dwellings with a mix of types to meet market trends and the needs of different groups in the community together with three affordable dwellings, all of which are to be made available for social rent. Financial contributions will be provided towards local recreation and highway improvement works to include contributions towards a Traffic Management Scheme and a new vehicle passing bay along Back Lane, all of which will be of benefit to existing and future residents of the village.

- Environmental role

In terms of the environmental dimension of sustainable development, it is acknowledged that there will be some loss of trees and hedging along the front boundary to accommodate the proposed new access however these trees are not protected and there will be some mitigation planting as part of a wider landscaping scheme in the future. The scheme will provide opportunity to increase biodiversity through the inclusion of bat and bird boxes, which the Council's Ecologist has requested to be conditioned as

part of any approval. The application site is not a protected landscape or wildlife habitat and there are no protected species following submission of the appropriate ecology reports.

It is reasonable to say that this site lies close to the village core in Tibberton with housing development on both sides and together with a definitive boundary; this limits the extent of development and helps to prevent encroachment into the countryside. Although submitted in outline, the eight dwellings proposed appear to provide a spacious development (20 dwellings per hectare) in keeping with the rural character of Tibberton. The boundaries could be supplemented by additional planting, which would further help integrate the development into the village confines. From a visual point of view, this site forms part of the village and its development would therefore not adversely affect rural character or lead to an incursion into the open countryside that would be detrimental to visual amenity.

- 6.8 Policy SP4 of the TWLP also relates to a presumption in favour of sustainable development. The application site is located between existing built developments fronting the highway and is within close walking distance to the village core where there is a Primary School, Church, Public House, Village Shop and access to public transportation links. Taking the above in to consideration; Tibberton is one of the villages identified as being sustainable and suitable for residential development and therefore, on this basis, the principle of development is acceptable subject to the other usual planning considerations.

#### Impact on the character and appearance of the village

- 6.9 The supporting Design & Access Statement confirms that the agricultural buildings at Sutherland Farm were constructed in the 1960s with the farm being operated as a dairy unit from circa 1960 to 1980. Between 1980 and 2000/2001 the Farm was operated as a mixed system with small scale enterprises including cows, dairy heifer rearing and up to 10 acres of cereals. The agricultural business ceased operating in 2000/2001 and the buildings ceased to be used for agriculture at the same time. Since 2002 the land has been farmed under the provisions of the Agricultural Tenancies Act 1995 by another party and the buildings have remained redundant. The buildings are no longer required in connection with the farming of the land and have not been used for that purpose for the last 14 years. Due to the financial implications of replacing the units with modern facilities, there is no reasonable prospect of commercial activities being reinstated at the farm.
- 6.10 The detailed design of the dwellings would be considered at the later, reserved matters stage although the indicative layout submitted demonstrates how 8 dwellings can be accommodated on site. The density of the proposed development is relatively low at 20 dwellings per hectare and the applicant has confirmed that the new dwellings would be restricted to a maximum of two-storeys. The positioning of the existing farm buildings is shown and the proposed dwellings appear to be broadly within the confines of these

buildings. Although only illustrative at this stage, the site layout plan shows plot 1 to be set back approximately 15m from the back edge of Back Lane with plots 2-8 being set back between 35m and 70m. The proposed dwellings would all be served by a new access road positioned centrally within the plot and reservations have been made to allow for adequate visibility splays, on-plot parking and suitably sized rear gardens. Whilst a section of the existing hedgerow along the site frontage will be required to be removed to accommodate the new access, there are opportunities for further landscaping of the site, whilst retaining a soft, green frontage to the Back Lane.

- 6.11 When considering the age of the existing agricultural buildings and their neglected condition, whilst typical to a rural location such as Tibberton, their utilitarian appearance does not contribute positively to the landscape character or visual amenity of the village. The proposed development will replace these buildings and utilise the existing footprint to ensure there is no encroachment in to the open countryside. Therefore, the potential to remove a significant detractor that currently has a poor relationship with its surroundings would be beneficial to the wider setting of this part of the village. Along Back Lane is a mix of development including traditional cottages, post war detached and semi-detached dwellings and more recent development that reflects the character of Tibberton. With layout, appearance, scale and landscaping reserved for later approval, officers are satisfied that, in principle, the site can adequately accommodate the proposed number of dwellings. The proposals allow for appropriate levels of parking and garden land and thus would be acceptable within the context of the mixed character of the surrounding area and would not detract from the character or appearance of the village. Accordingly, the current proposal accords with policies UD2 of the WLP, CS15 of the Core Strategy and BE1 of the TWLP.

#### Impact upon the living conditions of neighbouring properties

- 6.12 The indicative layout plan suggests that plot 1 will be set back approximately 15m from the back edge of Back Lane, broadly in line with the existing residential dwelling 'Far Heath'. A minimum separation distance of 23m would be applicable between plot 1 and the closest neighbouring property to the north, 'Willow Tree House'. Similarly a separation distance of approximately 15m would apply between plot 1 and 'Far Heath' to the south and these two properties would be separated by the proposed access road. Although only in indicative form at this stage, officers are satisfied that these separation distances are suitable to avoid any significant adverse impact on the living conditions of these existing neighbouring properties and the positioning of window openings and landscaping of the site can be dealt with at a later stage to ensure mutual privacy.
- 6.13 Plot no's 2-8 are positioned in a curvaceous layout at a relatively low density and are set back from Back Lane between 35 and 70m. The indicative layout allows for good sized front and rear gardens as well as on-plot parking by way of private driveway and/or garages. The rear gardens of plot no's 6-8 back out on to the rear garden area of No.1 East View to the south albeit a minimum separation distance of 21m would apply. Plot 8, a detached

dwelling that would be positioned approximately half way down the rear garden of No.1 East View, would be set back approximately 12.5m from the boundary with this neighbouring property and plot no's 6 and 7, which are located towards the bottom end of the neighbours' garden would be set away from the boundary line by a minimum of 9m. The position of windows could be controlled at the reserved matters stage, specifically to ensure there is no direct overlooking between the closest section of the proposal and the windows within the neighbouring property at East View to the south. When considering this together the separation distances proposed and the 2.5m high well-established leylandi hedge which runs along the neighbours' boundary, the Local Planning Authority is satisfied that the living conditions of neighbouring properties would not be unduly harmed as a result of any significant loss of privacy, light or any overbearing impact.

- 6.14 Officers have considered the issues raised in the letters of objection received by neighbouring properties. Many of these issues relate primarily to the principle of the development, the impact it would have on the village, loss of agricultural land and potential additional pressures on local facilities and infrastructure. The principle of residential development on this piece of land has been considered above and has been deemed to be acceptable and compliant with local planning policy and guidance contained within the National Planning Policy Framework. Whilst some residents are concerned with the potential impact the development may have on their living conditions together with impact on existing landscaping and wildlife, officers would respond that matters relating to layout, appearance, scale, access and landscaping are all reserved for later approval and will be dealt with via a separate planning application to ensure that the overall impact on neighbouring properties will be minimal.

#### Access and highway safety

- 6.15 A new shared surface vehicular and pedestrian access will be formed off Back Lane to the north of 'Far Heath' to service the proposed development. The existing access serving the existing dwelling and the redundant farmstead would be retained to serve only 'Far Heath'. Back Lane lies within the area of the village which has a 30mph speed limit. The new access emerges on to Back Lane at a point where the highway is relatively straight and flat in both directions affording excellent visibility for vehicles emerging or turning into the access. Given the scale of development, the rural nature of the settlement and the character of Back Lane, a shared vehicular and pedestrian surface is proposed which will avoid the urbanising effect that would otherwise result from raised and separated footways.
- 6.16 The Local Highways Authority (LHA) has been consulted on this application and has raised no objections in principle subject to conditions relating to the provision of suitable visibility splays, detail of road designs to be submitted and approved as well as the provision of adequate parking and turning. Separately the LHA has requested financial contributions of £500 per dwelling towards a Traffic & Speed Management Scheme on the B5062 within the vicinity of the Back Lane/B5062 junction and a separate payment of £1500

towards the provision of a vehicular passing bay along Back Lane. These contributions have been agreed with the applicant and will be dealt with by way of a S106 agreement.

### Ecology & Trees

- 6.17 A 'Phase 1 Habitat Survey & Protected Species Assessment Report' (prepared by EVR Ecology) accompanies this application to inspect the land for evidence of the presence of and potential to support protected species, including Bats, Great Crested Newts, Badgers and Nesting Birds. The report concludes that 'the land has poor conservation value' and the agricultural buildings 'have poor potential to support bats, with all having metal/asbestos cement roof covers and predominantly metal supports'. With regards to GCN's the report advises that three nearby ponds were assessed but were deemed very unlikely to support GCN's. Finally, vegetation on the site has potential for nesting wild birds to be present and swallows were observed on the site but not recorded as nesting.
- 6.18 The Council's Ecologist has assessed the report and has raised no objections in principle subject to the inclusion of conditions relating to the submission of an ecological mitigation strategy and reasonable avoidance measures method statement for the protection of great crested newts and bats, the erection of a variety of artificial nesting/roosting bird boxes and the submission of an external lighting plan to ensure that any disturbance to bats is minimised.
- 6.19 With regards to the impact on trees, a small group of apple trees present in the front garden of the existing dwelling ('Far Heath') will need to be removed to accommodate the new access. These trees are not protected and suitable replacements will be dealt with at a later stage when detail is submitted for landscaping of the site. This has also been confirmed by the Council's Arboricultural Officer.

### Drainage

- 6.20 The consultation process has raised some concerns from neighbours regarding the strain the development will put upon the sewage system. However, drainage officers support the application subject to conditions relating to a scheme of foul and surface water drainage and submission of a SUDS Management Plan. This has been reflected in the consultation response received from Severn Trent Water who also wishes to advise the applicant that there may be a public sewer located within application site and they are encouraged to investigate this.

### Affordable Housing & Developer Contributions

- 6.21 Paragraph 47 of the NPPF sets out the Government's key housing policy goal, which is to boost significantly the supply of housing. It states further in paragraph 50 that; in order to deliver a wide choice of high quality homes, widen opportunities for home ownership, and create sustainable inclusive and mixed communities, local planning authorities should:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- Where it has been identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities

6.22 The Council's Affordable Housing Officer has confirmed that a Parish Housing Needs Survey for Tibberton was carried out in August 2011 and identified a significant unmet need for affordable homes with groups in need including families and older people. This is an application for 8 new dwellings, of which it is proposed that 3 (37.5%) will be affordable. Policy CS7 requires a 40% provision of affordable housing in Tibberton however in reality this would only equate to 3.2 dwellings and therefore the provision of the 3 dwellings is acceptable in this instance. In order to meet identified local needs there should be a firm requirement for 2 two bedroom bungalows and 1 two bedroom house, all for social rent. A Local Lettings Plan should also be agreed with the Local Planning Authority.

6.23 In identifying the required planning obligations on this application the following three tests as set out in the CIL Regulations (April 2010), in particular Regulation 122, have been applied (in addition to saved Wrekin Local Plan Policy T22) to ensure that the application is treated on its own merits and that the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

6.24 In addition account has been taken of the changes to the CIL Regulations in April 2015 that now restrict the "pooling" of financial contributions to no more than five contributions to a single type of infrastructure. It is considered that the requested contribution towards recreation and education would meet the above tests and the negotiation of these contributions is also consistent with Local Plan Policy T22. The following contributions are to be provided by the developer:

- Highways: £500 per dwelling towards a Traffic & Speed Management Scheme on the B5062 within the vicinity of the Back Lane/ B5062 junction & £1500 towards the provision of 1 passing bay on Back Lane
- Recreation: £600 per dwelling towards improving play and recreation facilities in the nearby Tibberton playing field
- 3 affordable units

## 7.0 CONCLUSIONS

- 7.1 The application site lies within close proximity to the core of Tibberton village which has consistently been identified as a suitable settlement and a sustainable location for new housing development. It is acknowledged that saved WLP policy H10(a) and emerging T&WLP policy HO10 seek to restrict development to a limited amount of infill housing. However, it is accepted that H10(a) is older, less strategic and no longer relied upon, including in Inspectors decisions; HO10 is emerging and has not be subject to independent examination so can only be given limited weight. As such, CS7, which does not stipulate infill or limited numbers, must be given more weight alongside the presumption in favour of sustainable development in the Framework.
- 7.2 Economically the development will help sustain the services and facilities in Tibberton and whilst proportionate to the scale will provide benefit during the construction period. The proposal will boost housing supply and contribute to meeting the significant unmet need for affordable homes. The scheme will also contribute towards local recreational and highways improvements without causing an extension into the open countryside whilst improving the visual appearance of the area.
- 7.3 Whilst the design of the development would be dealt with at the reserved matters stage, the illustrative layout demonstrates that the site is capable of accommodation the proposed number of dwellings. The applicant confirms that the dwellings would be informed by a review of local architectural styles and materials and the scheme provides an opportunity to improve the visual appearance of this part of the village through the removal of a large range of utilitarian agricultural buildings. The Local Planning Authority is satisfied that through comprehensive consideration of the reserved matters at a later stage, the living conditions of neighbouring properties will not be unduly affected.
- 7.4 This application makes provision for affordable housing together with financial contributions towards upgrading to local recreational facilities and highways improvements and would result in a visual benefit. The proposal is considered sustainable when assessed against the three dimensions detailed within the NPPF and the limited harm is outweighed by the benefits. As such, the proposal which is considered compliant with development plan policy CS7 is recommended for approval.

## **8.0 RECOMMENDATION**

- 8.1 Based on the conclusions above, the recommendation to the Planning Committee 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 entering in to a Section 106 Agreement with the Council relating to :

- 3 affordable dwellings to be made available for social rent

- £500 per dwelling towards a Traffic & Speed Management Scheme on the B5062 within the vicinity of the Back Lane/ B5062 junction & £1500 towards the provision of 1 passing bay on Back Lane
- £600 per dwelling towards improving play and recreation facilities in the nearby Tibberton playing field
- To be indexed linked from date of committee

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

#### Conditions

1. Time limit – Outline
2. Submission of Reserved Matters
3. Standard Outline – All Matters Reserved
4. General Details Required
5. Visibility Splays (2.4m x 43m)
6. Road design detail
7. Parking, Turning, Loading, Unloading
8. Site Environmental Management Plan
9. Foul & surface water drainage scheme
10. SUDS Management Plan
11. Mitigation Strategy Method Statement
12. Artificial nesting/roosting boxes
13. External Lighting Plan
14. Hedge Protection
15. Development in accordance with plan

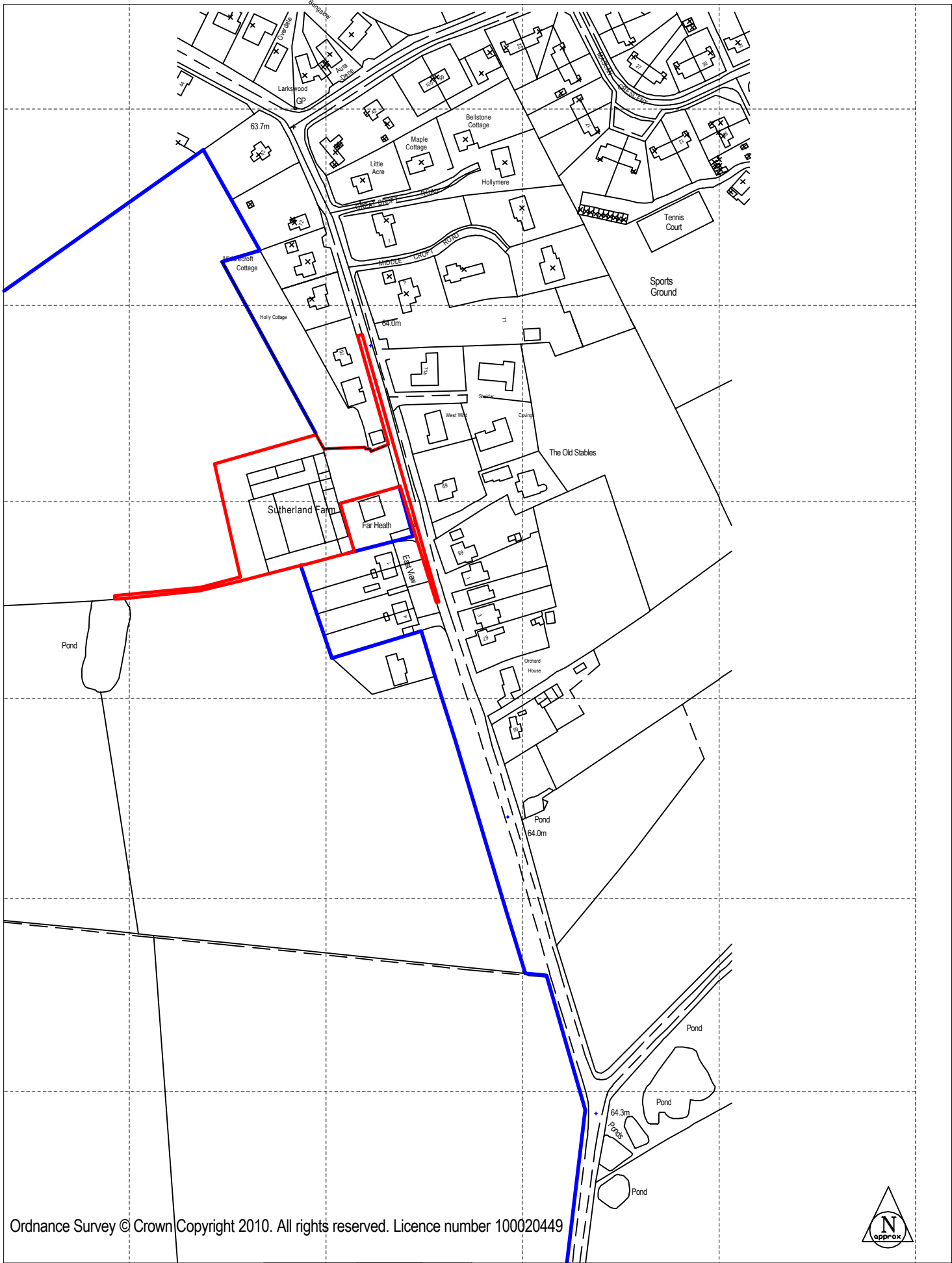
#### Informatives

S106

Highways

Drainage

Ecology – Bats, Nesting wild Birds, Great Crested Newts



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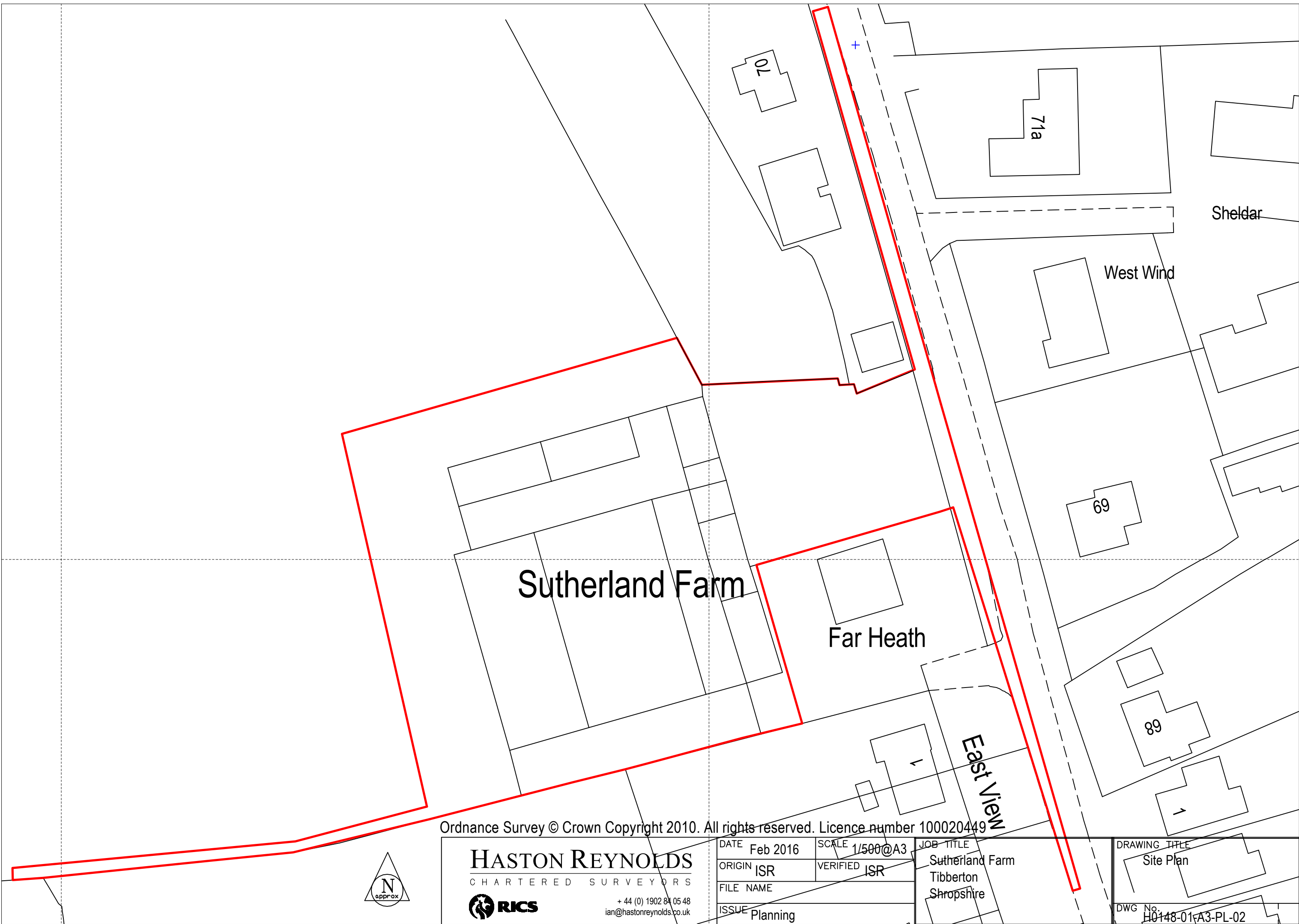
+ 44 (0) 1902 84 05 48  
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DATE Mar 2016  
 ORIGIN ISR  
 SCALE 1:2500@A4  
 VERIFIED DAH

DRAWING TITLE  
 Sutherland Farm  
 Tibberton  
 Shropshire  
 TF10 8NX

DRAWING TITLE  
 Location Plan

DWG No.  
 H0148-01-A4-PL-01



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DATE	Feb 2016	SCALE	1/500@A3
ORIGIN	ISR	VERIFIED	ISR
FILE NAME			
ISSUE	Planning		

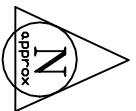
JOB TITLE	Sutherland Farm Tibberton Shropshire
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DRAWING TITLE	Site Plan
DWG No.	H0148-01/A3-PL-02



Existing pool to be used for surface water attenuation (if required)  
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<p><b>HASTON REYNOLDS</b>                  CHARTERED SURVEYORS   +44 (0) 1902 84 05 48                  ian@hastonreynolds.co.uk</p>		<p>DATE Feb 2016                  ORIGIN ISR                  FILE NAME</p>		<p>SCALE 1/1500@A3                  VERIFIED ISR</p>		<p>JOB TITLE                  Sutherland Farm                  Tibberton                  Shropshire</p>		<p>DRAWING TITLE                  Illustrative Layout Plan                  19</p>	
<p>ISSUE Planning</p>								<p>DWG No.                  H0148-01-A3-PL-05</p>	



TWC/2016/0646

Land fronting Southwater One, Park Avenue, Southwater, Telford Town Centre, Telford, Shropshire

Erection of hotel (Use Class C1) with ground floor bar/restaurant (use class A3 or A4) and provision of multi-function open space area together with associated hard and soft landscaping, disabled parking and ancillary works

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

20/07/2016

**PARISH**

Great Dawley

**WARD**

Malinslee and Dawley Bank

**OFFICER** Steven Drury

**1.0 PROPOSAL**

- 1.1 This application seeks full planning permission for the erection of a 68 bedroom hotel with bar/restaurant (Use Class A3/A4) at ground floor level and the provision of an enhanced area of public open space on land to the south of Southwater Way, Telford, TF3 4JQ. The development will also include the provision of an electric substation building, 4 disabled parking spaces and associated hard and soft landscaping and ancillary works.
- 1.2 The proposed development represents Phase 2 of the wider Southwater development, providing a new hotel, bar/restaurant and multifunctional open space.
- 1.3 The application is supported by the following documents:
  - Design and Access Statement.
  - Transport Statement.
  - Flood Risk Assessment & Drainage Strategy.
  - Protected Species Scoping Survey Report.
  - Stability Declaration Form.
  - Report on Existing Noise Climate.
  - Air Quality Assessment.
  - BREEAM 2014 Pre-Assessment.
  - Phase I and Phase II Ground Investigation Report.
- 1.4 The proposed hotel will be five storeys, containing 68 bedrooms, comprising 31 family rooms, 33 double rooms and four accessible rooms all en-suite. The hotel entrance is on the north side fronting Main Street. The hotel floorspace extends to approximately 2,442 sqm GIA.
- 1.5 At ground floor (and first floor mezzanine level) a bar/restaurant of 323sqm is proposed with separate entrances to the hotel fronting the lake and Southwater Square to the North West. An outdoor seating area is also proposed along the south and west facing elevations.

- 1.6 The enhanced public open space area will be created at the west end of the hotel building and will form an extension of the existing Southwater Square. Precise details of the layout and content of the open space are still being drawn up but a preferred option has been chosen following a public consultation event held over the summer. Precise details and have not been provided as part of this application which simply seeks to obtain permission 'in principle' for the retention of this area as an enhanced area of open space. Details will then be finalised as part of a discharge of conditions application. Indicative details have, however, been provided for information purposes only.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The site is located within Telford Town Centre and comprises part of the wider Southwater Masterplan Site. The Southwater development currently comprises a mixture of uses including leisure, recreation, food, drink, a hotel and library.
- 2.2 The site currently forms a grassed area to the north of Southwater Lake and to the south of Coal Bar & Grill, Wildwood Kitchen and Four Corners World Buffet restaurants, Bowling Alley and the Telford Ice Rink. The site is surrounded by hard surfacing, public realm and pedestrianised routes including Southwater Way to the north which serves as the main pedestrian thoroughfare connecting the Southwater development with the Telford International Centre to the east. Whilst the grassed section to the west is fairly level, the land to the east falls away steadily where it meets the route of the Silkin Way.
- 2.3 The original masterplan for the Southwater development identified twelve development zones, each of which were allocated for specific development types. The proposed site is located within Zone 5 which was earmarked for up to 17,780 sq metres of development comprising office accommodation, A1 retail, A2 professional services, A3 Restaurants and A4 drinking establishments. Reserved matters approval was obtained in 2010 for an 8,364 sq metre development comprising 7,739 sq metres of civic offices and 625 sq metres of A1, A2, A3 and A4 uses, however, this development has never been implemented and the decision was taken to provide a temporary grassed area alongside Southwater Lake, in anticipation of development coming forward at a later stage.
- 2.4 Restricted vehicular access can be taken directly from Southwater Way which links to the main highway at St Quentin's Gate, to the north east of the site.

## **3.0 RELEVANT PLANNING HISTORY**

### Application Site

- 3.1 W2009/0914 - Outline planning application with means of access (part) for a mixed use development comprising Offices and Civic offices (B1a/sui generis); Residential (C3) (up to 330 units); Retail, Cafes/Restaurants, Financial and Professional Services, Drinking Establishments (A1,A2,A3,A4); Learning and Media Centre (to include the replacement of Meeting Point

House), Leisure Pool, Cinema, Hotels, Energy Centres, Conference and Event facilities including outdoor events space and a Medical Centre (C1, D1, D2 and sui generis); associated landscape improvements to the public realm, replacement and construction of Southwater Lake, boundary treatment and new and reconfigured access; construction of basement, undercroft, surface and multi storey car parking; and all associated and ancillary works. Retention, refurbishment and extension of the existing ice rink building and extension to bowling and bingo building. Retention of existing hotels (the Holiday Inn and International Hotel) and Event Centre – Granted 17th June 2010

- 3.2 TWC/2010/0564 - Approval of Reserved Matters for erection of new Civic Offices (comprising Sui Generis, Classes A1, A2, A3 and A4 uses), external landscaping and associated public realm works, cycle parking facility and lake – Granted 15<sup>th</sup> October 2010

#### Southwater

- 3.3 TWC/2010/0446 - Engineering operations comprising foul and surface water drainage works and the draining of Southwater lake, earthworks to facilitate a Main Street and new Southwater lake, demolition of Spout Farm House and the Town Park Ranger Base, Highways improvements to existing and reconfigured accesses, replacement and creation of surface car parking, landscaping, retaining structures and all associated and ancillary works – Granted 28<sup>th</sup> October 2010
- 3.4 TWC/2011/0037 - Provision of public realm improvements to facilitate a new main street, new public squares and access to include street furniture, CCTV, lighting, flagpoles, boundary treatments, landscape improvements and water features and associated and ancillary works – Granted 10th March 2011.
- 3.5 TWC/2012/0008 - Demolition of existing buildings and the redevelopment of the site to provide a hotel, cinema, class A3/A4 floorspace, multi storey car park, class A1/A2/A3/B1 unit within the multi storey car park, replacement surface car park, public realm improvements and associated works including highway works – Granted 08/03/2012.
- 3.6 TWC/2012/0472 - Erection of a mixed use building incorporating First Point (A2), Library (D1), restaurants and cafes (A3) and flexible office space (A2 & B1) for a range of community, voluntary or public sector uses and associated public realm (Reserved Matters Application) – Granted 18<sup>th</sup> June 2012

## **4.0 PLANNING POLICY CONTEXT**

- 4.1 National Guidance:  
National Planning Policy Framework
- 4.2 Telford & Wrekin Core Strategy:  
CS3: Telford  
CS4: Central Telford  
CS15 Urban Design

- 4.3 Saved Wrekin Local Plan Policies:
  - EH7: Contaminated Land
  - EH14: Land Stability
  - UD2: Design Criteria
  - UD4: Landscape Design
  - TC1: Town Centre
  - TC3: Leisure Uses and A3 Uses
  - TC4: Mixed Use Development
  - TC14: Town Centre Design
  
- 4.4 Central Telford Area Action Plan (CTAAP):
  - SA2: Southwater
  - CT1: Mixed Use
  - CT6a: Leisure, Culture and Tourism
  - CT6b: Establishing an Evening and Night Time Economy
  - CT6c: Managing the Evening and Night Time Economy
  - CT14: Environmentally Sustainable Buildings
  - CT15: Design
  - CT17: Public Realm
  - CT18: Storey Heights and Tall Buildings
  - CT19: Biodiversity
  - CT20: Landscape
  
- 4.5 Telford & Wrekin Local Plan (Submission Version) (2011-2031):
  - SP4: Presumption in Favour of Sustainable Development
  - EC5: Telford Town Centre
  - EC9: Evening and Night-time Economy
  - EC12: Leisure, cultural and tourism development
  - NE3: Existing Public Open Space
  - NE5: Management and Maintenance
  - BE1: Design Criteria

## **5.0 SUMMARY OF CONSULTATION RESPONSES**

### **5.1 Local Member/Parish Council responses**

5.1.1 Great Dawley Parish Council: Awaited

### **5.2 Standard consultation responses**

5.2.1 Arboricultural: Support subject to conditions  
Appears to be lacking in soft landscaping

5.2.2 Parks and Open Space Team: Comment  
Insufficient external detail to determine what is actually being proposed. Difficult to determine the context in which the proposed building is to be placed and its impact upon the Town Centre and Telford Town Park. A Long Term Management Plan may be required as a condition depending on the content of the public open space.

5.2.3 Drainage: No comment

5.2.4 Public Protection (Pollution Control): Support subject to conditions  
Should the planning officer be minded to approve the application, a suitably worded condition to require the mitigation measures as set out in section 8.1 of the report on existing noise climate should be applied.

5.2.5 Contaminated Land: No comment

5.2.6 Ecology: Support subject to conditions  
No objections subject to conditions requiring the development to be carried out in accordance with the submitted Protected Species Scoping Survey, together with landscaping and external lighting details and an informative relating to nesting wild birds.

5.2.7 Highways: Comment  
Raise no objections in principle, however, comments that the proposal contains no parking and will be reliant on existing parking in the area. Other uses are now accommodated within the Southwater multi-storey car park and whilst parking accumulations given suggest there will be sufficient spare capacity, this has not been specifically related back to the operation of Southwater multi-storey. No details are provided as to how the two-way disabled access onto International Square could be achieved. Also confirms that the development will be expected to contribute towards the Telford Strategic Highway Network Improvements and, based on the level of trips generated, this proposal would be expected to pay £59,400.01. Furthermore, a Travel Plan monitoring sum of £2,500 should also be sought.

5.2.8 Urban Design: Comments  
Comments that the “back of house” areas need to be screened or managed in such a way that their visual impact on the public realm is limited. This has been achieved to a certain extent around the building, but concerns still remain to a certain extent about the south elevation a run of louvered panels are proposed externally to the plant room behind. This is at the very point where it terminates a pedestrian route from the town park. If a better treatment can't be applied in this location then there is a need to consider additional elements; e.g. using landscaping in front to help mitigate its visual impact or alternatively a simple structure sitting in front of this location, like a pergola off an extended colonnade along this edge could really help to lift this edge and potentially visually link it into the wider public space at the western end. Whilst it is recognised that the current signage is only indicative and a separate application should be forthcoming for the hotel operator, the amount of signage needs to be tempered so that it complements rather than dominates the facades.

### 5.3 Neighbour consultation responses

5.3.1 Seventeen comments received from fourteen members of the public, comprising fifteen objections and two in support. Comments are available in full on the planning file but key points have been summarised as follows: -

### 5.3.2 Objections:

- Loss of important open space
- Spoil views of and Telford Town Park across the lake
- Spoil links between the town park from the town centre
- Completely alter the character of the Southwater development
- Entirely inappropriate for the site
- Spoil the openness of the area
- What provisions for rubbish storage have been made?
- Overdevelopment
- Claustrophobic feel
- Town centre does not need any more hotels or bars
- Overcrowd the site
- Sends clear message the Council value commercial interests over amenity.
- Site should be landscaped and left for public use

### 5.3.3 Support:

- Southwater Phase 1 has produced employment, a night-time economy and led to substantial investment in the town park
- Great opportunity to make the skyline more interesting
- Increase employment and
- Allow Telford International Centre to hold larger events
- Further enhance the night-time economy
- Supports creation of public open space for events and for people to relax
- Town park is over 450 acres and building a hotel will not harm the feel of the park.
- The town can only benefit from the investment that follows
- Proposal complies with CTAAP
- Opportunities to improve active frontages – sides appear lifeless
- Support the provision of enlarged square
- Conditions required to monitor planting of trees as some in Phase 1 have already died.

### 5.3.4 Friends of Telford Town Park unanimously object on the following grounds: -

- Appearance of proposal is ugly and out of all proportion to the buildings behind it.
- No parking provision other than 4 disabled spaces
- Loss of light to Ice rink and Mimosa
- View from Telford Town Park partially obstructed
- The site and lake are part of a long established bat feeding grounds
- The area is a major tourist attraction and should be treated as such
- The development will bring nothing to the area in the way of increased attraction and thus there is no valid reason to build it.
- Strongly believe it will have a detrimental effect by ruining what is currently a delightful open space.

## **6.0 PLANNING CONSIDERATIONS**

6.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Site History
- Principle of Development
- Siting and Design
- Public Open Space
- Access and Parking
- Ecology Issues
- Other Matters
- Sustainability

### **6.2 Site History**

6.2.1 The site forms part of the Southwater redevelopment masterplan which was granted outline permission in 2010 under reference W2009/0914. The application permitted a significant quantum of development to be carried out within 12 development zones in addition to works to reconfigure Southwater lake, the provision of new pedestrian walkways, public realm enhancements, landscaping, access alterations, re-profiling and associated infrastructure works. The permitted quantum of development was as follows: -

- Retail (Class A1) – 1,500 sq. metres
- Professional Services, Cafes/Restaurants, Drinking Establishments (Classes A2, A3 &A4) – 3,500 sq.metres
- Offices (Class B1(a))/Sui Generis (Civic Offices) – 32,480 sq.m. (Sui Generis (Civic Offices) to be a maximum of 10,000 sq.m. within the overall 32,480sq.m.)
- Residential (Class C3) (up to 330 units) – 31,200 sq.m.
- Learning and Media Centre, Meeting Point House and Medical Centre (Class D1) – 5,750 sq.m (of which Meeting Point House to be up to 2,500 sq.m.)
- Leisure Pool and Cinema (Class D2) – 5,000 sq.m.
- Conference and events facilities (Class D1/D2) – 11,000 sq.m.
- Multi use outdoor events space (as detailed on Drawing RG06 rev G) (Class D1/D2)
- Hotels (Class C1) – 22,540 sq.m.
- Energy centre (Sui Generis) – 1,800 sq.m.

6.2.2 The masterplan set out a number of broad development principles and parameters with which the development was to accord. These included specific uses within each development zone, land use and scale parameters within zones including building positions and minimum and maximum building heights, buildings to be retained, key pedestrian routes, open spaces and access points.

6.2.3 This application relates to land identified as Zone 5 within the masterplan. Reserved matters approval was subsequently obtained in December 2010

under TWC/2010/0564 for an 8,364sq metre development comprising approximately 7,739 sq metres of Civic Office floor space and 625 sq metres of A1- A4 use class floor space to be provided within a five storey building. Whilst it is unlikely that this development will now come forward, it nevertheless establishes the principle of built development on the application site.

6.2.5 Notwithstanding the above, a reconsideration of the policy situation is shown below.

### **6.3 Principle of Development**

6.3.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. In this instance, the development plan for Telford and Wrekin comprises the Telford & Wrekin Core Strategy, saved policies within the Wrekin Local Plan, and the Central Telford Area Action Plan (CTAAP). The emerging Telford & Wrekin Local Plan (TWLP) has now been submitted for independent examination in accordance with Section 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012 with hearings to begin late 2016/early 2017 and can now also be given weight in the determination process. The National Planning Policy Framework (NPPF) is also a material consideration in planning decisions.

6.3.2 Core Strategy Policy CS3 identifies that Telford will be the focus for the Borough's Spatial Development and will accommodate the majority of new homes, jobs and services. CS4 aims to consolidate and enhance the role of Central Telford through the creation of more shops, offices, cafes, restaurants, recreation and leisure (amongst others), accommodating a mix of high density uses, encouraging people into the town at different times of the day and night, making Central Telford an easier, safer and more convenient place to visit and enhancing the role of the Town Park. These aims are developed in more detail by the CTAAP. The Wrekin Local Plan also contains saved policies TC1, TC3 and TC4 which are supportive of mixed use and leisure development within the town centre subject to achieving required design principles, secure enhancement of public open spaces and the provision of a range of uses.

6.3.3 CTAAP requires that development proposals within Southwater need to contribute towards delivering the vision of a vibrant mixed use heart to the town centre. Policy SA2 requires that development proposals for Central Southwater should : -

- contain a vibrant mix of uses, including retail, leisure, cultural, community/civic facilities and the Town Centre's primary area for bars, restaurants and cafes;
- establish an enlarged Southwater Square alongside an improved Southwater Lake as the primary public space in the town and as a focus for culture, leisure and food and drink related activities;

- Improve visual and physical connections to the Town Park, Telford International Centre and the existing shopping area.

6.3.4 Policy CT6a follows a similar approach advising that proposals for new cultural, tourism and leisure activities will be supported in Central Southwater, where they contribute to improved links between Southwater, the existing shopping area and Telford Town Park and include a high quality public realm. Policy CT6b seeks to establish a safe, balanced and socially responsible evening and night-time economy in Telford Town Centre.

6.3.5 The emerging Telford & Wrekin Local Plan (TWLP) will continue to reinforce Telford Town Centre's role as a sub-regional shopping centre through supporting development which maintains and enhances the vitality and viability of its existing centres. It will adopt a hierarchical approach to development with retail, office and leisure developments directed to existing centres, but principally focussed on Telford Town Centre. Policy EC9 advises that evening and night-time uses will be supported within the boroughs centres subject to meeting a range of criteria. TWLP Policy EC11 confirms that the Council will be supportive of development which enhances links and connectivity between Telford Town Centre and Ironbridge via Telford Town Park. Policy EC12 concerns leisure, cultural and tourism development. It confirms that such development will be supported where they are located in accessible areas, include high quality public realm and are well connected in terms of wayfinding and parking. New conferencing and business tourism facilities will be supported. The Council will support major hotel accommodation within or adjacent to Telford Town Centre.

6.3.6 The above policy context and planning history on the site clearly demonstrate the desire and commitment of the Council to establish a vibrant mixture of uses within the Southwater site which complement the existing range of facilities and help to establish an evening and night time economy which attracts and retains people in the area for longer periods of the day and evening. There is a demand for additional hotel accommodation within the town centre in order to support the role of Telford International Centre and local business and the proposed development will help to achieve this whilst complimenting the existing leisure offer within Southwater.

6.3.7 The proposed development is therefore considered to satisfy the aims of the relevant development plan policies identified above. Furthermore, the proposal will directly comply with the aims of CTAAP Policy given its location in Central Southwater and inclusion of provisions to provide an enhanced, high quality public realm in Southwater Square and improved linkages between the town centre, Town Park, Southwater and Ironbridge as also required by TWLP Policies EC11 and EC12.

#### **6.4 Proposed Hotel Building:**

6.4.1 Siting: The proposed development will be provided on land between Main Street and Southwater Lake, in the centre of Southwater. Although planning permission has previously been granted for development on the whole of the

area alongside Southwater Lake, in response to a strong public desire to see the area retained as open space, the hotel has been positioned at the eastern end of the site, leaving the western end to be developed as an enhanced area of public open space.

- 6.4.2 Design: The proposed hotel building has been the subject of pre-application discussions with Officers. The proposed design involves a five storey, 68 bedroom hotel with entrance on the north side fronting onto Main Street. The scale, design and materials palette have been considered in the context of the wider Southwater site, are in-keeping with buildings to the north and west and comply with the requirements of CTAAP Policy CT18 in terms of building heights and tall buildings which seeks to create a distinctive appearance and skyline.
- 6.4.3 A simple palette of materials has been utilized in the form of a combination of blue brick and copper cladding creating a crisp and sharp addition to the key elevations and this will relate sympathetically to the modern appearance of buildings within Southwater. The east facing end elevation will be clad in grey panels. Vertical panels of glazing and brick bands have been added to give the facades more of a vertical emphasis as per the Premier Inn adjacent. At ground floor level, glazed facades will create active frontages along Main Street and more importantly fronting onto Southwater Square and Southwater Lake where areas of outdoor seating will be located. Plant rooms in the north and south elevations will be screened with acoustic louvres. A small substation building measuring 4.2m by 4.1m will also need to be constructed to the east of the proposed building on lower ground adjacent International Square. This building will be low profile in terms of its scale and will be constructed of blue engineering to relate it back to the proposed hotel.
- 6.4.4 Officers are mindful that a number of objections have been received from local residents and groups raising concerns regarding the development of the site, the building design and the impacts upon views of the town park and surrounding area. Whilst these concerns are noted, the proposed building has been positioned at the eastern end of the temporary grassed area, leaving a significant area to the west to be retained as public open space. Officers consider that a suitable compromise has been reached in terms of maintaining visual and pedestrian connections through the Southwater development into the town park. The hotel is considered to be of a high quality design which will complement the existing built form within the Southwater development. Whilst the hotel will be prominently sited at the edge of the lake, it will be viewed against the backdrop of existing buildings within Southwater and will be in keeping with the character and appearance of the area.
- 6.4.5 Members are reminded that the Southwater Masterplan is an ongoing development project which has permitted a significant quantum of development which could continue to come forward over at least the next 6 years. The outline consent not only permits development across the whole of the application site (Zone 5), but also across development zones extending to the east beyond the International Centre. On this basis, it is not considered

that any objection on the grounds of 'overdevelopment' or the principle of developing the site could be sustained or defended at appeal.

- 6.4.6 Members are also advised that the existing temporary open space has never been formally approved and was simply a temporary solution prior to development on the site coming forward. As such, it has no drainage and is not fit for purpose and cannot simply be left in its current condition. The proposal therefore presents significant benefits in the opportunity to provide an enlarged and enhanced area of public open space in Southwater Square.
- 6.4.7 Landscaping: Whilst the submitted site plan does not contain any landscaping information for the area surrounding the hotel, this is attached as a condition of the planning permission. It is, however, anticipated that the existing hard surfacing along the north and south elevations will largely be retained.
- 6.4.8 Refuse Storage and Collection: Public comments have also been received querying refuse storage arrangements at the hotel following similar issues at the Premier Inn. The design includes an internal refuse storage area and plant room at ground floor level and will therefore avoid the need for unsightly outdoor refuse storage or plant and machinery on key elevations. The refuse area will contain doors in the north elevation allowing access onto Main Street for easy collection by refuse lorries.
- 6.4.9 On the basis of the above considerations, officers are satisfied that the proposal complies with the requirements of urban design policies in the development plan including Core Strategy Policy CS15, saved Wrekin Local Plan Policy UD2 and CTAAP Policy CT15 together with the requirements of the NPPF in terms of requiring good design. Furthermore, the proposal is also considered to meet the requirements of CTAAP Policies SA2 and CT6a in the sense that it will establish an enlarged Southwater Square alongside Southwater Lake to act as a focus for culture, leisure and food and drink related activities and will assist in the visual and physical connections to the Town Park, Telford International Centre and the existing shopping area. The proposal also meets the requirements of emerging TWLP policies EC11, EC12 and BE1.

## **6.5 Public Open Space (Southwater Square):**

- 6.5.1 The proposal will also include the provision of an enhanced area of open space at the west of the site which will be redesigned and landscaped to provide an enlarged Southwater Square. The existing square is a hard surfaced area which sits at a pivotal crossroads in the wider Southwater site with circulation routes traveling north to the shopping centre, south to the Town Park and east to the International Centre. The square is defined and influenced by the building developments which surround its perimeter and plays a key role in the urban form of the Southwater development and transition to the town park to the south. Officers support the retention of the western part of the site as open space which provides the opportunity to provide an enlarged and enhanced Southwater Square which can be used as a multi-function events space for leisure and cultural activities and events.

- 6.5.2 Whilst the detailed design of the open space is yet to be finalised, three options were presented for public consultation earlier this year, each of which followed similar key principles based around a hard landscaped square with water feature with additional decorative features, planting and street furniture. Following feedback from the public consultation, a detailed option is now being worked up but will not be available at the time of the Planning Committee meeting. It is therefore proposed that precise details will need to be submitted as a discharge of condition application once finalised. Officers do, however, consider that the indicative designs show a high quality area of public open space which include a good mix of hard and soft landscaping which will complement the existing urban form. The proposal would also include sufficient flexibility to allow a multi-functional use for a range of events in addition to day-to-day public use.
- 6.5.3 As such, it is considered that this aspect of the proposal meets the requirements of the local development plan, in particular, CTAAP Policies SA2, CT6a, CT17 and CT20 in terms of providing a high quality public realm and enhancing the network of landscape features.

## **6.6 Access and Parking Issues**

- 6.6.1 The application has been accompanied by a Transport Statement which considers the access, parking and highways impacts of the proposed development. The site is centrally located within Telford Town Centre and where it can be easily accessed from the town centre bus and railway stations. It is well connected to cycle and footpath links and therefore avoids a reliance on private car travel in accordance with NPPF guidance and local plan requirements in terms of sustainable development and locations.
- 6.6.2 The development includes no customer parking but customers will be advised to use existing parking available in the Southwater multi-storey car park and various surface level car parks around Telford Town Centre. These are within a short walking distance and this approach is similar to the model used at the nearby Premier Inn. Guests will primarily be directed to the Southwater multi-storey which contains 602 spaces and is open 24 hours. Whilst spaces will not be directly allocated to hotel guests, officers are satisfied that sufficient parking provision is available to accommodate demand. Officers are mindful that the greatest demand for guest parking is likely to be during evenings and overnight when general parking demand is reduced. Cycle parking will also be available with stands provided in front of the hotel entrance and provisions made for secure storage within the hotel for guests staying overnight.
- 6.6.3 Four disabled parking spaces will be provided to the east of the hotel entrance, providing level access to the hotel entrance. Servicing and deliveries will access the site from Main Street which is an existing controlled vehicular access route served off International Square. Access to the site is controlled via bollards and an intercom system within International Square which will be connected to the hotel reception. Details of how two-way disabled access to the site will be obtained has yet to be submitted but can be requested as a condition.

- 6.6.4 In terms of overall trip generation, detailed analysis has been carried out of the likely AM and PM peaks generated by the development, which provides a like for like forecast with the extant outline consent. The report concludes that the forecast traffic generation for the proposed development would be sufficiently small that they should have no material impact upon the operation of the local highway network compared to the existing situation and the highway network can adequately support the forecast vehicle movements without detriment to the safety of highway users.
- 6.6.5 The operator will be required to produce a travel plan to ensure site sustainability and this will be secured as a condition of the planning permission.
- 6.6.6 On the basis of the above information, officers are satisfied that the proposal meets the requirements of local planning policies and the NPPF in respect of access and highway safety.

## **6.7 Ecology Issues**

- 6.7.1 The application has been accompanied by a Protected Species Scoping Report and Bat Survey Report by Ramm Sanderson (September 2016). The reports identify that the site comprises 0.7ha of amenity grassland which has negligible ecological value. The site also sits within 300m of the Telford Town Park Local Nature Reserve (LNR) but no impacts upon the ecological reasons for designation for the LNR are anticipated, subject to appropriate landscaping and lighting restrictions. Bat surveys carried out in April and July found evidence of a single common pipistrelle bat foraging offsite, leading the reports to conclude that current level of light spill from the existing Southwater development prevents bats foraging around the lake. It is therefore recommended that lighting on the proposed building be carefully controlled and landscaping of the site should include additional aquatic and marginal planting of the lake to enhance its value for wildlife including foraging bats.
- 6.7.2 A number of ponds within the town park have been assessed for their suitability for great crested newts. The ponds concerned are separated from the site by areas of landscaping retained by walls and hard standing which act as barriers to Great Crested Newt dispersal. The report recommends some basic precautionary methods of working to further reduce the low potential for GCN to be present in the area.
- 6.7.3 On the basis of the above findings, the Planning Ecologist raises no objection subject to conditions requiring a landscaping scheme, external lighting plan and the development to be carried out in accordance with the recommendations of the protected species survey. The proposal is therefore considered to accord with the requirements of Core Strategy CS12, CTAAP Policies CT19 and CT20,

## 6.8 Other Matters

- 6.8.1 Flood Risk and Drainage: A Flood Risk Assessment and drainage proposal has been submitted with the application. The report confirms that the site is located in flood zone 1 and has a low risk of flooding. The proposed development will increase the amount of hardstanding on the site which will increase the amount of run off during storm events, therefore improvements to the existing drainage situation are proposed to offer additional drainage capacity. The Council's Drainage Officers have viewed the proposal and raise no objection in principle, subject to the addition of conditions requiring submission of a detailed foul and surface water drainage scheme.
- 6.8.2 Ground Conditions and Land Stability: A Phase I and Phase II Ground Investigation Study has been carried out and submitted to accompany the application. The study determines that the risk of historical coal mine workings affecting future structures is low and no remedial measures (such as proof drilling and grouting) are therefore deemed necessary. It is, however, recommended that a close watch be implemented during development works. A signed Slope Stability Declaration form has been submitted with the application which declares that the proposed development will not be affected by or contribute to slope instability, as required by saved WLP Policy EH14. With regard to potential contamination, elevated contamination levels have not been recorded during testing undertaken and no special precautionary measures are proposed. The proposal and reports have been assessed by the Council's Public Protection Officer who raises no objection. Officers are therefore satisfied that the proposal meets the requirements of saved WLP Policy EH7.
- 6.8.3 Air Quality and Noise: An Air Quality Impact Assessment has been carried out which considers the potential air quality impact upon nearby sensitive receptors during the construction and operational phases. The report found that through implementation of suggested mitigation measures, impacts at the construction stage are not considered to be significant. Noise emissions from plant serving the development during the operational phase are not considered significant and internal conditions within the hotel can be made acceptable through the use of appropriate acoustic glazing. The Public Protection Officer raises no objection subject to a condition requiring the development to be carried out in accordance with the recommended mitigation measures.
- 6.8.4 Sustainability: CTAAP Policy CT14 requires development proposals within Central Telford to demonstrate their environmental sustainability. Non-residential development greater than 1000sqm is required to achieve BREEAM 'Very Good' standard. The development has been designed to be energy efficient incorporating a number of energy efficient measures and technologies to minimise carbon emissions and to achieve the policy requirement to meet at least 10% of the development's energy demand through low or zero carbon technologies. Air Source Heat Pumps (ASHPs) are proposed for the heating and cooling of bedrooms. Combined Heat and Power (CHP) is being considered for hot water heating and some electrical

load. Connecting to the Southwater district heating system is also under consideration. The application has been accompanied by a BREEAM pre-assessment report which confirms that 'very good' level could be achieved by the development as proposed. Officers are satisfied that the application meets the requirements of CTAAP CT14 and would constitute a sustainable form of development as required by the NPPF and the emerging TWLP.

- 6.8.5 Consideration of Benefits: The proposed development represents an opportunity to enhance the offer of the site and surrounding area, combined with supporting the local economy, improving the vibrancy and vitality of the area in accordance with planning policy. The proposal will bring additional employment to the area (approximately 12 full-time and 29 part-time staff or 26.5 FTE), will attract new people to the area on business and leisure trips; generating additional expenditure within the local area from hotel guests and supporting local businesses through providing a complementary land use. It will also help raise the profile of Telford Town Centre. Jobs will also be generated at the construction stage. Travelodge has a commitment to the Government to recruit all its entry level vacancies in its hotels through a Local Employer Partnership with Job Centre Plus. The development will also assist with community safety and security through features such as a 24 hour reception and CCTV outside the building.

## **6.9 Planning Obligations**

- 6.9.1 Policy CT23 of CTAAP requires development proposal in Central Telford to provide for the delivery of infrastructure which arises from the new development, including both site related and strategic demands.
- 6.9.2 In respect of highways, there is a requirement for the applicant to provide a financial contribution towards strategic highways infrastructure improvements. A contribution of £59,400.01 is requested which has been calculated based on likely new trip generation from the proposed development.
- 6.9.3 A contribution of £2,500 will also been requested for the monitoring of the travel plan to be submitted by the hotel operator.
- 6.9.4 As the land owner for the site is the Council, the Council cannot enter into a Section 106 agreement (mechanism for securing planning obligations) with itself, so a memorandum of understanding is undertaken to secure obligations and if the land is sold, a clause in the sale will require the new developer to enter into a S106 agreement, if financial contributions have not been met as part of the sale proceeds.

## **7.0 CONCLUSIONS**

- 7.1 The proposed development accords with the parameters of the Southwater Masterplan which agreed the principle of development on the application site and was subsequently developed in detail through the granting of reserved matters approval for civic offices. However, in response to public concerns, this proposal now only seeks to develop the eastern part of the site, with the

western part retained as open space which will form part of an extended Southwater Square. The principle of the development accords with local development plan and emerging local plan.

- 7.2 Officers are satisfied that the hotel building will be appropriate in siting, scale and design and will complement the existing built form and character within the Southwater development. The site is located in a sustainable location and can be accessed and serviced satisfactorily without detriment to local highway safety. The proposal will not have any adverse impact upon nearby wildlife habitats or protected species and will have no significant adverse impact in terms of ground conditions, air quality or noise.
- 7.3 The proposal will provide benefits in terms of enhanced public open space in Southwater Square to be used as a multi-functional events space. The proposed hotel will bring economic benefits in terms of job generation and attracting business and leisure visitors and associated spend to Telford town centre and wider area.
- 7.4 The proposal has been assessed against and is considered to comply with all relevant policies contained within the local development plan and national planning guidance and is recommended for approval.

## 8.0 RECOMMENDATION

8.1 Based on the conclusions above, the recommendation to the Planning Committee 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 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) £59,400.01 towards Telford strategic highway network improvements
  - ii) £2,500 towards travel plan monitoring
- B) Conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-

### Conditions

- |         |                                    |
|---------|------------------------------------|
| 1. A04  | Time Limit – 3 years               |
| 2. B150 | Site Environmental Management Plan |
| 3. B010 | Details of Materials               |
| 4. B062 | Surface Water Design               |
| 5. Bcst | POS Details                        |
| 6. B121 | Landscaping                        |
| 7. B126 | Landscape Management Plan          |
| 8. B145 | External Lighting Strategy         |
| 9. B082 | Details of Plant and machinery     |

10.B086	Details of extraction equipment
11.B045	Travel Plan
12.B049	Details of two-way access to site
13.C109	Works in accordance with Ecology report
14.Ccust	Works in accordance with Air Quality Report
15.C38	Approved Plans
16.Dcust	Opening Hours

#### Informatives

I05	Advertisement Consent
I17b	Coal Authority Standing Advice
I25m	Nesting Wild Birds
I35	Ecology
I35	Ecology
I40	Conditions
I41	Reasons for Approval
RANPPF1	Approval NPPF

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All drawings and specification to be read in conjunction with Structural Engineer and other consultants drawings; all discrepancies should be reported to the architect.

Figured dimensions only are to be taken from this drawing

- Preliminary     Comment     Planning
- Tender     Construction     Record
- Legal

Drawing Revisions

Rev	Description	Date
A	Accommodation revised	16/03/16
B	Site boundary revised	18/04/16
C	Accommodation revised	25/05/16
D	Schedule of accommodation revised	20/07/16
E	Red line ammended	19/08/16

SCHEDULE OF ACCOMMODATION

Hotel	4 Accessible rooms 31 Family rooms 33 Standard rooms  68 Bedrooms
Retail Unit	323 sq m 3,475 sq ft



CLIENT

PROJECT SOUTHWATER TELFORD

TITLE Proposed Hotel and Retail Unit Location Plan

SCALE @ A3 1:1250    DATE 07/03/2016

DRAWING 185 - 01    REV E

DRAWN BY DW    CHECKED BY



ARCHITECTURE + PLANNING + PRINCIPAL DESIGNER

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# SCHEDULE OF ACCOMMODATION

Hotel	4 Accessible rooms 31 Family rooms 33 Standard rooms 68 Bedrooms
Retail Unit	323 sq m 3,475 sq ft

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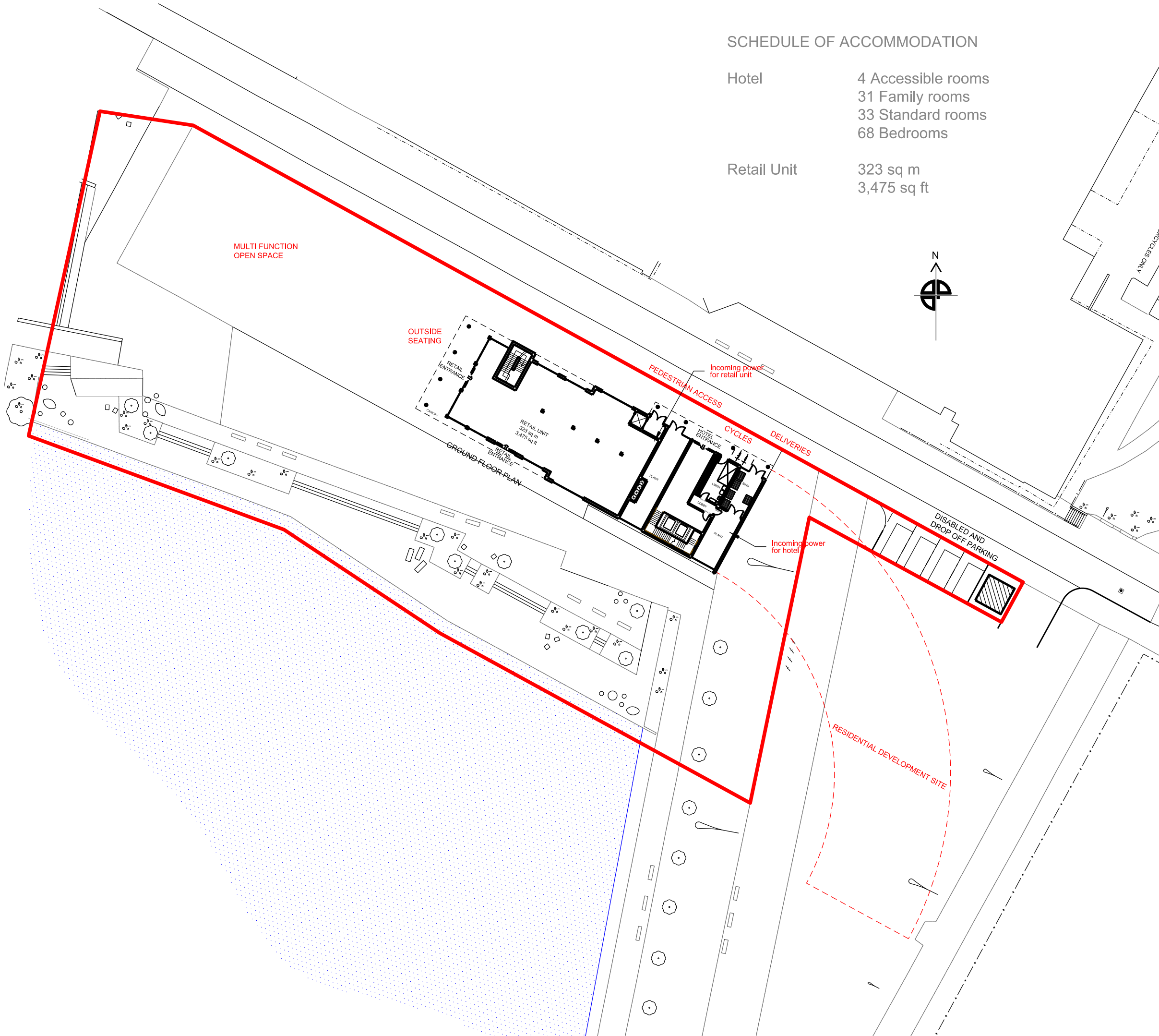
All drawings and specification to be read in conjunction with Structural Engineer and other consultants drawings; all discrepancies should be reported to the architect.

Figured dimensions only are to be taken from this drawing

- Preliminary     Comment     Planning
- Tender     Construction     Record
- Legal

### Drawing Revisions

Rev	Description	Date
A	Pedestrian Ramp omitted	08/03/16
B	Accommodation revised	16/03/16
C	Service access revised	22/03/16
D	Floor plans revised	01/04/16
E	Event space added	13/04/16
F	Dimensions added to event space	03/05/16
G	Floor plans revised	13/05/16
H	Floor plans revised to standard bedrooms	23/05/16
J	Lobby added to ground floor linen	24/05/16
K	Accommodation revised	25/05/16
L	Site paving amended	03/06/16
M	Structural columns amended	11/07/16
N	Schedule of accommodation revised	20/07/16
P	Glazing to south elevation revised	27/07/16
Q	Red line amended	19/08/16
R	Sub-station added	09/09/16
S	Sub-station relocated	19/09/16
T	Cycle parking added	08/11/16



CLIENT

PROJECT  
SOUTHWATER  
TELFORD

TITLE  
Proposed Hotel and  
Retail Unit  
Site Plan

SCALE @ A3 1:500    DATE 07/03/2016

DRAWING 185 - 02    REV T

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- Preliminary
- Comment
- Planning
- Tender
- Construction
- Record
- Legal

Drawing Revisions

Rev	Description	Date
A	Pedestrian Ramp omitted	08/03/16
B	Levels amended and accommodation revised	16/03/16
C	Service access revised	22/03/16
D	Elevations revised to new floor plans	04/04/16
E	Elevations revised alternative treatment	05/04/16
F	Elevations revised alternative treatment	05/04/16
G	Elevations revised alternative treatment	06/04/16
H	Entrance canopy added and plant louvres	13/04/16
J	Height and windows revised to match amended plans and accommodation revised	25/05/16
K	Schedule of accommodation revised	20/07/16
L	Glazing revised to south elevation	27/07/16
M	Signage zones revised	19/08/16

SCHEDULE OF ACCOMMODATION

Hotel	4 Accessible rooms 31 Family rooms 33 Standard rooms
	68 Bedrooms
Retail Unit	323 sq m 3,475 sq ft

MATERIAL PALETTE

- 1 KINGSPAN ALTARIS COPPER METALLIC CLADDING
- 2 BLUE GREY FACING BRICK COLOUR TO MATCH EXISTING DEVELOPMENT
- 3 KINGSPAN SPECTRUM ONYX RAL 7016 CLADDING PANELS
- 4 FORTICRETE POLISHED MEDICI BLOCK REPLICATES MARBLE/GRANITE APPEARANCE

ALL SIGNAGE SUBJECT TO SEPARATE APPLICATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



CLIENT **HP HINTON PROPERTIES**  
 PROJECT SOUTHWATER TELFORD  
 TITLE Proposed Hotel and Retail Unit Elevations

SCALE @ A1 1:100 DATE 07/03/2016  
 DRAWING 185 - 04 REV M  
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## INFORMATION RECEIVED SINCE PREPARATION OF REPORT

Application number	TWC/2016/0646
Site address	Land fronting Southwater One, Park Avenue, Southwater, Telford Town Centre, Telford, Shropshire
Proposal	Erection of hotel (Use Class C1) with ground floor bar/restaurant (use class A3 or A4) and provision of multi-function open space area together with associated hard and soft landscaping, disabled parking and ancillary works
Recommendation	Full Grant

### 1.0 FURTHER CONSULTATION RESPONSES

1.1 Great Dawley Parish Council: No comment

### 2.0 PUBLIC OPEN SPACE

- 2.1 Further comments received from the applicant regarding the public open space proposed: -
- 2.2 *Whilst it is acknowledged that if approval to the planning application is granted the detail of the open space will be conditioned, I have set out below an update on the work done to date and the emerging principles which will form the basis of the design of the space to be set out in the discharge of condition application in due course.*
- 2.3 *This is a key location in the Town and the focus from the outset has been to create a strong, exciting, focal point that both local residents and visitors will enjoy using and will return to.*
- 2.4 *In order to gather local views on the type of usages to include three initial designs for the area were created and public consultation took place during the summer seeking views on how people wanted to use the space and what elements were particularly valued.*
- 2.5 *Having received over 600 responses the principle features from the options that were considered important included the provision of seating areas for informal relaxation, water features, trees & planting and lawn/grassed areas. Amongst the activities people wanted to enjoy were as a location to meet friends and family, picnic, enjoy street entertainment, markets and events.*
- 2.6 *Taking account of the comments received a detailed design is now being developed which will look to deliver an exciting, flexible space that retains a strong green element with lawned areas, includes some original, new aspects such as a water feature, and which is multi-functional using strategic planting and simple structures to enable activities such as outdoor cinema.*
- 2.7 *We are committed to delivering a high quality public space that enhances the wider Southwater development, becomes a destination in its own right, retains a sense of open space with views through from Southwater to the lake and*

*Park, has a strong element of green space and is multi-functional. Upon completion of the detailed design phase we aim to submit a discharge of condition application in the early part of 2017. The construction of the public realm will then be delivered along with the hotel itself.*

- 2.8 The above provides further clarification on the scheme which is currently being prepared and which further demonstrates the commitment of the applicant to provide a high quality public space which will become a destination in its own right.
- 2.9 The applicant has provided a further supporting image for members information which shows the three options considered at public consultation together with the features which will be incorporated into the scheme including a water feature, trees & planting and lawn/grassed areas.
- 2.10 The application essentially seeks to agree the principal of the provision of an enhanced area of public open space with precise details to be agreed through the submission of a discharge of condition application in early 2017. Officers are satisfied that the principle of the development (use of the indicated area as public open space) complies with relevant planning policy and is supported by members of the public. Officers are also satisfied that a sufficient level of detail has been provided at this stage to indicate that a high quality public open space will be provided.
- 2.11 On the basis of the above information, officers continue to support this aspect of the proposal subject to a condition requiring precise details of the layout and treatment of the square/open space to be submitted as a condition, prior to the commencement of works to install it on site.

### **3.0 PLANNING OBLIGATIONS**

- 3.1 The applicant has agreed to provide the financial contribution requested by the Local Highways Authority which will be secured by means of a memorandum of understanding as the Council cannot enter into a S106 with itself.
- 3.2 The applicant has also confirmed his agreement in writing that the works required to International Square to gain two-way vehicular access to the site can be secured by a condition, requiring works to be carried out prior to occupation.

### **4.0 CONCLUSION**

- 4.1 No changes are proposed to the recommendation, however, Part A needs to be amended to omit reference to a S106 agreement and replace with a 'memorandum of understanding'. Accordingly, the recommendation is now as follows: -

4.2 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **Grant Planning Permission** subject to the following:

A) The applicant entering into an agreement with the Local Planning Authority through a 'memorandum of understanding' (terms to be agreed by the Development Management Service Delivery Manager) securing:

- i) £59,400.01 towards Telford strategic highway network improvements
- ii) £2,500 towards travel plan monitoring

B) Conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-

Conditions

- 1. A04 Time Limit – 3 years
- 2. B150 Site Environmental Management Plan
- 3. B010 Details of Materials
- 4. B062 Surface Water Design
- 5. Bcust POS Details
- 6. B121 Landscaping
- 7. B126 Landscape Management Plan
- 8. B145 External Lighting Strategy
- 9. B082 Details of Plant and machinery
- 10. B086 Details of extraction equipment
- 11. B045 Travel Plan
- 12. B049 Details of two-way access to site
- 13. C109 Works in accordance with Ecology report
- 14. Ccust Works in accordance with Air Quality Report
- 15. C38 Approved Plans
- 16. Dcust Opening Hours

Informatives

- I05 Advertisement Consent
- I17b Coal Authority Standing Advice
- I25m Nesting Wild Birds
- I35 Ecology
- I35 Ecology
- I40 Conditions
- I41 Reasons for Approval
- RANPPF1 Approval NPPF

TWC/2016/0769

Site of Clifton Cottage, Hillside Road, Ketley Bank, Telford, Shropshire  
Outline application for the erection of 1no. detached dormer bungalow with  
associated access with appearance and landscaping matters reserved

\*\*\*\*AMENDED DESCRIPTION AND PLANS RECIEVED\*\*\*\*

**APPLICANT**

Brian Jones

**RECEIVED**

27/09/2016

**PARISH**

Oakengates

**WARD**

Oakengates and Ketley Bank

**OFFICER** Kirsty Johnson

**THE APPLICATION HAS BEEN DEFERRED FOR A SITE VISIT BY MEMBERS  
OF COMMITTEE**

**1.0 FURTHER REPRESENTATIONS**

1.1 Since the preparation of the original Planning Committee report, further representation has been received from three neighbouring residents, Oakengates Town Council, Cllr Hilda Rhodes and Drainage.

1.2 Cllr Hilda Rhodes: Object - As Cllr Hilda Rhodes cannot speak at plans board an objection has been submitted raising concerns that the proposal would result in overdevelopment of the site and the access from the site is limited causing issues for local residents. Concern has been raised that the proposal would set a Precedent for other homeowners in the area to apply for similar development and spoil the historic features.

1.3 Oakengates Town Council: Object – Objections following a meeting 17<sup>th</sup> October 2016

1.4 Drainage: Support Subject to Conditions – Standard conditions suggested, foul and surface water drainage details

1.5 Neighbour Consultation: Three objection letters received from 20 Mount Pleasant, 19 Mount Pleasant and Ingleswell raising the following concerns:

- Amendments have not addressed reasons for initial objections
- Amendments result in loss of privacy
- Access is unsuitable access due to the lack of parking for existing residents and visitors
- Development out of character for area

1.6 The majority of issues raised have been raised previously and have been addressed in the Committee Report. The application site can adequately accommodate a dwelling without causing harm to character of the area or

neighbouring residents with an appropriate scale of development with sufficient distance separations. The Council's Highways Officers are satisfied that the site can be adequately accessed and sufficient parking has been provide with the ability to turn within the site boundary, in addition the proposal has also included widening the road immediately in front of the redline to provide improvements to Hillside Road.

1.7 The amended plans have not changed the opinion of the Council's Drainage Officers and they are still supportive of the development.

## **2.0 CONCLUSION**

2.1 Whilst the representations are acknowledged, officers consider the amended plans have successfully responded to the concerns raised. On the basis of the updates, no revisions to the recommendation or proposed conditions are required.

## **3.0 RECOMMENDATION**

3.1 Based on the above conclusions, it is recommended to GRANT PLANNING PERMISSION subject to the following conditions:

### Conditions

1. A01 Time Limit - Outline
2. B002 Standard Outline –Some Matters Reserved
3. B010 Details of materials
4. B041 Visibility Splays
5. B042 Parking, turning loading and unloading
6. B046 Construction Management
7. B061 Scheme of foul and surface water drainage
8. B064 Soakaway test results and locations
9. Bcustom Site investigation Coal Authority
10. B120 Details of enclosure
11. C38 Development in accordance with plan Nos.

### Informatives

- I40 Conditions
- I41 Reasons for Grant of Permission
- RANPPF1 – Approval NPPF

\*\*\*\*\*ORIGINAL REPORT\*\*\*\*\*

## **OAKENGATES TOWN COUNCIL HAS REQUESTED THE APPLICATION IS CONSIDERED BY MEMBERS OF COMMITTEE**

### **1. THE PROPOSAL**

- 1.1 This application seeks outline planning consent for the erection of a dwelling 1no. detached dwelling at Clifton Cottage, Hillside Road, Ketley Bank. The application follows a refusal within the garden of Clifton Cottage, the application was refused on impact on neighbouring properties, inadequate plot size and insufficient

parking and turning. The application has been submitted to look to address these concerns.

- 1.2 Originally, the application was for the principle of development with all matters reserved. Within the application further matters were included at the request of Officers to allow the Council to consider including access, layout and scale.
- 1.3 The amended and additional information resulted in a change to the redline boundary of the application to provide additional garden space and parking to proposed dwelling and to include visibility splay. Following neighbour objection the proposal now includes the widening of Mount Pleasant along the boundary of the application site. The scale of the proposed dwelling shows the maximum height to be 7.1m and as a dormer bungalow, 5.94m wide and a length of 7.88m. The layout suggested the proposed development would provide a modest three bedroom dwelling.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site currently forms part of the rear garden of Clifton Cottage, a detached two-storey dwelling. The garden area associated with that property slopes down to the East and the appearance of the application site reflects its current use as garden land.
- 2.2 The surrounding area is residential in nature and due to the ad-hoc nature of the siting of a number of neighbouring dwellings, and the narrow width of Mount Pleasant, a number of dwellings are located in close proximity to one another with no defined building lines.
- 2.3 Nos. 15 to 17 Mount Pleasant form a small terrace of two-storey dwellings to the north of the site. Cartref and Nos.1 and 2 Vine Cottages are located to the East, beyond the access drive to Carmel that is located immediately to the South of the application site.
- 2.4 Carmel was erected in what was a larger garden area for Clifton Cottage (see Planning History below). There are a variety of dwelling types within the surrounding area that have been erected over a long period of time.
- 2.5 The site boundary, along Mount Pleasant, consists of stone wall with hedge above the proposal will see the removal of 22m of this boundary to widen the narrow road, the application seeks to replace this further in the site boundary.

## **3. RELEVANT PLANNING HISTORY**

- 3.1 TWC/2014/1126: Outline application with all matters reserved for the erection of a detached dormer bungalow and creation of 2no. parking spaces: Site of

Clifton Cottage, Hillside Road, Ketley Bank, Telford, Shropshire, Outline Refused, 04/02/2015.

- 3.2 W2000/0605: Erection of a single bungalow and new access on land adjacent to Clifton cottage, Hillside Road. Approved 01/11/2000.
- 3.3 W2000/0268: Demolition of existing single-storey rear extension and erection of a two-storey extension, conservatory, detached double garage and construction of new vehicular access. Approved 08/06/2000.
- 3.4 PE/2012/0539: Erection of a detached bungalow and garage at Clifton Cottage. A response was provided stating that the principle of a modest dwelling would be acceptable subject to minimum separation distances (10m from habitable room windows and site boundaries and 21 metres between windows). The requirement for a turning facility to enable vehicles to leave the site in a forward gear was also set out. It should be noted that the site boundary and the size of the dwelling has substantially changed between the pre-application enquiry and the submission of this planning application.

#### **4. PLANNING POLICY CONTEXT**

- 4.1 National Planning Guidance:  
National Planning Policy Framework
- 4.2 Core Strategy:  
CS1 Homes  
CS5 District & Local Centres  
CS15 Urban Design
- 4.3 Wrekin Local Plan:  
UD2 Design Criteria  
H6 Windfall sites in Telford & Newport
- 4.4 Telford & Wrekin Local Plan (Publication Version)  
SP1 Telford  
SP4 Presumption in favour of sustainable development  
HO2 Housing site allocations  
BE1 Design criteria

#### **5. SUMMARY OF CONSULTATION RESPONSES**

##### Standard consultation responses

- 5.1 Oakengates Town Council: Object – previously objected to this application, despite slight changes to the plans unanimously agreed to object. No additional comments have been received since the additional information has been submitted and other matters to consider.

- 5.2 The Coal Authority: Comment – Material consideration site falls within a Development High Risk Area application has a Cal Mining Risk Assessment. A condition should be applied to ensure that any remedial works are undertaken prior to commencement of the development
- 5.3 Drainage: Support Subject to foul drainage, surface water drainage has been submitted and a soakaway test has been carried out.
- 5.4 Highways: Comment – no objection to the proposal subject to appropriate visibility splays provided and details for the parking turning and loading is provided.
- 5.5 Shropshire Fire Service: No comment

#### Neighbour consultation responses

- 5.6 Following two rounds of consultation objections have been received from residents.
- 5.7 15 neighbours have made comments to the application and their material comments are summarised below:
- Concerns raised with consultation – Green notice not displayed
  - Inaccurate block plan showing “pull ins”
  - Access and highway issues - Narrow access road to the site, difficulty manoeuvring , increase of traffic on the adopted highway
  - Drainage issues known within the area
  - removal of trees providing inappropriate outlook
  - Overdevelopment
  - Overlooking and loss of privacy and inappropriate distance separations
  - Dormer bungalows are out of character
  - Hedgerow removal may impact on wildlife
  - Construction management plan should be considered
  - Application has not addressed concerns or reason for refusal on last application TWC/2014/1126
  - Overhead cable run across site.
  - Proposal is not policy compliant
- 5.8 A petition has also been received signed by 21 residents. At the time of preparation of this report the re-consultation period had not expired, the expiry is 26<sup>th</sup> October 2016 an update will be provided to members if further comments are received.

## **6. PLANNING CONSIDERATIONS**

- 6.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The

Development Plan comprises the “saved” policies of the Wrekin Local Plan (WLP) and the Telford and Wrekin Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a material planning consideration.

- 6.2 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:
- Principle of development
  - Impact on the character and appearance of the area
  - Impact on the living conditions of neighbours
  - Highways, drainage and coal mining

Principle of development

- 6.3 The site is within the urban area of Telford where residential development exists and where residential development is acceptable providing the proposal complies with local and national policies.
- 6.4 The National Planning Policy Framework (NPPF) advises that there will be a presumption in favour of sustainable development. Policy H6 of the Local Plan states that housing development will be permitted on land under 0.4 hectare that is within the built up area of Telford and Newport when the following criteria can be met: the site is adequately accessed and parking provided; the site can be adequately drained; and the proposal does not have an adverse impact on the local environment, especially in its relationship to adjacent land uses. In principle therefore, and being mindful of the recent approval for a dwelling on the site, officers have no objection to the application subject to the consideration of these matters.

Impact on the character and appearance of the area

- 6.5 The application is for outline consent with some matters reserved. The details provided show the dwelling is a low level dormer bungalow with a modest footprint of approximately 45m<sup>2</sup>. The proposed dwelling would have a one and a half storey height with the first floor being within the roof section measuring 7m to the ridge. The dwelling will be set back 6.6m from the existing road and will follow the existing building line. The layout proposed demonstrates that a dwelling can be accommodated within this location with a proportionate sized dwelling situated 17.3m from Cartref to the east and 15.2m to Clifton Cottage (11.2m from conservatory) and 14m from Carmel. The property would benefit from approximately 70m<sup>2</sup> private functional garden area with a garden depth of up to 12m. Furthermore, Mount Pleasant is essentially characterised by a loose and ad-hoc layout of development with a wide variety of single and two storey dwellings. As Mount Pleasant does not have a prevailing plot size this allows for appropriate infill development. There are no other ancillary buildings proposed as part of the development. Officers are satisfied that the size of the dwelling and

its siting within the plot is appropriate and would not cause harm to the character of the area.

- 6.6 Officers consider the application has addressed the reason for refusal relating to the inadequate plot size by amending the redline boundary of the proposal significantly following the full depth of the Clifton Cottage and as a wider plot. The plot size has changes from 250m<sup>2</sup> to 335m<sup>2</sup> increasing the site area by over 30%. Whilst the proposal has resulted in the further loss of garden space associated with Clifton Cottage, Officers are satisfied that an appropriate amount of garden space is retained. With this in mind. it is considered that the proposal would now sit comfortably when viewed within the context of the neighbouring properties and wider area. It is therefore considered that the layout, scale and appearance of the proposal are acceptable in accordance with policies CS15 of the Core Strategy, UD2 of the Local Plan and BE1 of the Telford & Wrekin Local Plan.

Impact on the living conditions of neighbours

- 6.7 There are a number of dwellings within the close proximity to the application site. The applicant owns Clifton cottage that is located to the west of the site and there are a number of windows in the rear of that dwelling, in addition to a conservatory that has been erected to the rear. Officers consider the orientation of Clifton cottage and the proposed new dwelling combined with a 15m distance separation limits issues of overlooking and the low level scale of the dwelling at 7m ensures the development will not be imposing on this neighbour.
- 6.8 Carmel is located to the South of the site and this property was erected following the sub-division of the garden at Clifton Cottage following the grant of planning permission for a bungalow in 2000. A distance of 15m can be provided and although this is shorter than the previous scheme (18m) the orientation of Carmel and the proposed dwelling would not result in any issues of overlooking. There are no habitable windows in the side elevation of Carmel that would cause of overlooking to the potential occupiers of the site.
- 6.9 Cartref is located to the East of the site and is set at a lower ground level than the application site. A distance separation of 17m between the proposed dwelling and Cartref is again considered to be sufficient to protect amenity subject to the design and internal arrangement of the proposed dwelling. This is consistent with the considerations within TWC/2014/1126, the distance separation has increased by 1m.
- 6.10 The proposed dwelling will be set back 13.5m from the adjacent terraced properties 15, 17, 16 Mount Pleasant and 20m from 18 Mount Pleasant. This is considered to provide an appropriate distance separation to ensure the development will not be imposing on these residents. The distance separation

has more than doubled from the 6m from the application TWC/2014/1126 and therefore has addressed this reason for refusal.

- 6.11 Taking the above in to consideration, the application satisfies the requirements of WLP proposal H6 in that it will not have adverse impact on the local environment, especially in its relationship to adjacent land uses as well as the guidance found within the National Planning Policy Framework.

Highways, drainage and coal mining

- 6.12 The proposed development can be readily accessed and adequate on-site car parking will be provided. Although majority of the objections relate to the width of the road and ability to park within the application site, the Council's Highways Officers are satisfied that the site can be adequately accessed and sufficient parking has been provide with the ability to turn within the site boundary. The application has included access as one of the matters for consideration and in light of the objections received the applicant has gone above and beyond the expectations with this application and has included widening the road immediately in front of the redline boundary of the application to address residents' concerns. Highways officers are in support of the application, raising no objection to the access or parking arrangement subject to a condition requiring the parking areas shown on the plan is provided.
- 6.13 Officers are satisfied that the application has addressed the third reason for refusal with appropriate parking and turning provided to allow vehicles to enter and leave in a forward gear.
- 6.14 Accordingly officers have no issue with the application in this respect. Similarly, the Council's drainage engineers support the application subject to a condition requiring a scheme of foul and surface water to be submitted for approval together with the results and locations of the proposed soakaways. The site is in an area designated as High Risk for Coal Mining, the report provided recommends that an intrusive site investigation should be undertaken. The Coal authority considers the development should be carried out in accordance with The Coal Mining Risk Assessment provided and condition has been attached accordingly.

Other matters

- 6.15 Concerns have been raised with the consultation process, a site notice it is not a statutory publicity requirement for this type of planning application and there is no obligation for the applicant to display the 'Green Site Notice'. Furthermore, officers have consulted 11 neighbours adjacent to the application site. Other neighbours have been notified by residents that have received the notification letter and have subsequently made comments on the application.

- 6.16 The majority of the objections relate to the concerns that the reasons for refusal still stand, officers have demonstrated throughout the report how the proposal has addressed this and the proposal therefore accords with local and national planning policy.
- 6.17 Other matters such as a loss of view and a reduction in property value are not material planning considerations and whilst it is acknowledged that there could be some disruption during the construction period it is not considered that this would be a justifiable reason to refuse the application, however, a construction management plan can be conditioned.

## 7. CONCLUSIONS

- 7.1 Officers are satisfied that the application has addressed all three reasons for refusal associated with application TWC/2014/1126. The layout and scale of the dwelling is considered to be appropriate and would respect the context and character of the area. The proposal would also have an acceptable relationship with neighbouring properties and have sufficient parking and garden space.
- 7.2 Matters relating to appearance and landscaping are left for Reserved Matters. The application has demonstrated that the site in principle can be adequately drained, accessed and issues of coal mining can be addressed. The application is therefore in accordance with national policy guidance and Policies CS1 and CS15 of the Core Strategy, UD2 and H6 of the Wrekin Local Plan and SP4 and BE1 of the Telford & Wrekin Local Plan as well as the guidance within the National Planning Policy Framework.

## 8.0 RECOMMENDATION

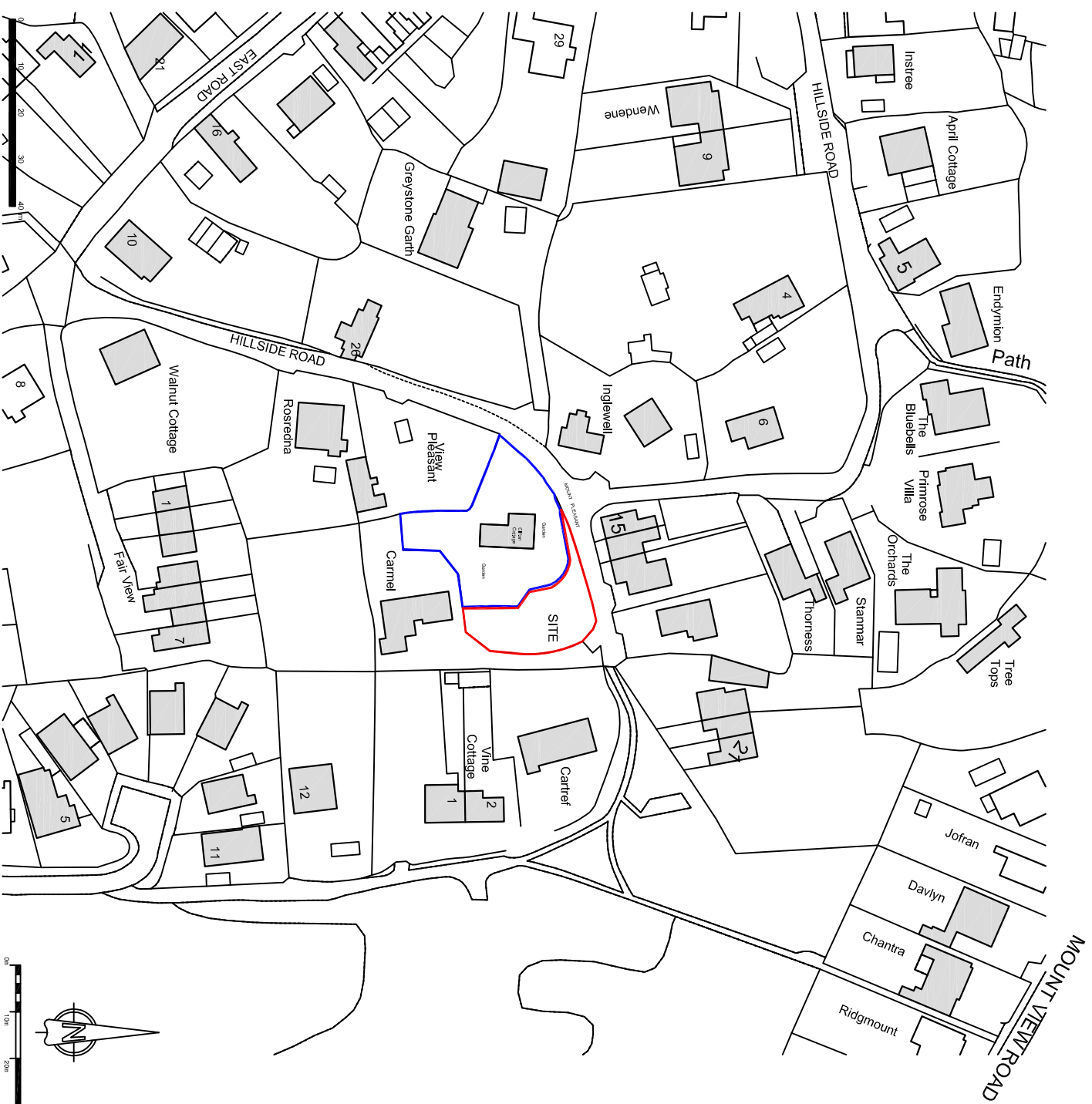
- 8.1 Based on the above conclusions, it is recommended to GRANT PLANNING PERMISSION subject to the following conditions:

### Conditions

12.A01	Time Limit - Outline
13.B002	Standard Outline –Some Matters Reserved
14.B010	Details of materials
15.B041	Visibility Splays
16.B042	Parking, turning loading and unloading
17.B046	Construction Management
18.B061	Scheme of foul and surface water drainage
19.B064	Soakaway test results and locations
20.Bcustom	Site investigation Coal Authority
21.B120	Details of enclosure
22.C38	Development in accordance with plan Nos.

### Informatives

I40 Conditions  
I41 Reasons for Grant of Permission  
RANPPF1 – Approval NPPF



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Title :

**LOCATION PLAN**

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Drawing Number: 4WA1411 -P-01  
 Client: MR B JONES  
 Date: 09.08.2016  
 Status: Planning

Prepared by: JW  
 Scale: 1 : 1250 @ A3  
 Revision: A  
 Checked by: JW

Scaling Note:- Do not scale from this drawing. If in doubt ask  
 utilities Dept- The position of any existing public or private  
 sewers, utility  
 services, plant or apparatus shown on this drawing is believed  
 to be correct, but no warranty to this is expressed or implied.  
 The contractor is therefore advised to undertake his own  
 investigation where any presence of any existing sewers,  
 services, plant or apparatus may affect his operations.

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 Telford TF2 9NW

T 01952 289076 M 07505 124691

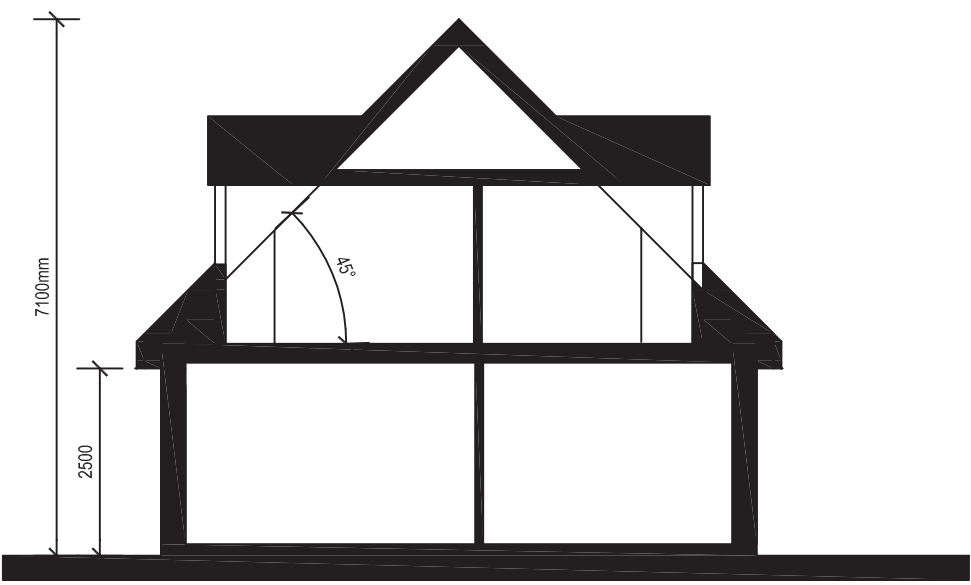
jeremy.ward@4wardarchitects.com

Architecture & Urban Design

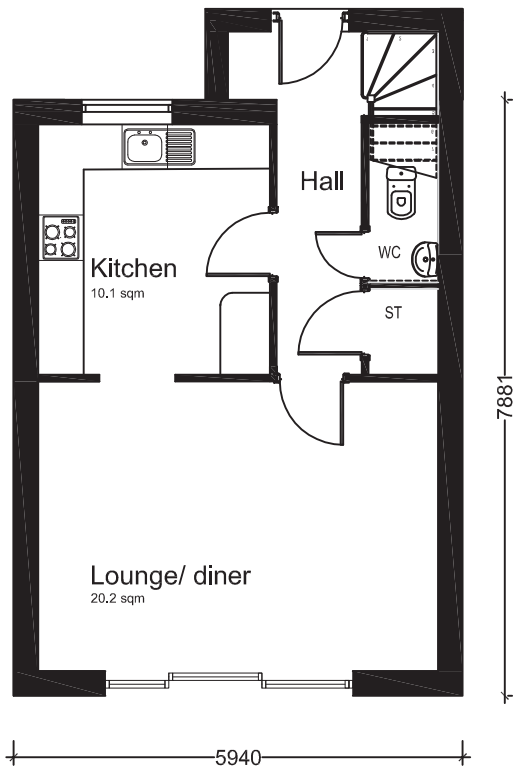


Title : **PROPOSED SITE PLAN**

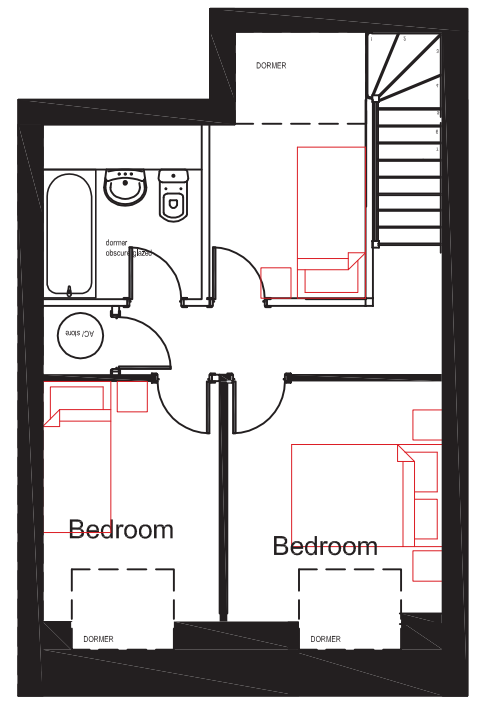
Do not scale from this drawing. This drawing is for indicative purposes only. All information contained on this drawing should be verified through proper survey.



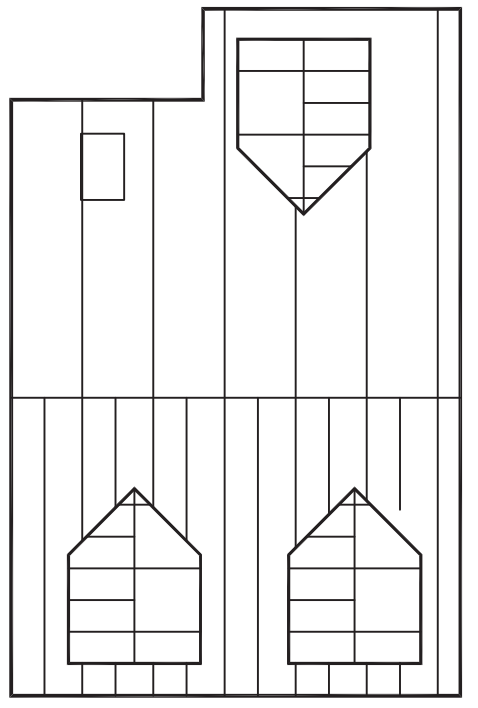
SECTION



GROUND FLOOR  
3 bed 2 Storey Dwelling  
86.5 sqm / 930 sqft Net



FIRST FLOOR



ROOF PLAN

**PROPOSED FLOOR PLANS**

Title :

Do not scale from this drawing. This drawing is for indicative purposes only. All information contained on this drawing should be verified through proper survey.

Drawing Number: 4WA1411 -P-11  
Client: MR B JONES  
Date: 09.08.2016  
Status: Planning

Prepared by: JW  
Scale: 1 : 100 @ A3  
Revision : A  
Checked by: JW

Scaling Note:- Do not scale from this drawing. If in doubt ask.  
Utilities Note:- The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty to this is expressed or implied. Other such plant or apparatus may be present but not shown. The contractor is therefore advised to undertake his own investigation where any presence of any existing sewers, services, plant or apparatus may affect his operations.

The Firs 33 Priorslee Village  
Telford TF2 9NW  
T 01952 289076 M 07505 124691  
jeremy.ward@4wardarchitects.com  
**Architecture & Urban Design**



**1.0 PURPOSE**

- 1.1 To inform Members of the making of a provisional Tree Preservation Order (TPO) and to seek its confirmation.

**2.0 RECOMMENDATIONS**

**It is recommended that Members resolve to confirm the following Order without modification:-**

**Borough of Telford & Wrekin (Maple Tree at; 9 and 11, Castle Road, Dawley, Telford, TF4 3EU) Tree Preservation Order 2016**

**3.0 SUMMARY**

- 3.1 On 7 September 2016 a provisional Tree Preservation Order was made in respect of one Maple Tree (identified as **T1** on the appended map – **Appendix 1**) at 9 and 11, Castle Road, Dawley, Telford, TF4 3EU.
- 3.2 On 9 September 2016 and 30 September 2016, an objection to the TPO was received from the occupier of the property, 9 Castle Road, Dawley, Telford, TF4 3EU, in respect of the Maple tree (**T1**).

**4.0 PREVIOUS MINUTES**

- 4.1 None.

**5.0 INFORMATION**

5.1 Details of Objection

Copies of the letters of objection are attached to this report as **Appendix 2**

5.2 Response of Arboricultural Officer

The response of the Arboricultural officer is attached as **Appendix 3**

**6.0 EQUALITY & DIVERSITY**

- 6.1 Not applicable.

## **7.0 ENVIRONMENTAL IMPACT**

7.1 The amenity value of the trees outweighs any reasons given for their removal.

## **8.0 LEGAL COMMENT**

8.1 A Tree Preservation Order is made under the powers conferred on the Borough of Telford & Wrekin by Sections 198, 201 and 203 of the Town and Country Planning Act 1990. A Local Planning Authority may preserve trees or woodlands if it thinks it is expedient in the interests of amenity to do so.

8.2 The Tree Preservation Order does not preclude necessary lopping or pruning. However, it would be necessary for the Council to consent before any such work was undertaken.

8.3 Should an application be received for consent to fell any protected tree(s), conditions could be imposed to secure the replanting of suitable replacement trees.

8.4 Before confirming an Order the Council must first consider any objections which have not been withdrawn.

8.5 Should an application be received for consent to fell any protected tree(s), conditions could be imposed to secure the replanting of suitable replacement trees.

## **9.0 LINKS WITH CORPORATE PRIORITIES**

9.1 The making of Tree Preservation Orders is an important element in the Council's priority of ensuring a sustainable environment.

## **10.0 FINANCIAL IMPLICATIONS**

10.1 There are no financial implications for the Council.

## **11.0 WARD IMPLICATIONS**

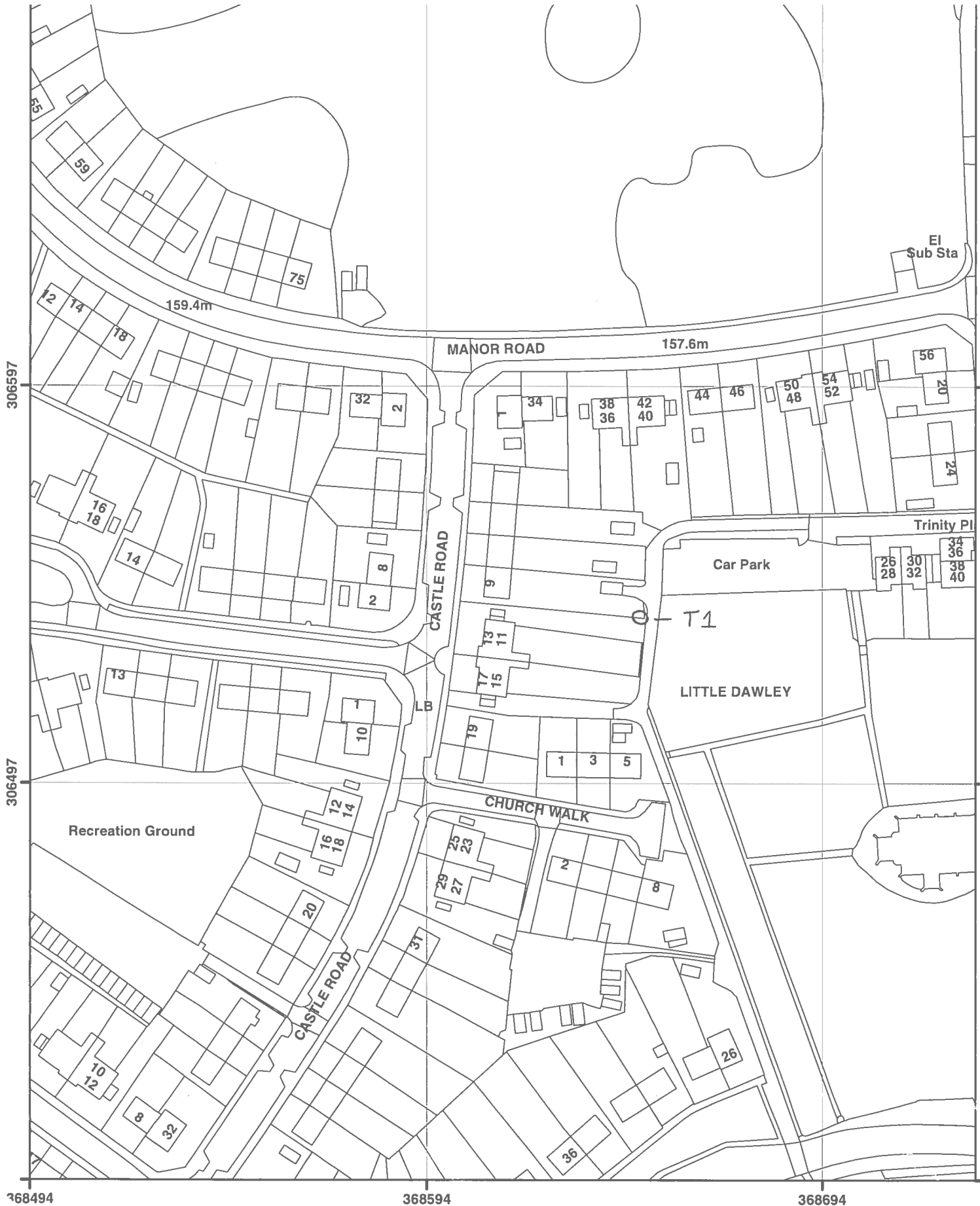
Dawley and Aqueduct


## **12.0 BACKGROUND PAPERS**

12.1 Borough of Telford & Wrekin (9 and 11, Castle Road, Dawley, Telford, TF4 3EU)  
Tree Preservation Order 2016

**For further information, please contact Ian Ross – (Team Leader Places) or Eileen Griffin – (Solicitor) on 01952 383255.**

**[ian.ross@telford.gov.uk](mailto:ian.ross@telford.gov.uk) or [Eileen.griffin@telford.gov.uk](mailto:Eileen.griffin@telford.gov.uk)**

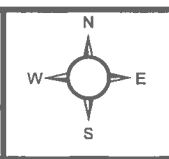



**Telford & Wrekin**  
 COUNCIL  
 Environmental Maintenance  
 Granville House  
 St Georges Road  
 Telford  
 TF2 7RA

**Title: Maple tree at ;**  
**9 & 11 Castle Road**  
**Dawley**  
**Telford**  
**Shropshire**  
**TF4 3EU**

**Scale:**  
**1:1,250**

**Date:**  
**06/ 09/ 2016**



**Drawn By: M. Seabrook**

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9th September 2016

Ref: TPO 160

Dear Stacey Worthington:

This letter is in reply to the preservation order that was hand delivered to my address on 7<sup>th</sup> September 2016.

I feel that I must give the reasons as to why I want to have the tree cut down. The first reason is that the roots are showing near my garage. The second reason is that I am having to keep cutting it back so to avoid vehicles getting damaged when using the lane by the tree, and with working during the day, I find myself getting less and less time to keep cutting the branches back. The third reason is that I am planning to replace the old fence I got there with a new fence to provide better privacy for myself. Therefore I feel that cutting the tree down is the best course of action to be able to do all this.

You will see in the following picture, a tree root showing, the groove in the ground is where the garage door catches the ground where the root is lifting it.



Stacey Worthington  
9th September 2016  
Page 2

Looking at the plan that was submitted between page 2 and 3, I feel that I must correct where you had put the tree. You are nearly right with where you had put the circle but the tree is wholly on my premises and is not on 11 Castle Road premises at all, so this is making me question on if anyone had been out to look at the tree.

As you can see in the following picture, the tree is on my premises and not on 11 Castle Road as you shown on the plan. The picture was taken standing on the lane and you will also see the fence that I am also planning on replacing in order to give myself some privacy.



I feel that I must point out that when 11 Castle Road had the fence put up between us that they came onto my premises to cut quite a few branches off above the fence height without speaking to me about it.

In the following picture, the view of the tree in question is from the bedroom at the rear of my house. I am under the impression that 11 Castle Road doesn't want the tree cutting down because of the shade it offers. Well as you can see in the picture, her garden over the fence by the tree looks like a car scrap yard and as far as I am aware, she doesn't use the bottom half of the garden for anything else so the shade that would be offered by the tree is only in the early morning and that it is unkept.

Stacey Worthington  
9th September 2016  
Page 3



I also feel that I must point out that there is a storm drain or sewer, I am unsure of which it is, running down the lane by the tree and surely the roots would be affecting that and it would be in the best interest to have the tree cut down.

Finally I must inform you that if this order is confirmed then I will tell everyone who wants a repair bill because of the tree to send it to Telford & Wrekin Council as I will not be paying anything due to the fact I wanted to cut the tree down.

Sincerely,





30th September 2016

Ref: TPO 160

Dear Mr Seabrook:

This letter is in reply to the letter from you dated 20<sup>th</sup> September 2016.

I notice that you did not reply to the point of the fact that I am having to keep cutting the tree back to avoid vehicles getting damaged when using the lane by the tree, and with working during the day, I find myself getting less and less time to keep cutting the branches back.

I have also notice that you did not reply to the point that I am planning to replace the old fence I have got there with a new fence to provide better privacy for myself. I feel that you think I am not allowed to have any privacy on my own property. If you feel that I can not have a fence on the edge of my property then maybe you should reduce my council tax and buy the land around the tree off me so that you can do what you like with the tree.

So yes I wish to maintain my objection. I feel that the tree preservation order is against my human rights to put a reasonable fence up on the edge of my property, that is owned outright and nothing to do with Telford & Wrekin Council, to give myself privacy.

I also maintain that if this order is upheld then I will tell everyone who wants a repair bill because of the tree to send it to Telford & Wrekin Council as I will not be paying anything due to the fact I wanted to cut the tree down.

Sincerely,



Angie Astley Assistant Director of Neighbourhood & Customer Services

Highways & Neighbourhood Management  
Darby House  
Lawn Central  
Telford  
TF3 4JA

  
**Contact Name:** Matthew Seabrook

**Telephone:** 01952 384384

**Fax:** 01952 384701

**Your Ref:**

**Our Ref:** TPO 160

**Date:** 20 September 2016

Dear Mr 

### Re: Tree Preservation Order

Thank you for your letter dated 9<sup>th</sup> September 2016. Within my reply I hope to answer the points you have raised and advise accordingly, if you feel that you then wish to maintain your objection to this TPO, it will then go to Planning Committee for their consideration.

Your first point of objection states that there are roots showing near your garage. Roots observed outside of the canopy edge can be severed cleanly to abate any perceived nuisance.

The general condition of this tree is perceived as good and currently does not require any surgery works. Please find enclosed an application form should you wish to undertake any tree works in the future.

Having undertaken a land search prior to making the tree preservation order, it appears that the boundary fence between yourself and your neighbour does not represent the true perimeters of these properties. I would suggest that the panel fencing currently in situ was erected "around" the tree in order to retain it. As such this tree is considered to be jointly owned between yourself and the neighbouring property.

Your observations regarding the close proximity of a storm water drain are indeed correct. Given that the drain is positioned over a metre below the surface it is not considered to be either threatened or the source of water and nutrients for this tree. This observation is based on the knowledge that tree roots rarely protrude soil over 500 mm in depth as there is little or no oxygen below this depth and roots will not survive.


I hope the aforementioned information has answered the points you have raised regarding your objection to this TPO. Should you wish to maintain your objection, please let me know and the tree preservation order will be allocated time during a planning committee meeting.

Yours sincerely

**Matthew Seabrook**  
Tree & Woodland Officer  
email: [trees@telford.gov.uk](mailto:trees@telford.gov.uk)

Angie Astley Assistant Director of Neighbourhood & Customer Services

Highways & Neighbourhood Management  
Darby House  
Lawn Central  
Telford  
TF3 4JA

  
**Contact Name:** Matthew Seabrook  
**Your Ref:**

**Telephone:** 01952 384384  
**Our Ref:** TPO160

**Fax:** 01952 384701  
**Date:** 5 October 2016

Dear 

**Re: TPO 160**

Thank you for your letter dated 30<sup>th</sup> September 2016.

My apologies, I thought I responded to all the points raised within your letter of objection. Further points are addressed below :

- You state that you have to keep cutting the tree back with regard to vehicles using the track to the rear. Correct pruning to specific points should reduce the number of pruning's that need to be undertaken and I would suggest that dialogue with your neighbour to share this responsibility will further reduce this obligation.
- With regard to replacing your fence, measures can be adopted to either avoid the tree or accommodate it within any fencing operations you choose to engage.

Your objection will now go to planning committee for consideration and determination.

Please contact me with any further queries you may have.

Yours sincerely

**Matthew Seabrook**  
Woodland & Trees Officer  
email: [trees@telford.gov.uk](mailto:trees@telford.gov.uk)

CC : Stacey Worthington