

PLANS BOARD

Minutes of a meeting of the Plans Board held on Thursday, 22nd January, 2009 at 6.00 p.m. in the Civic Offices, Telford

PRESENT: Councillors I.T.W. Fletcher (Chairman), A.A. Meredith (Vice-Chairman), R.G. Chaplin, J.A. Francis, G.M. Green, H. Rhodes, C.F. Smith (substitute for Cllr F.R Picken) and M.J. Smith

ALSO PRESENT: Councillors J. Greenaway, R.T. Kiernan, A. McClements and J.M. Seymour

PB-71 APOLOGY FOR ABSENCE

Councillor F.R. Picken

PB-72 DECLARATIONS OF INTEREST

None.

PB-73 W2007/1648 – HUNTINGDON LANE, NEAR LAWLEY, TELFORD, LITTLE WENLOCK AND NEW WORKS

This application by UK Coal Mining Ltd. was for a surface coal and fireclay mine site with associated operations and restoration to open space consisting of grassland, hedgerows with hedgerows trees, rights of way and open wetland habitat. The applicant had appealed to the First Secretary of State because the Council had not determined the planning application within the prescribed period of time (plus agreed extensions) which had expired on 8th November 2008. As a result a Public Inquiry would be held in April and May 2009 when evidence from all interested parties would be presented to an independent Planning Inspector, who would prepare a report and a decision would be made by the Secretary of State on the Appeal. The report to the Plans Board, therefore, considered the position the Council could have taken if it had still had the power to determine the application and the recommended stance to be adopted by the Council at the forthcoming Public Inquiry. The reasons why the Council had not determined the planning application within the prescribed deadline were set out in the report.

The site (93.5ha in total) lay on the western periphery of Telford, about 200m to the south of the M54 between junctions 6 and 7 with the nearest settlements being at New Works (100m to the east) and the Telford suburbs of Lawley (600m to the east) and Dawley/Horsehay (1km to the south east). Some 6.6 hectares of the site lay within the Shropshire Hills Area of Outstanding Natural Beauty (AONB) and a small section of Limekiln Wood County Wildlife Site lay within the site. New Works Wood was designated as a Scheduled Ancient Monument (SAM) on the basis of its historic coal mining remains and there were Scheduled Ancient Monuments on The Wrekin and by Willowmoor House, some 1.9 km and 0.8km to the south-west of the site respectively. Part of the site also lay within an Area for Concentrated

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Biodiversity Enhancement as designated by the West Midlands Biodiversity Partnership. Further environmentally and historically designated areas were identified in the report. The application site was crossed by footpath no. 37 and a Road Used as a Public Path (RUPP) no. 36 and an area of Ancient Woodland lay to the west of and adjacent to the site. As identified on the maps attached to the report, a large section of Area B and a small part of Area A were shown as derelict land on the current National Land Use Data Base, although in was, at the present time, in agricultural use.

UK Coal Mining Ltd. had originally proposed to extract some 900,000 tonnes of coal and 250,000 tonnes of fireclay from Areas A and B) However, they had now calculated that the amount of the best quality fireclay was significantly less than that originally anticipated, although this figure might be higher with blending. After an initial three months to establish the site, 340,000 tonnes of coal would be removed per annum in a phased manner over a thirty-two month period. The fireclays would supply a number of brickworks within the West Midlands and the North-West areas and the proposals would provide employment for 40 people directly and 52 people indirectly. The site would work normal daylight hours (0700-1900) during weekdays and 0700 -1300 hours on Saturdays with no operations taking place on Sundays or Bank Holidays.

Area A (southern area) would be worked first in a south-west to north-east direction followed by Area B (northern area) in a south to north direction. However, the phased working and backfilling of mining voids, once extraction had been completed, meant that only a portion of the site would be exposed to mining operations at any one time. The two areas would be linked by a haul road within the SAM and woodland at New Works Wood and would involve the felling of 180 trees (c.1ha and 7.5% of New Works Wood). In addition, Area A would contain the coal washing plant and processing area, plant bay, office area, main overburden storage area, two water treatment areas, soil storage areas on its flanks, 24 mining strips and the site access on its southern boundary with Huntington Lane. Area B would contain soil storage areas, mainly on its flanks, a water treatment area, a subordinate overburden storage mound and 35 mining strips.

The coal would be transported by road via Huntington Lane, Dog in the Lane, Coalmoor Road onto the A5223 at Horsehay to a number of potential destinations, possibly including existing coal fired stations at Ironbridge and Rugeley. The site would be restored over a six months period to a mixture of pasture and species rich grassland, arable land, new hedgerows laid in a historic setting, reinstated public rights of way, a proposed new public right of way and a new wetland habitat. There would be a five year aftercare scheme with long term management undertaken to ensure lasting natural effects beyond the aftercare period. In total site operations would last forty-one months and UK Coal Ltd. would enter into a legal agreement not to work any other coal and fireclay resources within the south-western Telford area as identified in the Joint Shropshire and Telford & Wrekin Minerals Local Plan, 1996-2006 (The Joint Minerals Local Plan). The proposals also included provision for a Community Trust Fund of £500,000.

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The Head of Planning & Environment drew Members' attention to the tabled errata and then gave a detailed presentation on the proposals and on the associated material planning considerations.

Detailed consultation responses, as set out in the report, had been received from the local Members of Parliament, local parish and town councils, the Telford & Wrekin PCT, and a wide range of local and national agencies and bodies. The response from Little Wenlock Parish Council had been very detailed, evidence of the seriousness in which it viewed the application. In addition over 500 written objections had been submitted to the Council, the main issues being summarised in the report. The detailed responses from the Council's Environmental Health Officer, Historic Environment Officer, Arboricultural Officer, Outdoor Recreations Officer, Environmental Projects Team, and Highways Engineer were set out in the report.

With regard to repeat applications, paragraph 20 of Minerals Planning Guidance (MPG) 3 stated that a Mineral Planning Authority (MPA) might decline to determine a surface mine application if it was made within two years of a decision and there had been no material change in the circumstances. There should also be a general presumption against approving applications where a similar application had been refused previously unless there had been a material change of circumstances. Although this was the fifth application in the last twenty years to work Area B, the last application, Dawley Road 2, had been withdrawn in December 2002. As set out in the report, circumstances had changed since the last application and it was, therefore, appropriate that this application be determined.

When considering this application, the Council had to undertake a balanced approach between the applicant's arguments regarding need and benefits and the potential harm arising out of the development proposal. Officers considered that, given the significant harm arising out of the development in this sensitive location, the applicants had not shown sufficient justification of the need for coal and fireclay other than to suggest there would be a market for it. The current coal demands from the power stations at Ironbridge and Rugeley were already being met from other sources. There were alternative supplies of surface mine coal and fireclay outside of AONBs in the British Coalfield which could be worked in preference providing they were environmentally acceptable sites. With regard to the demand for fireclay, there were alternative supplies available in more substantial quantities e.g. at the Caughley Site near Broseley, Shropshire. Particular attention was drawn to the comments made by Little Wenlock Parish Council on the issue of need, which had considered that the various forms of harm arising out of the development were not outweighed by the need and benefits of the proposals. Therefore, the application was not in accordance with Policies MPG 3 and saved policies M2, M7, and M21 of the Joint Minerals Local Plan.

The Environmental Impact Assessment (EIA) undertaken by the applicant included assessments of noise, blasting and vibration and air quality using MPS2 criteria. The Council's Environmental Health Officer (EHO) had noted that the predicted noise exceeded MPS2 guidelines at two receptors, although

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this would be limited to temporary operations expected to last less than eight weeks. In addition, a noise reading taken in autumn 2008 had indicated that some of the readings provided in the EIA required verification but the information requested had not been provided by the applicant. Further readings had, therefore, been taken for the Council by an external consultant, which, whilst not yet available, were likely to confirm that there were significant differences with the noise readings in the EIA. This raised serious concerns that MPS2 and the relevant saved policies of the Joint Minerals Local Plan M1, M3, M4, and M21 might not have been met to a material degree in respect of certain locations. Further details were being sought on this issue but officers were of the view that that the proposals would result in a breach of noise policy, which would constitute a reason for refusal of the application.

Surface coal and fireclay mining sites involved significant amounts of earth movements during excavations and subsequent backfilling and serious concerns had been expressed by the general public relating to the potential risks from respiratory and nuisance dust. Whilst there was no evidence that the proposed site operations would give rise to particulate matter emissions, which were likely to cause breaches in air quality objectives, it was appropriate that monitoring took place and that dust control measures were incorporated into planning conditions should appeal permission be granted. Following a request from the Telford & Wrekin Primary Care Trust, a Health Impact Assessment (HIA) was being commissioned with the results expected in late March 2009 the results of which would help to inform the Public Inquiry.

The applicant had agreed to the requirements laid down by the Highways Engineer, as set out in the report, and it was important that site-attributable HGV traffic did not depart from these designated routes. This could be achieved by a routeing agreement that formed part of the Section 106 Agreement. The resultant increases in HGV movements would not, in themselves, constitute a reason for refusal. The proposed bridleway/footpath system, which would be in place after the works had been completed, would provide a new footpath through New Works Wood to link up to other reinstated rights of way. Albeit welcome, it would be of limited benefit as there were alternative north-south routes and links for walkers in the vicinity. During the mining operation, the affected Public Rights of Way would be temporary out of use and the use and enjoyment of Rights of Way and lanes in the vicinity of the site would be affected by the operations. Whilst the proposals in highways terms were compatible with PPG13, Joint Structure Plan saved policy P58, Joint Minerals Local Plan saved policies M3, M4, M8 and M11 and Saved Wrekin Local Plan policy T22, the resulting disturbance would add to the cumulative impact of the proposals.

Officers accepted that the application represented an opportunity to comprehensively work the remaining coal and fireclay resources in this area, subject to environmental constraints, in line with paragraph 13 of MPG3 and saved MLP Policy M30 (Comprehensive Working of Mineral Resources).

The applicant's EIA had concluded that, in terms of landscape, six individual property receptors, the summit of the Wrekin and footpath no. 187A would be significantly visually affected at some point during site operations. It had also stated that none of the eight settlements, key transport routes, two local golf courses and strategic footpaths would be significantly affected by the development. However, these comments resulted from a desk top study with which Council officers disagreed in a number of respects. The southern area of the site could be viewed from The Wrekin and the proposed site operations would detract from the aesthetic qualities and recreational value of the local area surrounding the site. Not only did it take time to work and restore the site, but the after-use would take in excess of fifteen years to mature. In addition, the application site acted as a buffer zone between the urban area and the AONB and the hummocky nature of the open space, the result of underground mine collapses, was an attractive, sensitive and locally distinctive feature of the landscape which would be permanently lost through the surface mining. In contrast, the proposed restoration and after-use, whilst having some positive features, would lose this evolved hummocky landscape and could be achieved by local land owners and farmers irrespective of the current proposals. In conclusion, it was considered that the proposals would have a significant adverse impact on the landscape and would not, therefore, be compatible with Joint Structure Plan saved policies P59, Joint Minerals Local Plan saved policies M1, M21 and saved Wrekin Local Plan policy OL6.

The proposal was considered to impact on the Scheduled Ancient Monument not only from a landscape and visual perspective but also from that of the cultural heritage. Whilst the construction of the internal haul road through New Works Wood was not incompatible with PPG16, Joint Structure Plan saved policies P59 and Joint Minerals Local Plan saved policies M3, M6, officers were of the opinion that the internal haul road would not preserve or enhance the SAM.

Approximately, 6.6ha of the Shropshire Hills AONB was within the planning application area. PPG7 (paragraphs 21 and 22) gave guidance for all forms of development in AONBs, as did MPG3. The Government considered that major developments should not take place in these areas, save in exceptional circumstances and that all minerals development should be demonstrated to be in the public interest before being allowed to proceed. Most importantly, the policy applied to the whole of the AONB with equal force and consideration had to be given to the effect of development on land both within and outside of the AONB. The comments of a number of objectors, in particular the Shropshire Wildlife Trust, together with the on-site evidence, had confirmed the value of this sensitive and valuable area as a tranquil buffer between the west side of Telford and the AONB. Therefore, the detrimental "severance" effect of the mining proposal was a relevant and important consideration. Core Strategy policy CS12 recognised the importance of the Borough's natural environment and paragraph 29 of MPG3 listed certain tests that mineral applications within an ANOB had to satisfy, as referred to in the report. The proposals were, therefore, not compatible with MPG3 (paragraphs 28-29), PPG7 (paragraphs 21 and 22), Joint Structure Plan

policies P59, Joint Minerals Local Plan saved policies M1, M21, and saved Wrekin Local Plan policies OL2.

With regard to hydrology (surface water) concern had been expressed that the proposals might exacerbate flooding in the Arleston and College Wards, the water levels in the historic pools near to the site, the water quality of site discharge into water streams and the source of water to wash the coal. However, surface water issues had been addressed in the EIA and a flood risk assessment had been carried out in accordance with the requirements of PPS25. The Environment Agency had not objected to the proposals. With regard to hydrogeology the owner of Willowmoor House was concerned as to the effect of the proposals upon his private water supply from a spring. This issue had been addressed in the EIA and it was considered, on balance, that there should not be a problem but no guarantees could be given. Concern had also been expressed that the quality of the surface water would be affected, particularly by iron contamination from old workings but, following extensive analysis in the EIA, this could be addressed with mitigation measures. Overall, the proposals were considered to be compatible with Joint Structure Plan policies P58, P59 and Joint Minerals Local Plan saved policies M1, M3, M4, M21.

Given the history of mining on the application site, claims had been made that livestock had been lost down open mine workings and that one of the benefits of the proposal was that surface mining would remove these. However, no evidence had been presented that any humans or animals had been killed or injured by falling down crown holes or mine shafts within the application site area as all mine entrances had been sealed off. The lack of such evidence, therefore, undermined the appellants' arguments regarding the benefits of removing old abandoned mine workings through surface mining.

Engineering Management had expressed concerns that the exposure of old mine workings to oxygen could cause spontaneous combustion, leading to underground heating that could potentially last for years. However, the proposals for dealing with this issue were compatible with MPG5, MPG12, PPG14, Joint Structure Plan saved policies P59, Joint Minerals Plan saved policies M3 (ix), M8, M21A(iii), M27, and saved Wrekin Local Plan policies EH14, T22.

A small area of Limekiln Wood County Wildlife Site lay within the site but there were no other statutory or non-statutory designated conservation sites within the application site area. However, there were collectively many County Wildlife Sites, SSSIs and Local Nature Reserves within 2km, together with a designated ancient woodland area to the west of the application area. The applicant's EIA had concluded that none of these statutory designations would be significantly adversely affected by the proposals. Notwithstanding the benefits set out in the EIA, and as summarised in the report, a number of objectors had raised concerns, in particular the Shropshire Wildlife Trust. If members did not consider that they had sufficient information as to how protected species and their habitats would be protected, this could be a reason for refusing the application. With reference to the concerns raised by SWT, it was considered that the development proposal would have a material,

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adverse impact upon biodiversity and, therefore, the proposals were to be considered in terms of biodiversity effects against Joint Structure Plan policies P58, P59, Joint Minerals Plan policies M1, M3, M4, M7, M21 and saved Wrekin Local Plan policies OL12.

Members' attention was drawn to paragraph 12 of MPS2 and paragraph 18 of MPG3, which required MPAs to take cumulative impact into account when determining planning applications for coal and related development. This meant the impact of the proposed operation when added to other such or similar operations which were also having an impact upon the area. Little Wenlock Parish Council had referred to this cumulative impact in their consultation response in respect of previous open cast mining sites within the vicinity of the application site and officers also considered that the proposal would give rise to an adverse cumulative impact.

In addition the report dealt with the General Cumulative Impact and made reference to the appropriate Judicial reasoning, which, in essence, stated the position that a number of areas of potential impact which might not necessarily individually be regarded as reasons for refusal could, when taken together, constitute a reason for refusal. This principle of cumulative impact could be applied to the current proposals in terms of need, noise, dust, blasting, impact on highway/public rights of way users, landscape and visual impact, the Shropshire Hill AONB, the cultural heritage, and biodiversity, as detailed in report.

With regard to national, regional and Development Plan Policy, Members noted the Council's response to the comments made by the Regional Assembly and Government guidance on opencast coal applications, as set out in paragraph 8 of MPG3. The Government took the view that, subject always to local plan procedures, normal rights of appeal and the provisions of this guidance, MPA's assessments of the environmental acceptability or otherwise of individual proposals should normally prevail. Further, the Government had also confirmed AONBs as having the highest status of protection in relation to landscape and scenic beauty and, therefore, the need for their conservation should be given great weight in planning policies and development control decisions in these areas. Major developments should not take place in these designated areas, except in exceptional circumstances and should be demonstrated to be in the public interest before being allowed to proceed. In addition, planning authorities should ensure that any planning permission granted for major areas should be carried out to high environmental standards through the application of appropriate conditions where necessary.

In conclusion, there could be no doubt that, from the consultation responses received, the community of Telford & Wrekin was overwhelmingly opposed to this application. Surface coal and fireclay extraction had been going on in the south-western Telford area between the 1940s to the mid 1990s and, in particular, between the 1980s and the mid 1990s. Although the current LDF Core Strategy did not contain a minerals policy and there was no adopted Minerals DPD, saved Policy M21 of the Joint Minerals Local Plan (Coal and

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Fireclay Working) included Inset Map 2 (south-western Telford) and additional requirements for working within this area. Whilst this was not the same as the specific requirements of paragraph 38 of MPG3, it did indicate specific requirements which an application must meet to gain planning permission for surface mines in the south-western Telford area. It was considered that the general requirements of Policy M21 (A-C) were not satisfied by the proposals. The final balance was to weigh all the objections against the benefits and need and, in this case, the objections clearly outweighed the benefits and need for the development. The proposals, therefore, did not satisfy the policies of the development plan including saved policy M21 (Coal and Fireclay Working) of the Joint Minerals Local Plan.

This was the third and fifth application to work surface coal and fireclay within Area A and Area B respectively in the last twenty years, which demonstrated the complexity of the current proposals and the need for thorough analysis. The image of Telford was as a growth point in the West Midlands and as an attractive area to live and work, which would be adversely affected by the proposal. In addition to the impact of the proposal, there was no proven strategic need for the coal and fireclay and it was considered that no exceptional circumstances existed in this particular case.

In addition to the report attached to the agenda, additional information, as referred to in the report, had been made available in the Members' Room and a site visit had taken place prior to the meeting.

Councillor J.M. Seymour, one of the two Ward Members for Wrockwardine, the location of the application site, addressed the Board and spoke as both the local member representing the views of her constituents and as a resident of the area. In particular, she drew attention to the cumulative impact this application would have, if approved, given the numerous other similar sites in a relatively small area. The intensity of activity in the area over the previous seventy years had been unprecedented and Wrockwardine had suffered the effects and consequences of noise, dust, vehicles, and the spoiling of the landscape and it was time a halt was called to any further mining. The cumulative effects of the application would not only impact upon residents but also upon the wildlife, specifically the badgers, as included in the responses from organisations such as the Shropshire Wildlife Trust and Natural England. In conclusion she made reference to MPG3 and the presumption for refusal set out therein and said that UK Coal Ltd. had not made the case for this application to be considered as exceptional.

Councillor Seymour's comments were endorsed by Councillor R.T. Kiernan, her fellow ward member, who also referred to the long period of time during which local residents had had to endure mining operations and to the impact of the current proposals on their quality of life. The proposals, if approved, would also impact upon the future development of Telford as residents were unlikely to want to purchase properties adjacent to an open cast coal mining site. In addition, it was important that this land was protected for future generations.

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His comments were reinforced by Councillor J. Greenaway, Ward Member for Lawley & Overdale, which was adjacent to the proposed Site B. She referred to the prevailing winds which would carry dust and pollution from the site to the vicinity of the local primary school. She emphasised that Telford was a regional growth point and the detrimental visual impact that the application would have on the Lawley Sustainable Urban Extension, which would provide additional social and affordable housing for residents. No proven need for the coal had been demonstrated by the applicant but there was a proven need for such housing in the borough.

Councillor A.D. McClements, Ward Member for Arleston, also spoke on the impact upon the health and wellbeing upon residents of that area, together with the concerns expressed regarding the potential for flooding in Arleston. She recommended that the Council should give serious consideration to the work of various experts in order that its arguments to the Planning Inspector were as robust as possible.

The Board members spoke in support of the views expressed by the Ward Members. Councillor H. Rhodes said that the disbenefits outweighed the advantages and that the demand for coal could be met from elsewhere rather than damage the environment locally. Councillor C.F. Smith stressed the adverse impact that the proposal would have on the Schedule Ancient Monument, the SSSI, the ancient woodland and the AONB. The landscape that would be affected by the proposal had developed over centuries and should be left untouched for the benefit of residents and for the wildlife. He also expressed concerns about the impact of the additional heavy vehicle traffic on the narrow roads that ran through populated areas of the borough.

Councillor R.G. Chaplin spoke of the vast and dominant size of the application site. She considered that the principle of development in such an environmentally sensitive site should not be supported and agreed that no proven case for the application being considered as exceptional had been demonstrated. In conclusion she raised concerns as to the impact of the dust and noise on the quality of life of local residents and to the fact that approving coal mining in a developing town would be a retrograde step and something which would alter the character of what people were trying to build in Telford. Councillor A.M. Meredith stressed the need to protect the AONB and Councillor G.M. Green supported the comments made by other members on the detrimental effect upon the development of Lawley, as did Councillor M.J. Smith.

On being put the vote, the Board voted unanimously in support of the recommendation set out in the report.

RESOLVED - that at the forthcoming Public Inquiry, the Council should oppose the current application and recommend to the First Secretary of State that the appeal should be dismissed for the following reasons:

- 1. The proposed development represented major development which would have an unacceptable and significant adverse impact**

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on the Shropshire Hills Area of Outstanding Natural Beauty and adjoining areas of countryside, their use and enjoyment. The proposals therefore failed to meet the tests of paragraph 8 (iii) of MPG3 by virtue of not being environmentally acceptable, the additional tests of paragraph 28 and 29 of MPG3 for an Area of Outstanding Natural Beauty, Policy QE1 of RSS11, saved Policy P59 of the Joint Structure Plan, saved policies M3, M7 and M21 of the Joint Minerals Local Plan, and saved Wrekin Local Plan policy OL2.

2. The general cumulative impact of the proposals set out in paragraph 10.19 of this report would be significant and in conflict with MPG3 and MPS2, and saved policies M2, M3, M4, M7 and M21 of the Joint Minerals Local Plan.
3. The noise impact of the proposals, as described in paragraphs 8.1 (1) and 10.3 of the report would be unacceptable and contrary to MPS2, and the relevant saved policies of the Joint Minerals Local Plan M1, M3, M4, and M21.

PB-74 URGENCY RESOLUTION – SECTION 100b(4) LOCAL GOVERNMENT ACT 1972

The Chairman of the meeting made the following statement:

“I am of the opinion that the following items of business should be dealt with as a matter of urgency at this meeting in order to avoid any unnecessary delay.”

PB-75 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – that the press and public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A of the Local Government Act 1972.

PB-76 UPDATE ON PUBLIC INQUIRY/COUNSEL’S OPINION

The Head of Planning & Environment presented a report in respect of a planning application made for the demolition of an existing dwelling and redevelopment of a site to provide twelve dwellings at The Paddocks, Arleston Lane

Following the initial delegated refusal by a planning officer, the applicant had lodged an appeal and the matter was listed for hearing at a Public Inquiry in February 2009. The local Town Council had objected to the scheme and letters of objection had been submitted by neighbours from the adjacent residential development.

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The report referred to Counsel's Opinion in respect of this application and the officers' response. In conclusion, this previously developed site was in a sustainable location and it was considered that the Council was unlikely to be successful in defending the refusal decision at the Inquiry. Members were informed that a contribution was being offered in respect of leisure/open space.

Members were in agreement with the proposed course of action set out in the report subject to the applicant being requested to make a Section 106 contribution towards leisure/open space in the vicinity of the application site.

RESOLVED – that the Head of Planning & Environment be granted delegated authority to pursue the following option:

That the Local Planning Authority offers no evidence to the Inspector and invites the Inspector to grant planning permission, subject to the appellant entering into a Section 106 obligation to provide an appropriate financial contribution for leisure/open space in the vicinity of the application site, and subject to the appropriate conditions being attached.

The meeting ended at 7.45 p.m.

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 4th February, 2009 at 6.00 p.m. in the Civic Offices, Telford

PRESENT: Councillors I.T.W.Fletcher (Chairman), A.A.Meredith, R.G.Chaplin, J.A.Francis, G.M.Green, H.Rhodes and M.J.Smith.

ALSO PRESENT: Councillors A.J.Eade for planning application W2008/1297 and A.Stanton for planning application W2008/1359.

PB-77 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 14th January, 2009 be confirmed and signed by the Chairman.

PB-78 APOLOGIES FOR ABSENCE

None.

PB-79 DECLARATIONS OF INTEREST

Councillor H.Rhodes declared a personal interest in planning application W2008/1363 and stated that she would leave the meeting during the consideration and determination of this particular application.

PB-80 PLANNING APPLICATIONS FOR DETERMINATION

(a) W2008/0705 – Land off Frome Way, Donnington, Telford, Shropshire

This outline application for residential development on a plot of land off Frome Way in Donnington was considered by the Board. The application site was part of a larger area owned by the applicant and comprised some 2.4 ha and was situated some 2.5 kilometres north-east of Telford Town Centre and half a kilometre north of Oakengates. To the east of the site there was the existing residential development of Frome Way and Kenwray Drive.

The concept plan submitted as part of the application suggested that up to 79 dwellings could be provided on this site with a mix of detached, semi-detached and terraced dwelling. The proposed access to the development would be off Frome Way to the east of the site. Members were advised that a LEAP would be provided as part of the development. In addition a mitigation strategy for Great Crested Newts on the adjoining land had been proposed. The applicants also proposed that the open areas in the ownership of the Housing and Communities Agency (HCA) around the north, west and south of the site were to be transferred to the ownership of the Council. Notwithstanding this all matters were reserved for subsequent approval.

The Board was informed that the site had the benefit of 7(i) approval number 221 – North East Telford in 1986 as part of a larger area for residential development. Previously records indicated that the site was mined and several mineshafts being recorded on the site.

Members were referred to the relevant planning policies, consultation responses and relevant planning considerations as outlined within the report. Members also received details of the agreed level of affordable housing and financial contributions. These were the provision of affordable housing – as a result of the difficult ground conditions and cost of remediation 25% affordable housing has been agreed split 17.5% social rented and 7.5% shared ownership. A contribution of £1250 per dwelling for all of the residential units with the exception of the one bedroom units, for the provision of primary education facilities. A sum of £43,103 for the necessary for required highway improvements to the junction of St Georges Road and Wrockwardine Wood Way. In connection with the provision of the LEAP provision - a sum of £35,000 had been agreed as a commuted sum for the maintenance of the play area.

Members whilst generally welcoming the proposed development commented on the possible provision of a suitable footpath link to be provided from the site to St. Georges Road, which would enable easy access to the available bus routes. Members requested that officers should be granted delegated authority in order to attempt to secure such a footpath link from the development site.

In conclusion officers reminded Members that the site was a committed housing site on the Wrekin Local Plan and served by regular bus route. As such residential development of this site was considered to be in accordance with policy and acceptable. This is would not be an easy site to develop and care would be needed to ensure that appropriate account was taken of the need to protect the Great Crested Newts. There were issues of the mineshafts, contamination, highway requirements and drainage to be resolved as part of any development of the site and as such these remaining issues could be covered by appropriate planning conditions.

RESOLVED – that in relation to planning application W2008/0705 that delegated authority be granted to the Head of Planning & Environment to grant outline planning permission subject to the conditions as outlined within the report and subject to the applicant/owner entering into a Section 106 agreement to provide a financial contribution to improvements to the junction of Wrockwardine Wood Way and St Georges Road, education facilities, commuted sums for maintenance of the play area, landscaped open space and the woodland adjoining the application site, and 25% affordable dwellings as outlined within the report together with, if the Head of Planning & Environment considers it reasonable in the circumstances to require it the identification and provision of a suitable footpath link from the site to St Georges Road.

(b) W2008/1297 – Land at 6 Hillside East, Lilleshall, Shropshire

Members received this application which sought outline planning permission for the erection of a bungalow with all matters reserved. The site was currently the sizable side garden of 6 Hillside East, and was accessed via a narrow and steep unmade lane from the centre of Lilleshall, leading up to Lilleshall Hill and the Monument. The existing property was an extended cottage, located at

a lower level than the road, with a sloping driveway to a modern garage. The application site was predominantly grassed, sloping slightly to the lane, with a gate access, and was screened by hedges and trees to the front and rear, with outbuildings within the site. There are a mix of housing styles and designs along the lane.

The Applicants currently live at No.6 Hillside East, but due to ill health (Alzheimer's Disease) they wished to construct a bungalow on the adjacent garden land to the side of the existing dwelling. An indicative layout of the bungalow and attached double garage had been submitted, including elevations and floor plan.

The local ward member, Councillor A.J.Eade was invited to address the Board. He stated that he fully supported the application and whilst he acknowledged the general planning policies he requested that the Board should take into account the extreme personal circumstances of the applicants and that this should outweigh the adopted planning policies. He also made reference to the previous planning appeal which was for a different type of residential property. Member's attention was drawn to Paragraph 21 of the Planning System: General Principles which made reference to the use of personal planning permissions, which appeared to be at variance to the adopted planning policies. The Committee were also referred to new national government in connection with the care and treatment of sufferers with illnesses such as Alzheimer's Disease within their own homes. In conclusion he requested the Committee to exercise their discretion to agree to approve an exception to the existing policy and that the granting of this particular application would not set a precedent.

Members were referred to the planning policy issues as outlined within the report principally with regard to policies CS1 and CS7 in the Core Strategy. In particular Core Strategy Policy CS1 which required that the spatial distribution of new homes should be consistent with the spatial development strategy stating that housing needs in the rural area would be met by approximately 170 new dwellings. At the current time, the threshold had already been met from dwellings already built or having received planning permission. The proposal would therefore be contrary to Policy CS1 at this time. Policy CS7 stated that development within the rural area should be limited to meet the needs of the area, and be focussed on the 3 key settlements of High Ercall, Tibberton and Waters Upton. Lilleshall is not one of the key settlements, and therefore any residential development would be limited to agricultural, forestry or other occupational dwellings or affordable housing, having regard to PPS7 and PPS3. The proposal had not been identified as any of these exceptions.

The Committee were also referred to the relevant planning history, policy context and relevant planning considerations as outlined within the report.

The applicant currently lives at No.6 Hillside East with his wife who has been diagnosed with early onset of Alzheimer's Disease. In the supporting information, he stated that they wished to remain in Lilleshall and be as independent as possible, but that they would need single storey accommodation as the Alzheimer's Disease progresses. A number of healthcare professionals had advised the Applicant that retaining familiar

surroundings was vital in order for his wife to maintain a level of independence and that single storey dwelling constructed on a flat site would be desirable. The applicant stated that the existing property, due to steep sloping drive, steps and internal arrangements – different levels, narrow door openings and unsuitable facilities, was no longer practical for their needs.

The Local Planning Authority was sympathetic to the circumstances of the Applicant with regard to his wife's illness. However the fundamental policy concerns were that the development would create an additional dwelling in an unsustainable settlement in the rural area; and that even if the Applicants entered into an agreement restricting the use of the dwelling for them alone, a further dwelling would still remain.

Members debated the merits of the application very closely and recognised the adopted planning policies that had been outlined within the report and the legal advice that was provided in connection with the creation of a precedent if the application was approved. A number of members felt that the extreme personal health circumstances for the applicant's wife did outweigh the relevant adopted planning policies that had been outlined within the report to the extent that planning permission in this particular case should be granted. Accordingly it was;

RESOLVED – that in relation to planning application W2008/1297 and on the basis that the extreme personal health circumstances of the applicant's wife was considered to outweigh the adopted planning policies of the Local Planning Authority and that delegated authority should be granted to the Head of Planning & Environment to grant outline planning permission subject to the imposition of appropriate planning conditions.

(c) W2008/1359 – Land adjacent to 7 Vauxhall Crescent, Newport, Shropshire

This application sought outline planning permission for the erection of one detached dwelling in the existing side/front garden area of No.7 Vauxhall Crescent, with all matters being reserved at this stage.

The application site was a corner plot comprising garden area to No.7 Vauxhall Crescent, an inter-war two-storey end-terrace property, of brick and tile construction. The driveway was accessed from the estate road, whereas the adjoining property, No.6 Vauxhall Crescent had direct access on to the main road, Longford Road. The application site was enclosed by fencing, hedge, and a substantial stone wall which was a characteristic feature on this part of the road.

The local ward member, Councillor A.Stanton was invited to address the Board and stated that he had been requested by the applicant to speak in favour of the application. He stated that the application was only outline at this stage and provided a number of indicative layouts that could be undertaken within the application site which would counter many of the comments that had been outlined within the report. He also explained the reason for the withdrawal of the previous application was based on the change of planning

policy grounds and also the perceived lack of communication between the applicants and the planning officers. He also sought to remind the Committee that the proposed type of property and infill development was repeated elsewhere within Newport. He concluded by stating that the applicants were willing to enter into discussions with the planning department in order to achieve a suitable development.

The Head of Planning & Environment informed the Board that an outline application such as this required that officers should make some assumptions in connection with the likely development that would be possible to be incorporated within an application site and that the Board would need to make a decision based on a number of current planning principles.

A Member enquired as to whether the Board would benefit from undertaking a site visit prior to further consideration and determination of the application. Following a brief discussion, it was accordingly;

RESOLVED – that in relation to planning W2008/1359 that determination of this application be deferred to enable a site visit to be undertaken on the date of the next Plans Board meeting.

N.B. In accordance with her previous Declaration of Interest Councillor H.Rhodes left the meeting prior to the consideration and determination of this planning application.

(d) W2008/1363 – Football Pitch, Off School Grove, Oakengates, Telford, Shropshire

The Board received this application for the proposed erection of six 15 metre high floodlight columns around the existing football pitch to enable Wellington Amateurs and local after school clubs to use the facilities more regularly during the winter months, and to meet requirements of the West Midland League First Division in which Wellington Amateurs plays. The application site was an existing football pitch, with vehicular access from School Grove, Oakengates a narrow residential street, leading to a gated driveway and gravelled car parking area within the site. Existing buildings within the site comprised changing facilities, a large storage container and two small dug-outs.

The football pitch was located in an elevated position to properties in School Grove (mainly bungalows and dormer bungalows) and Hartshill to the east and north, and at a lower level than Stallard Court (elderly person bungalows) to the west. Commercial development was also located to the southern boundary.

Members were also referred to the consultation responses as outlined within the report. Members were requested to note that the Council's Environmental Health Officer who had no objection to the proposed floodlights, if installed and adjusted correctly, but had concerns that the lights would enable increased usage of the football pitch and unrestricted use of the floodlights at night had the potential to cause nuisance to residents, especially Stallard Court which was close to the western boundary. He had concluded that the

frequency of use of the lights should be strictly controlled by condition, and these were outlined within the report.

The Board were requested to consider the letters of support for the application together with the letters of objection that had been received, together with consideration being given to the relevant planning history, planning context and planning considerations stated within the report.

Members were also referred to the update sheet that had been prepared since completion of the report. In connection with the update sheet the Committee was requested to note that additional information had been submitted by the applicant's agents in connection with the site ground conditions but that the Council's Geotechnical Engineers had not considered that the additional information met the officer's requirements. Accordingly further information would be submitted. But members were requested to grant delegated authority to the Head of Planning & Environment to grant permission subject to the submission and consideration of the additional information as detailed above.

Subject to submission of the additional information officers had concluded that the proposal was considered acceptable as it would enable greater use of the existing football pitch during winter months. The design and scale of the floodlights and their limited use would minimise any adverse impacts on adjoining residential amenity.

RESOLVED – that in relation to planning application W2008/1363 that subject to the submission of satisfactory additional information in connection with site ground conditions to grant delegated authority to the Head of Planning & Environment to grant planning permission subject to the conditions as outlined within the report.

N.B. Councillor H.Rhodes returned to the meeting room for the remainder of the meeting.

(e) W2008/1364 – Wrekin View Primary School, North Road, Wellington, Telford, Shropshire

This council application sought permission for the construction of playground facilities for sporting activities. The facilities would consist of a modest sized area of hardstanding with surrounding 3m high ball court fencing in order for the school to meet the regulation amount of physical education. The application site was located to the rear of the Wrekin View Primary School, North Road, Wellington.

It was reported that no objections had been received in connection with the application. Members were also referred to the relevant planning history and policy context.

The site was located within land designated as 'Green Network' within the Wrekin Local Plan and that the use of the land for children's play facilities was compatible with the long term aims of the green network in providing community and recreational facilities. It was considered that the proposal did

not adversely affect the function of the green network as this would provide social benefits and the site was not of important ecological, geological or archaeological importance. Therefore it was considered that the proposal would be in keeping with the character and appearance of the surrounding area with the closest neighbouring properties some distance away with good screening between it was not thought the proposal would be of detriment to the amenities of neighbouring properties. Accordingly, it was;

RESOLVED – that in relation to planning application W2008/1364 that planning permission be granted subject to the conditions as outlined within the report.

- (f) W2008/1375 – Sutherland Business & Enterprise College, Gibbons Road, Trench, Telford, Shropshire

This application related to the construction of a lift shaft and ramp to enable disabled access to all areas of the Sutherland Business and Enterprise College. The application site was located at the western end of the school (Block B), set back from the adjoining parts of the building, with an existing access point through double doors. Steps and ramp and a hard landscaped area were located in an elevated position in front of the entrance. The building is constructed in brick with timber panels and glazing and is flat-roofed.

Members were referred to the details of the consultation responses, relevant planning history, planning context and planning conditions.

The proposal was for a flat-roofed extension to the building, constructed in brick to match existing, with blank external gable walls, and projecting above the existing roof height. Access to the lift would be from existing corridors at ground and first floor of the building, with existing entrance relocated to side, linking to proposed ramp access. Whilst the proposed extension would project above the building, it would be a similar height to the adjoining glazed element of the school building. Both the proposed extension for the lift shaft and the ramp were considered to be of an appropriate form, design and materials, in keeping with the character and appearance of the existing building and hardstanding at the school.

RESOLVED – that in relation to planning application W2008/1375 that planning permission be granted subject to the conditions as outlined within the report.

- (g) W2008/1385 – 4 Edward Parry Court, Dawley Bank, Telford, Shropshire

The Board considered this application which was for the change of use of council owned open land to private garden land and the erection of a garage on that land situated at 4 Edward Parry Court, Dawley Bank, Telford.

The site outlined for development was a small triangular plot adjacent to the residential curtilage of a modest semi detached bungalow. The surrounding properties on Edward Parry Court were bungalows of a similar age and character. The property was set back from the road and accessed via a

private drive which served four other properties. Members were referred to the consultation responses that had been received as outlined within the report together with the relevant planning history, planning context and planning considerations.

The proposed garage was to be placed on open land to the side of the property, which was not entirely visible from the road due to its location and the positioning of the house at an angle. It was considered that the enclosure of the land would not detract from the open plan character of the estate and would still leave a large area of green space. In relation to the proposed garage, many other properties in the surrounding area had attached garages. It was considered that the garage proposed would be of a more attractive traditional build with a pitched tiled roof and would be constructed of similar materials to the house and this would be conditioned to ensure it would be in keeping with the character and appearance of the surrounding area.

RESOLVED – that in relation to planning application W2008/1385 that planning permission be approved subject to the conditions as outlined within the report.

PB-81 SITE VISTS

RESOLVED – that a site visit in respect of planning application W2008/1359 be undertaken on Tuesday 25th February 2009, commencing at 3.30 pm.

PB-82 PLANNING APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

The Board received for information details of planning applications that had been determined under delegated powers.

The meeting ended at 7.00 p.m.

Chairman:

Date:

TELFORD & WREKIN COUNCIL

PLANS BOARD – 25TH FEBRUARY 2009

Schedule 1 : Planning Applications for determination by Board

`A' List : Major developments and/or cases in conflict with policy

W2008/0705 Residential development (outline) Land off, Frome Way, Donnington, Telford, Shropshire. Recommendation Code: OLG - Ward: Priorslee	1
W2008/1290 Demolition of existing school buildings with erection of new Senior school, Junior/Primary school and Leisure/Community centre with associated facilities (Outline application) ***** AMENDED PLANS AND ADDITIONAL INFORMATION RECEIVED ***** Land at, Abraham Darby School, Ironbridge Road, Madeley, Telford, Shropshire. Recommendation Code: OLG - Ward: Madeley.....	10
W2008/1324 Residential development for maximum of 13 residential bungalows and relocation and improvement of local equipped area of play (Outline application) Land off, Prince Edward Crescent, Malinslee, Telford, Shropshire. Recommendation Code: OLG - Ward: Malinslee	27
W2008/1359 Erection of 1no. detached dwelling (Outline) Land adjacent to, 7, Vauxhall Crescent, Newport, Shropshire. Recommendation Code: OLR - Ward: Newport West	34
W2009/0035 Change of use of open public space for creation of children's bicycle trail Open space adjacent to B5061, Ketley Brook, Ketley, Telford, Shropshire. Recommendation Code: FG - Ward: Arleston	39
W2009/0053 Installation of 1no. window and 1no. door, replacement of railings around parking area, laying of patio and installation of railings, installation of 2no. satellite dishes. Boring Mill Cottage, 24, Dale Road, Coalbrookdale, Telford, Shropshire. Recommendation Code: FG - Ward: Ironbridge Gorge	42
W2009/0077 Tree works as per schedule Tan Bank Car Park, Wellington, Telford, Shropshire. Recommendation Code: TCG - Ward: Haygate	45
W2009/0083 Determination under part 24 of the GPDO for the erection of a 12.5m monopole with associated equipment cabinets and ancillary development Land at, Sutton Way, Sutton Hill, Telford, Shropshire. Recommendation Code: TDA - Ward: Cuckoo Oak.....	47

Agenda Type : A

W2008/0705 Residential development (outline)
Land off, Frome Way, Donnington, Telford, Shropshire.
Recommendation Code: OLG
Ward: Priorslee

APPLICANT:
English Partnerships

RECEIVED ON:
12/06/08

PARISH
Wrockwardine Wood

WARD
Priorslee

CASE OFFICER:
Kath Whitfield

This application was considered by Plans Board on 4 February 2009. Members requested officers to attempt to secure a footpath link to St Georges Road which would enable easy access to bus routes. Since then your officers have walked the designated footpath routes from St Georges Road shown on the attached plan with the Council's footpath officer. None of the designated footpaths are considered suitable, nor can easily be made suitable to provide easy pedestrian access to St Georges Road. There are real issues in relation to nature and the levels of the existing designated footpaths.

Footpath 53 is narrow and in parts very steep crossing a small stream by means of a narrow plank bridge. It has a pond on one side and a steep bank on the other. There is already an informal link up a steep embankment to the application site. This footpath relies on an access to St Georges Road via a private drive that already serves potentially 6 dwellings and there is no means to provide separation between vehicles and pedestrians.

Footpath 51 is not readily accessible at this stage. Even if it was opened there is a very steep embankment down towards the application site which makes it unusable as a link to the proposed new dwellings. It is also quite steep on the length from St Georges Road to edge of the land in HCA ownership. This footpath goes through a private garden and is considered unsuitable as a major footpath route.

The unnumbered footpath to the north may not touch land in HCA ownership as the boundaries are not clearly defined on the ground. Again there area issues with levels with steep slopes along parts of the path. There is already an informal link up to the application site.

It is considered that none of these footpaths are suitable to provide an appropriate link to existing bus routes along St Georges Road and even if improved would still only be able to be walked by limited numbers. These footpaths are essentially only suitable as recreational routes. A condition can be imposed to ensure that linkages are made to the existing footpath system in accordance with an agreed scheme but these would be unsuitable to be promoted as utility routes.

RECOMMENDATION : as per the report attached below with an additional condition:

Any application for Reserved Matters shall provide for a scheme to link the site to the existing designated footpaths adjacent to the site. The agreed scheme shall be implemented in full before the first dwelling is occupied or in accordance with a timetable to be agreed by the LPA in writing.

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principal of development, highway access, design and site levels.

PROPOSAL:

This is an outline application for residential development on a plot of land off Frome Way in Donnington. The application site is part of a larger area owned by the applicant and comprises some 2.4 ha. The concept plan submitted as part of the application suggests that up to 79 dwellings could be provided on this site with a mix of detached, semi-detached and terraced dwelling. Access will be off Frome Way to the east of the site. A LEAP will be provided as part of the development. In addition a mitigation strategy for Great Crested Newts on the adjoining land has been proposed. The applicants propose that the open areas in the ownership of the Housing and Communities Agency (HCA) are around the north, west and south of the site are transferred to the ownership of the Council. Notwithstanding this all matters are reserved for subsequent approval.

PLANNING HISTORY

The site has the benefit of 7(i) approval number 221 – North East Telford in 1986 as part of a larger area for residential development. Previously records indicate that the site was mined and several mineshafts are recorded on the site. Some reclamation works were carried out by Telford Development Corporation during the late 1980s.

SITE AND LOCATION

The site is irregular in shape. It lies some 2.5 kilometres north-east of Telford Town Centre and half a kilometre north of Oakengates. To the east of the site is existing residential development of Frome Way and Kenwray Drive.

Around the north, west and southern boundaries is mature and semi-mature woodland. Whilst the main part of the site is relatively flat, there are steep changes in level around the boundaries of the site to the north and west the site is above the surrounding land but to the west and south it is below the surrounding housing and woodland. Beyond the woodland to the south and west are the industrial/storage development off Rookery Road and the housing along Moss Road.

The site covers an area of approximately 2.4 ha. It is a relatively flat site though there are steep slopes around the boundaries. This is a brownfield site that has been subject to past mining. Some reclamation work has already been carried out by Telford Development Corporation during the 1980s. The site contains 5 recorded mineshafts within the proposed development area. In the wooded area to the north and south are ponds where Great Crested Newts have been found. The site also contains six stands of Japanese Knotweed, which is classed as an invasive species.

POLICIES

In the Core Strategy DPD the following policies are relevant:

- CS1 Homes
- CS3 Telford
- CS5 District and Local Centres
- CS11 Open Space
- CS15 Urban Design

In the Wrekin Local Plan the following 'saved' policies are relevant:

- H22 Community Facilities
- H23 Affordable Housing
- UD2 Urban Design Criteria
- T22 Planning Obligations
- OL3 Green Network
- OL6 Open Land
- LR4 Outdoor Recreational Open Space
- LR6 Developers contributions to outdoor recreational open space provision within new residential developments
- EH14 Land Stability
- EH7 Land contamination
- EH8 Remedial action on contaminated land

The site is shown for housing on the proposals map for the Wrekin Local Plan.

National Planning Guidance is given in:

- PPS 1 Delivering Sustainable Development (including planning and climate change)
- PPS 3 Housing
- PPS 9 Biodiversity and Geological Conservation
- PPG 14 Development on unstable land
- PPS23 Planning and Pollution Control
- PPS 25 Development and Flood Risk

CONSULTATION RESPONSES

Leisure & Recreation Officer:

Requested the provision of LEAP on the site, to be provided by the developer but in accordance with a scheme to be agreed by the Council. A commuted sum of £35,000 for the maintenance of the play area (but not any buffer zone) is requested. It should be built to an appropriate standard otherwise additional sums will be required. The LEAP needs to be provided with an appropriate buffer zone from any dwellings and away from overhanging trees that may be dangerous and where leaf loss may be hazardous. The LEAP needs to be constructed before the nearby dwellings are occupied. Though there are two small play areas to the north-east and south of the site, these are in the ownership of the Riverside Housing Association and the developers were not able to negotiate appropriate upgrades of these two areas or to bring them into public ownership as alternative provision.

Tree Officer :

Stated that any land transferred to the Council should be with an appropriate commuted sum for future maintenance. It would need to take account of any

additional costs arising from the need to mitigate for Great Crested Newts adjacent to the site. In addition he would be looking for enhancements to bio-diversity of the area to mitigate against increased usage of the surrounding woodland. The amount will need to be agreed as part of the S106 negotiations.

Planning Ecologist:

Considers that the proposed Mitigation Strategy for the protection of Great Crested Newts found on and adjacent to the site and proposed by the applicants is acceptable. There are no breeding ponds to be lost on site but replacement foraging, which does take place on the site, will need to be provided. A license from Natural England to implement the mitigation strategy will be required.

Engineering Services:

No objections but point out that there a mineshaft outside the application site boundary that is associated with a drainage system which should not be compromised by this development. There is a stand-off of 20m which may affect the development. No mineshaft stabilisation works will be permitted within 10m of this mineshaft.

A shallow mining investigation is required and no development will be permitted within 12 metres of the capped mineshafts on the site.

A slope stability assessment will be required. This should include appropriate mitigation measures to ensure the stability of the site and surrounding area.

Environmental Health Officer:

Some concerns about the levels of some contaminants present which will require clean top soil to be imported for the gardens and landscape areas. In addition the ground is alkaline which will require further assessment and mitigation. Ground gas mitigation measures will also be necessary.

Plans and Policy:

Advise that the site is not in accordance with policy CS5 of the Core Strategy in that the site is more than 900 metres from a District Centre and more than 400 metres of a quality bus route.

Fire Officer:

Requested adequate access for emergency fire vehicles in any development.

Education:

Requested a contribution towards the provision of primary school facilities - prepared to accept £1250 per dwelling excluding one bedroom units.

Housing Strategy Officer:

Suggested provision to be made for affordable housing on the site and requested 25% affordable, split as 20% social rented and 5% shared ownership. These should be provided in a range of dwelling sizes and types and should be pepper-potted around the site. Following negotiation it has been agreed to provide 25% affordable split 17.5% social rented and 7.5% shared ownership.

Highways Officer:

No objections in principle to the development subject to the provision of the access points off Frome Way. Details need of layout of the site, turning and servicing, parking levels, road construction, drainage and cycleway and footpath links need to be provided as part of the reserved matters. In addition a contribution of £43,103 towards the improvement of the St Georges Road and Wrockwardine Wood Way junction has been requested. Improvements of pedestrian connections to St Georges Road were also suggested.

Wrockwardine Wood and Trench Parish Council:

No objections in principle but requested that the following concerns area taken into account:

1. The natural watercourses on the site are safeguarded
2. The existing wildlife is safeguarded
3. Any proposed development should not overlook the properties in Moss Road and St Georges Road
4. The Mature Trees are retained
5. The dwellings are not more than 3 storeys in height
6. There is no vehicular access onto St Georges Road or Rookery Road to ensure no further congestion on these roads.

Public response:

There have been 3 letters from households close to the site. The main points of concern relate to the following matters:

- Frome Way is not suitable as a means of access for construction vehicles as it is an area of family homes and there is an issue of children's safety
- An alternative route for construction vehicles would be preferred.
- Construction period likely to affect amenities of adjoining dwellings
- There are great crested newts on the site
- There is a need to protect the pool immediately to the south west of the site.
- This application is premature as there are plenty of other sites in Trench and Hadley that could be developed first.

PLANNING CONSIDERATIONS:

This site has the benefit of a S7(i) approval under the New Towns Act as part of a larger site part of which has already been developed. The site does, therefore, have the benefit of an existing extant planning permission. The Housing and Communities Agency have, however, now agreed to submit new planning applications for all their undeveloped sites to take account of recent changes in legislation and government guidance.

Sustainable Housing Development:

Policy CS1 of the Core Strategy seeks to provide 1330 homes per annum up to 2011. The majority to these will be provided within Telford (policy CS3). Policy CS5 requires new housing development within the District Centres or on sites highly accessible to these centres.

The site lies within an area committed for residential development within the Wrekin Local Plan and includes a small area of Green Network along the western boundary of the application site.

The site lies about a kilometre south of Donnington Centre. There is the regular bus service along Moss Road Blue line which is linked by footpaths but these are in a poor state. The 481 bus to Donnington runs every 30 minutes along Wrockwardine Wood Way. The site can therefore be considered to be accessible to a District Centre as required by policies CS 5 of the Core Strategy.

Layout/Density:

The applicants have provided a master plan as part of the design and access statement that shows that up to 79 dwellings could be provided on the site based on three development blocks. This will give a density of around 33 dwellings per ha. The master plan does not suggest apartments be provided on this site. The presence of mineshafts is a constraint to development particularly and will affect the layout. The housing will be sufficient distance from the dwellings off Moss Road not to give rise to issues of overlooking and loss of privacy.

The master plan provides for a mix of parking arrangements including parking courtyards, on street parking and individual garages. Squares and landscaped open space will also be provided on parts of the site that can not be developed. As small part of the site is affected by the Green Network and this is largely being retained. An access road will cross part of the Green Network but this is considered acceptable as other parts of the land will be retained for wildlife purposes. The applicants are proposing that the landscaped areas within the site are also transferred to the Council provided an appropriate commuted sum can be agreed. Alternatively the developer will need to provide an appropriate management scheme. It is considered that the suggested layout will provide an appropriate and acceptable response to the constraints of the site and opportunities provided.

Highway Matters:

The Highways officer has said that the access to the site should be provided off Frome Way. Off-site improvements to the junction of St Georges Road and Wrockwardine Wood Way is necessary. It had been hoped to improve footpath links to St Georges Road but further investigation has demonstrated that these have now been extinguished. In relation to the concerns of local resident it is unfortunate that there is no other suitable access into the site to be used as construction access all building works will have to be off Frome Way.

Recreation:

In order to meet the requirements of policies LR4 and LR6 of the Wrekin Local Plan requiring all developments to make provision for recreational facilities the applicants have agreed to provide a LEAP on the site. This is to be provided at the western end of the site and is shown on the master plan.

Ecology/Biodiversity:

An ecological study has been carried out and Great Crested Newts have been found within the site and its immediate surroundings. The breeding ponds around the boundaries of the site will not be affected but it is likely that they forage on the

application site. The study proposes that two Great Crested Newts core areas be created within the adjoining land owned by HCA. Two ponds will be created, one in each core area, designed to provide breeding habitat. In addition habitat suitable for foraging, ranging and hibernation will also be provided. It also recommends use of amphibian friendly crossing points on roads. A management plan for a minimum of 10 years should be produced by the developer. These recommendations have been agreed by the Council's ecologist. . Only small areas of woodland will need to be felled within the site and this is not considered to be of great quality. The remaining areas of woodland around the boundaries of the site are to be retained. Surrounding woodland owned by the applicant is likely to be transferred to The Council as part of the S106 agreement together with an appropriate commuted sum for future maintenance. This commuted sum should also make provision to take account of additional use of the surrounding woodland areas as a result of the additional development. The existing ditches and wildlife will be protected or appropriate mitigation measures provided as part of the development.

Ground Conditions:

A desk top study and ground conditions report has been carried out in accordance with policies E7, E8 and E14 of the Wrekin Local Plan which has looked at the potential issues of land contamination, shallow mining, and existing mineshafts on the site and land stability. It has been demonstrated that the site can be developed. Some additional investigation and mitigation works will be necessary but these can be covered by condition.

Flood Risk:

A flood risk assessment has demonstrated there is little risk of flooding. PPS 25 suggests that surface water drainage should be design not to exceed green field run-off. As soakaways are likely to be unsuitable for this site because of the made-up ground and potential contamination, attenuation tanks may need to be provided to restrict flows.

Planning Obligation Requirements:

- Provision of affordable housing - as a result of the difficult ground conditions and cost of remediation 25% affordable housing has been agreed split 17.5% social rented and 7.5% shared ownership.
- Education - A contribution of £1250 per dwelling, other than one bedroom units, for the provision of primary education facilities has been agreed by the applicants
- Highway improvements - a sum of £43,103 will be necessary for improvements to the junction of St Georges Road and Wrockwardine Wood Way
- LEAP provision - a sum of £35,000 has been agreed as a commuted sum for the maintenance of the play area.
- Woodland and landscaped areas – maintenance contribution to be the subject of further negotiations or dealt with under condition 22 (see below)

Conclusion:

This is a site that is shown as a committed housing site on the Wrekin Local Plan and is served by regular bus route. As such residential development of this site is considered to be in accordance with policy and acceptable. This is will not be an

easy site to develop and care will be needed to ensure that appropriate account is taken of the need to protect the Great Crested Newts. There are issues of the mineshafts, contamination, highway requirements and drainage to be resolved as part of any development of the site. These issues can be covered by appropriate planning conditions.

RECOMMENDATION: Subject to the applicant/owner entering into a Section 106 agreement to provide a financial contribution to improvements to the junction of Wrockwardine Wood Way and St Georges Road, education facilities, commuted sums for maintenance of the play area, landscaped open space and the woodland adjoining the application site, and 25% affordable dwellings as outlined above then delegated authority be granted to the Head of Planning to GRANT OUTLINE PLANNING PERMISSION subject to the following conditions:

1. A1 - Standard Outline
2. A2 - Submission of reserved matters
3. B10 - Submission of reserved matters
4. B11. - General details required
5. Non Standard – Design and Implementation of the mitigation recommendations in the ecological study for the great crested newts.
6. B23 - Landscape Design
7. B30 - Road Design - amended – to include footpath and cycle links, street lighting and road drainage to a suitable outfall
8. B50 - Foul and Surface water drainage –amended to include no soakaways
9. B46 -Slope stability
10. Non Standard - provision of clean top soil covering for gardens and landscape areas in accordance with an agreed scheme
11. B43 - Shafts treated – amended to provide appropriate stand-off distances
12. B42 - Shafts untreated
13. B33 - On site construction to include site environmental management plan.
14. Non Standard Protection of mine drainage system.
15. B41 -Shallow mineworking
16. B44 - Land Contamination (amended)
17. B99 - Foundation design – Stability (Raft foundations)
18. B100 - Foundation design – landfill gas
19. Non Standard – The reserved matters application shall be broadly in accordance with the layout in the Urban Design Master Plan
20. Non Standard – Provision of a LEAP and appropriate buffer zone in accordance with a design to be agreed and a timetable to be agreed.
21. Non Standard – no dwellings sold or occupied fronting the LEAP until it has been completed and available for use.
22. B25 - Landscape management plan
23. Non Standard – treatment of Japanese Knotweed, prior to development.
24. No dwellings to exceed 3 storeys in height

REASONS FOR APPROVAL:

This site benefits from an existing planning permission under the New Towns Act for residential development and is an allocated site for residential development in the Wrekin Local Plan. The Local Planning Authority considers that the development of this site is in keeping with the requirements for new housing development as set out in the Core Strategy Development Plan and the saved policies of the Wrekin Local

Plan. The submitted concept plan respects the character of the surrounding area and will result in an appropriate development that will respect the character and appearance of the area and will include the provision of a play area. There is appropriate protection proposed for the Great Crested Newts on the site. Contributions have been agreed towards primary school provision, affordable housing and highway improvements to off-set the impact of the development.

Notes

Agenda Type : A

W2008/1290 Demolition of existing school buildings with erection of new Senior school, Junior/Primary school and Leisure/Community centre with associated facilities (Outline application) ***** AMENDED PLANS AND ADDITIONAL INFORMATION RECEIVED *****

Land at, Abraham Darby School, Ironbridge Road, Madeley, Telford, Shropshire.
Recommendation Code: OLG
Ward: Madeley

APPLICANT:
Telford & Wrekin Council

RECEIVED ON:
21/11/08

PARISH
Madeley

WARD
Madeley

CASE OFFICER:
Rob Price

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Access, Highway Safety, Scale, Layout, Open Space, Loss of Playing Fields, Green Network, Biodiversity

PROPOSAL:

This application is for the redevelopment of the Abraham Darby Learning Community to create a new senior school, a junior/primary school, incorporating a replacement leisure centre with community facilities. This proposal would also involve the demolition of the existing school buildings on the site as well as those of the Woodlands Primary School currently located to the north on opposite side of Ironbridge Road. This is an outline application for the consideration of access, scale and layout, with all other matters reserved.

SITE AND SURROUNDINGS:

The site has an area of 11.62 ha and is currently occupied by the existing Abraham Darby Learning Academy and its associated indoor and outdoor facilities.

Abraham Darby Learning Academy is located to the west of Madeley District Centre. The site is bounded to the north and west by Ironbridge Road (B4373), with Lees Farm roundabout to the north east.

The main vehicular access at is off Ironbridge Road with separate ingress and egress points opposite Beech Road. Both points are controlled by a gated entry and exit system. There are traffic calming measures in place along Ironbridge Road, which is a designated safe school zone. These include speed bumps and school warning road signs. Whilst the school is primarily accessed via this entrance, a small number of pupils use a gated entrance off Wrekin View to the south. The Woodlands Primary School is located on the Park Lane cul-de-sac, which is connected to Mound Way and which in turn is connected to Ironbridge Road from Lees Farm roundabout.

Ironbridge Road is designated as a Major Transport Corridor Bus Priority Route and there are regular bus services along this route.

An escarpment runs down the site from north to south. The land to the east of this is an open plateau area used for sports and which slopes gently down towards the residential gardens backing on to the site off Glendinning Way to the east. To the west of the escarpment the land drops away more steeply to Ironbridge Road. At the northern end of the site there is a steep slope and the south western part of the site is occupied by the existing school. The area occupied by the school buildings has terracing to negate the slope of the land. There are several fenced games courts located to the west of the original school buildings and backing onto Ironbridge Road. Car parking and vehicular access off Ironbridge Road is immediately to the north of this area. A Right of Way (Number 136 – Madeley) runs from the south of the site off Wrekin Way in a northward direction and emerges onto Ironbridge Road near to the junction with the Keep.

HISTORY:

The existing school use at this site is well established with the earliest school buildings on site dating from the 1930s. The facilities on the site have been added to in a piecemeal fashion since then, with the most comprehensive additions to the site being made in the 1950s and 1960s. Other buildings on site include the sports hall, dating from the 1980s and demountable additional classroom space added more recently – siting of two demountable classrooms (Ref: W2003/0655) in 2003.

There was the erection of a fire escape staircase to the existing teaching block (Ref: W2001/0613), in 2001 and 2.4 metre high green palisade security fencing and 2.1 metre green vertical bar security fencing (Ref: W2002/0616) in 2002. A single storey new entrance and reception (Ref: W2003/0186) was completed in 2003.

The proposals at Abraham Darby are part of the Building Schools for the Future programme (BSF), which seeks to rebuild or remodel every state secondary school in the country over the lifetime of the programme. This initiative was launched by the Department for Education & Skills in February 2004.

PLANNING POLICY:

Telford & Wrekin Core Strategy

CS8: Regeneration

CS9: Accessibility and Social Inclusion

CS10: Community Facilities

CS11: Open Space

CS15: Urban Design

Wrekin Local Plan (saved policies)

UD2: Design Criteria

UD3: Urban Design Assessments

UD4: Landscape Design

UD6: Major Transport Corridors and Gateways into Telford

T4: Development Principles

LR1: Provision of Community Facilities

LR4: Outdoor Recreational Open Space

OL3: Green Network

OL4: Development in the Green Network

OL5: Extensions and Redevelopment in the Green Network

OL6: Open Land

OL11: Woodland and Trees

OL12: Open Land and Landscaping

OL13: Maintenance of Open Space

National Planning Guidance

PPS1: Delivering Sustainable Development

PPS9: Biodiversity and Geological Conservation

PPG13: Transport

PPG17: Planning for Open Space, Sport and Recreation

PPS23: Pollution Control

PPG24: Noise

PPS25: Development and Flood Risk

ENVIRONMENTAL IMPACT ASSESSMENT (EIA) CONSIDERATIONS:

This outline proposal was considered against Regulation 5 of the Town & Country Planning Act (Environmental Impact Assessment) (England & Wales) Regulations 1999. It was considered that an EIA was not required as it was considered that the existing land use and proposed uses would not cause significant environmental impacts so as to require an EIA.

CONSULTATION RESPONSES:

Statutory Consultees

Highway Authority:

No objections subject to six conditions laid out in a memorandum dated 12th February and in the conditions section below.

Development Plans Team:

Community Facilities and Accessibility - The proposal includes the redevelopment of an existing school and also incorporating indoor/outdoor sports facilities and community areas that would be accessible by the public. In both respects, it would appear that the proposal would make a positive contribution to local standards. In both respects, it would appear that the proposal would make a positive contribution to local standards. It was noted however that, in accordance with Policy CS5 the location of such facilities should be close to existing and new service centres, or if no site within such a centre is available a sequential approach is adopted with particular regard to accessibility. With regard to accessibility policy CS9 seeks to improve accessibility of recreational facilities in areas that are accessible by sustainable modes of transport.

In addition, because the proposed leisure facility would replace an existing leisure facility in Telford, this is could have a negative impact on the quantity and accessibility of indoor sports facilities in that area. Consequently, the provisions of policies CS10 and CS11 are a relevant consideration for the proposal.

Open Space Implications – Policy CS10 states that in only exceptional circumstances can designated open space be developed, whereby the proposal can demonstrate that it provides both environmental and social benefits. Policy LR4 is

considered outdated with regard to playing field standards, thus standards according to PPG17 should be used and in accordance with an Open Space, sport and recreational facilities should be measured in respect of their quantity, quality and accessibility. In particular the proposal should consider addressing the deficiency in children and young people's facilities. Overall, it is considered that the proposal would make a positive contribution to local open space and standards and sports facilities.

Car parking - standards for parking should be conditioned as contained in national Planning Policy Guidance Note 13, Annex D.

Design Officer:

The design officer expressed initial concerns when the application was first submitted with regard to the lack of information concerning a justification and explanation of the scheme proposed. In particular the context of how it related to its surroundings and how the scheme evolved were insufficient.

Whilst most of these issues were addressed in further information supplied in January 2009, concerns still remain as to how the development will appear from the surroundings and respond to them. Massing is also of concern, whilst it was accepted that measures had been taken to reduce the impact especially for residents off Glendinning Way to the east, it would still affect their views, though those for residents off Wrekin Way would be improved. Overall, it was also accepted that the proposed scheme tries to resolve all the issues and is limited by the space available.

Finally concern was expressed with regard to rights of way and the need to ensure that, as appropriate, this should be laid out so as to comply with the Design for Community and Safety Supplementary Planning Document.

Overall the design concept for the scheme was considered acceptable in principle subject to securing a high quality of design in due course.

Conservation Officer:

Regarding the original brick school building the Conservation Officer considers it disappointing to demolish what appears to be a solid brick structure in a scheme to clear the site completely. The building is considered to be pleasant in its symmetry with a dominant central bay flanked by recessed single bays of the same dimensions with further recessed bays of diminishing scale. In its siting on an elevated site it is also a prominent feature in the landscape.

The building was possibly erected in late 1930s but the Conservation Officer notes similar symmetrical designed buildings of the period in other parts of the Borough. The Conservation Officer believes that the building does not possess sufficient architectural character to warrant a statutory listing, even as a late 1930s building, there is no doubt that it is of local interest and significance both for its appearance in the landscape and also for local historic social value.

The Conservation Officers preference would be to retain the building and re-use it in a new development but if the decision to demolish was taken, any new structure should be well designed and a worthy replacement.

Biodiversity Officer:

Concern was expressed with regard to the possibility of the older buildings on the site, due for demolition in due course, may have the potential to support bats. Ideally internal and external (activity) surveys should be carried out before the application is determined. An internal survey was undertaken in January 2009 and despite no evidence of bats being found, their concerns remain as parts of the building were unable to be accessed.

If roosts are present and appropriate mitigation is possible to ensure no detriment to maintenance of the population at a favourable conservation status then implementation of a viable mitigation strategy can be conditioned. The ecological report should outline whether mitigation is feasible, clarify how the impacts of demolition will be addressed and be used to produce conditions.

For European Protected Species ecological information needs to be submitted at outline stage to ensure that we can comply with the Conservation Regulations otherwise we may give permission for an application that cannot be undertaken if it fails at the licensing stage.

Arboricultural Officer:

Initially concern was expressed as to the lack of information with regard how existing trees would be safeguarded and what measures were to be put in place to satisfactorily mitigate against any negative impacts. Following the submission of further information in January 2009 and a revised report by Douglas Purce, arboricultural consultant which stated which trees would be lost which trees would be safeguarded and protected during building works and areas that would be planted with new trees - the objection was removed.

Engineering Services (Drainage and Geotechnics):

It was considered that detailed design information on the sustainable drainage system (SUDS) and how the site will be limited to existing runoff rates or its suitability for soakaway drainage will not be required for this outline phase, however this will be required as part of the full planning application. In addition it was considered that the 300 diameter STW owned surface water sewer in Ironbridge Road, which is likely to receive the inflows from the School, should provide sufficient drainage for the new school subject to agreement.

The findings of the submitted Contaminated Land desk Top Study were accepted.

Environmental Health: No comments received.

Leisure: No comments received.

Sport England: A holding objection has been placed on the application due to the net loss of playing fields in line with Sport England's playing fields policy. They have indicated that it is their intention to consider this application in the context of the

revised borough wide Playing Pitch Strategy when it is suitably advanced and complete for their purposes.

Sport England wish that the objection to be taken into account in the determination of the application and should the Council be minded to approve the application it should be referred to the Government office for consideration.

Environment Agency:

Contamination - The Environment Agency has no objections but recommends that conditions combating potential contamination be imposed on the development.

Drainage - The Flood Risk Assessment undertaken has indicated that in the first instance the council will look to drain the site to soakaway, which the EA would support, given that the site has ample space to provide adequate storage associated with the soakaway system.

It is also important when revising the topography for the site that current land drainage routes are verified and the developer/LPA ensure that there is no impact on third parties. The approval of provision and implementation of surface water run off by the Council will be required by the Council as a condition.

Severn Trent Water: No objection is made, subject to the inclusion of the following conditions:

- Drainage details, including sustainable drainage systems and assessment of the hydro-geological and hydrological context must be submitted to and approved by the Local Planning Authority before development can begin.
- No buildings must be erected or trees planted within 2.5 metres of the public sewer that passes through this site.

Non Statutory Consultees

Madeley Parish Council: The Parish Council stated that development provided the opportunity to create a distinct visual impression through design, though raised a number of concerns (rather than objections) in a letter dated 23 December 2008 to inform reserved matters at the detailed design stage. The issues raised include the following:

- Layout – care should be taken to mitigate the potential disturbance of this proposal through landscaping
- Landscaping – should be fluid with buffer planting to break up hard lines and soften hard landscaping
- Open Space – There will be a significant loss of open space (a net loss of 17,250 sqm). The environmental impact on habitat will require reparation
- Highways – At this location highway and footway standards are inadequate and footways should be subject to improvement in line with Safer Routes to School. Bus stop will also require substantial improvement to provide capacity and cover, and proximity of junction to Lees Farm Roundabout may give rise to traffic flow interaction.
- Accessibility – staff parking and cycle parking requirements may have been overstated. Proposed cycle parking allocation should be informed by evident under use of existing provision.

- Drainage – existing surface water runoff (south east of the site) should be addressed through improvement of existing greenfield drainage.

They were subsequently sent amended plans and additional information, and responded to this on the 6 February 2009. Their concerns with regard to accessibility and internal linkages within the site remained, in particular with regard to the right of way, to be closed – improvement to other footpaths to mitigate this ‘loss’ was proposed.

Shropshire Wildlife Trust: The Trust objected to the application in an email dated 24 December 2008, on the grounds that there is insufficient information to determine the likelihood of bats. They considered presence/absence and size of this roost should be determined by internal inspection of roof voids, etc (and appropriate mitigation proposed) prior to determining this application.

In addition they stated that although the ecological value may be low - existing trees, hedges, etc should be retained wherever possible, works should avoid bird nesting areas/times, and the opportunity should be taken to make enhancements (as per PPS9, etc).

Natural England: Natural England object to the application on the grounds that the application provides insufficient information to determine the likelihood of protected species: greater crested newts and bats. The information submitted with this application provided insufficient detail to satisfy the provisions of Circular 06/2005 ‘Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System’.

CABE: CABE did not comment on the outline planning application, but look forward to commenting on the competing bidders' more detailed design proposals at the detailed design stage.

Residents/Neighbours: A Statement of Community Involvement has been submitted to the Local Planning Authority and although it is clear there has been engagement with the community, it is apparent this was of an informing process in the main rather than early community interaction as advocated.

Neighbour Representations: A petition signed by 203 persons objecting to the proposal was received stating the proposal will have serious negative implications for the local community concerning loss of privacy and natural sunlight, additional noise and pollution during construction, drainage concerns, safety concerns linked to additional traffic on the surrounding roads, security concerns, loss of playing fields/green network; loss of wildlife and the loss of iconic 1930's buildings.

In addition there have been 27 neighbour representations, 19 of these are objections and 2 support the proposal, the other letters offer observations. The issues raised in these letters include the following matters (in no particular order):

- Increase in traffic
- Highway safety
- Position of access
- Need for community/leisure centre

- Improved community facilities
- Location of building/development
- Overlooking/Privacy/Overshadowing
- Scale and Massing
- Visual Impact
- Design
- Layout
- Retention of buildings
- Old buildings unsuitable for modern schooling
- Consultation process
- Location of perimeter fence to properties in Canonbie Lea
- Loss of public footpath
- Loss of open space
- Loss of playing fields
- Noise nuisance
- Light pollution
- Security
- Anti-social behaviour
- Increase in litter
- Flooding
- Parking for parents to pick up/drop off
- Level of parking availability

PLANNING CONSIDERATIONS:

The proposal is for buildings to house the new Abraham Darby Learning Community. The Academy, primary school and leisure facilities are proposed to be constructed in the north east of the site. The new siting will enable the existing facility to continue whilst construction works are underway and when these are completed allow for a transfer to the new facility without significant interruption and then the demolition of the old facility. The proposal also involves the enhancement and optimisation of the resulting open areas for a greater variety of outdoor sports and recreational facilities.

Site Location

Policy CS5 of the Core Strategy on District and Local Centres aims for the development of new facilities serving the community to be focussed on District Centres, and as a core element of this proposal is the provision of sport and recreation facilities to serve the local community, the proposal should be considered in light of this policy.

The provision of new or improved community facilities to meet the needs of local residents is supported by Policy CS10: Community Facilities. Although this proposal is located outside the designated centre of Madeley, it has good accessibility by foot, cycle, and public transport from the District Centre and wider area, being easily accessed immediately off the B4373 (Ironbridge Road) – a main passenger transport route. It demonstrates environmental credentials and brings social benefits to the area with the addition of new leisure and community facilities. Policy CS10 also states that new facilities that demonstrate both environmental and social benefits to the local community may exceptionally be developed on open space, a relevant consideration in this instance.

This proposal brings enhanced leisure and community benefits to the local community and an improved standard of recreation facilities on-site in line with Policy CS11. In this policy the development of open space is permitted where it can be demonstrated that there will be 'significant' community and environmental benefits delivered by the proposal. As there will be an improved standard of leisure and recreation facilities at this location, and community access to them is to be introduced, the benefit is considered significant.

Policy CS8: Regeneration, supports development as part of regeneration initiatives and will in time correlate with the South Telford Area Action Plan (currently under preparation) aimed at addressing social, economic and environmental needs of the neighbourhood. As this application proposes more community-focussed leisure uses (as indicated by the presence of the community hall in the leisure element of the proposal), the added facilities will help address the social, economic and environmental needs of the wider area and as such support the wider regeneration initiatives outlined in this policy.

Layout and Scale

Although an outline proposal, matters for consideration in this application include layout and scale. Therefore it falls to be considered against Local Plan Policies UD2: Design Criteria and UD3: Urban Design Assessments, which are in place to ensure the proposal relates positively to its context. This proposal takes the approach that the buildings should respond positively to the topography of the site by ensuring that appropriate prominent views into and out of the site are possible at this gateway location to the Ironbridge Gorge World Heritage Site.

The design utilises an efficient multi-use layout, which was the subject of a comprehensive optioneering process. The layout responded to the site challenges of the topography, whilst ensuring that the school facility will remain open during the construction process. The overall layout and scale of the different uses within the proposed building have also been considered in terms of their context reducing the impact to a satisfactory level. The diverse elements of the scheme are laid out so as to take advantage of the site's opportunities and constraints in particular levels, accessibility and the proximity to the neighbouring residential area. Notwithstanding this, at the detailed design stage (reserved matters) particular attention should be paid to how it will specifically responds to the surrounding uses and features.

As this is an outline application, and landscaping was not included as a particular matter to be considered, the proposal cannot yet be fully considered against Policy UD4: Landscape Design. The proposed layout and the potential implications on the trees on site have been considered and it has been acknowledged by the applicant that there will be a requirement for well-planned and appropriate replacement planting at the detailed design stage.

Transport and Access

The site is currently a school with established multi-modal links. It is adjacent to and takes account of the B4373, which is identified as a major transport corridor into Telford. The existing access off Ironbridge Road will continue to be the primary access and it will be enhanced to make it safer and improve its capacity. In addition

improvements will be made to the bus stops, by increasing their capacity and existing footpaths will also be widened. An additional access will be provided opposite the Keep that will provide access for servicing for the new facilities, as well as giving access to disabled users parking spaces. This new junction has been the subject of an acceptable Stage 1 Safety design Audit. It is considered therefore that the proposed improvements, in line with policy such as UD6 will be able to accommodate increased traffic and allow bus facility improvements to be implemented.

Right of Way – Right of Way number 136 (Madeley) runs through the middle of the site, although it is not surfaced or directed. It is considered that in the interests of safety, security and the efficient operation of the new combined facility that this should be closed. This closure would accord with the principles of Secured by Design, your officers recommend that this right of way be extinguished to ensure the safety and security of the users of the facility.

The links within the site, between the various facilities, have been dictated to a certain extent by the site constraints – in particular the site levels. Notwithstanding this the routes are considered to be logical and convenient.

A school Travel Plan Framework has been set out so that the school will be able to develop a travel plan that is relevant to the operation of the school. Both schools are currently engaged in the Safer Routes to School (SRTS) scheme. The Council would look for the proposed school to maintain this status. This would require that cycleways/footways are attractive and wide enough both on and off site. In addition the Council will have to ensure that there are safe pedestrian crossings near the new access towards the northern end of Ironbridge Road and at the southern end of Ironbridge Road. The traffic calming facilities currently in place will also require upgrading.

Open Space

The application proposes development on designated green space. Policy CS10 holds that only in exceptional circumstances, if a proposal can demonstrate that it provides both environmental and social benefits to the local community, will development on designated green space be acceptable. This is consistent with policy OL4 *Development in the Green Network*, which additionally requires development to be accord with the aims of green space policy (Policy OL3 *Green Network*). Policy CS11 *Open Space* elaborates upon the exceptional circumstances required, by qualifying that both community and environmental benefits need to be *significant* and that the land does not contribute to local open space standards.

Local open space standards are based on local assessment and the Council has undertaken such an assessment (Open space, sport and recreation facilities study, March 2008), which states local facility standards in respect of their quantity, quality and accessibility.

In terms of quantity, south Telford has a minor deficiency in facilities for children and young people and a major deficiency in amenity green space. There is a small surplus of outdoor sports facilities and a small surplus of parks and gardens. Indoor sports facilities indicate both surplus and deficiency depending on type. The local

assessment therefore recommended that new amenity spaces be identified in south Telford and where no deficiency in facilities is identified, the local assessment recommends enhancing the quality of those that exist already.

The proposal is for a replacement facility on an existing school site. The net loss of open space is approximately 10,000 sq m (less than a tenth of the open area of the site), but the use of this area is more intensive, efficient and managed. This is to be secured as part of the application and thus overall it is considered that the proposal would make a positive contribution to local open space standards in terms of quantity and quality.

The local assessment also recommends that delivering new facilities that are accessible, in particular for both children and young people at school sites, should be investigated. Such new facilities would meet the needs of the community at the same time as optimising the use of resources. The proposal could therefore be seen as helping address the deficiency in children and young people's facilities.

The application site also forms part of Telford's Green Network. Under policies OL3, OL4: Development in the Green Network and OL5: Extensions and Redevelopment in the Green Network, the Green Network should be protected. This proposal is for a slightly larger replacement facility in a different location, but is still considered to safeguard the integrity of the wider green network.

Leisure Uses

This proposal develops and broadens the offer of sports, education and recreation provision. The existing facilities include 2 football pitches, an athletics track, cricket pitch, rounders pitches, cricket nets, fenced hard games court area and two hard surfaced playground areas in-between existing buildings. These facilities are not currently accessible by the general public.

The proposed facilities include the potential to reprovide the existing facilities along with the addition of: another football pitch, provision of outdoor changing facilities, a 3 pitch Multi-Use Games Area (MUGA), a 6 lane 25 metre swimming pool with competitor and spectator seating, a whole life health and fitness suite, a community hall, a 4 court sports hall, a trim track on the hill slope, and an increased amount of hard and soft play elements. All these facilities will be provided to latest Sport England and other relevant standards, and the layout will be configured to the demands of the area.

The proposal will be landscaped to maximise the positive outlook of the proposal on this site, without adversely affecting sites of ecological, geological or archaeological value. As such, with enhanced (and appropriate) facilities and access, and appropriate environmental mitigation it will not affect the function of the Green Network, as the specified uses are compatible with its aims as well as being an integral element of the proposal

Sport England's position is to object to proposals that would result in the loss of playing fields unless a valid exception to this policy has been agreed. Sport England placed an objection on this proposal due to the loss of playing field. Sport England has confirmed that the emerging Playing Pitch Strategy will assist them in ultimately

determining the suitability and to justify a valid exception to the policy. At the time of writing the report this strategy is being updated and it is hoped to have this work completed and accepted by Sport England (and their objection removed) before the Plans Panel meeting.

Should the objection not be removed for whatever reason, should the Council be minded to approve the application without the Sport England direction being removed, the application should be referred to Government Office under the direction of the Town and Country Planning (Playing Fields) (England) Direction 1998.

Landscape

Local Plan Policies OL11: Woodland and Trees, OL12: Open Land and Landscape, and OL13: Maintenance of Open Space all seek to ensure the protection and enhancement of landscape, open space, and the value of woodland and trees to the area. The design and layout of the outdoor sports facilities have been designed to reduce the impact on trees within the site and whilst some trees will be removed to accommodate recreational facilities, appropriate areas have been identified, such as along the southern boundary helping to screen outdoor sports courts, where replacement of trees will be located.

Ecology

A bat activity survey and extended phase 1 habitat survey were submitted with the original planning application. The presence of a protected species is a material consideration when considering a development proposal that, if carried out would be likely to result in harm to the species or its habitat (Circular 06/2005, Paragraph 98). Natural England have recognised that the older buildings on the site have bat potential and that internal and external (activity) surveys, should be undertaken prior to determination to conform to national guidelines. To date it has not been possible to complete both surveys, due to the seasonal influences upon the external survey (bats are currently in hibernation) and it will not actually be possible to align the timescale for this survey and the BSF programme timescales. Consequently the application needs to be considered on its current merits, which includes a standing objection from the non statutory consultee Natural England. Notwithstanding this, it is considered that a pragmatic approach should be adopted as internal surveys have provided no evidence of the presence of bats and as the buildings in question are unlikely to be demolished for 2-3 years. In addition it is considered that the application of appropriate conditions should be able to provide the necessary safeguards/mitigation should bats ever be found using the buildings.

Development Impact

Any development of the scale proposed is going to have a significant impact upon its surroundings, the proposal is a replacement facility that already provides a significant impact on the surroundings. The existing school has grown and developed over the years and is rather disjointed and part of the building are at the end of their usable life and its appearance reflects this. The proposal has been designed to reduce its impact as much as possible whilst being a modern joined-up facility that should be a significant improvement visually to the existing buildings. The design details are reserved for future approval.

In addition, the proposal has been arranged to consider and balance all the various requirements and elements including access, leisure and servicing facilities, whilst respecting and environmental issues. The proposal has therefore been designed to support the access to the facilities and within the restrictions of the current infrastructure.

The detailed design for lighting proposals will be set out in the detailed proposals in due course, however the applicant has already ruled out the use of flood lighting. The principles of Secured by Design, supporting natural surveillance and security on the site are to be applied to the overall lighting design strategy for the proposal.

With regard to the operating noise of the site: the building will be constructed in accordance with current acoustic standards as set out in the governmental Building Bulletins. With regard to outdoor activities PPS 23 Pollution Control and PPG 24 Noise require that outdoor facilities do not adversely affect adjacent uses. There are currently outdoor activities at the site and these will continue and it is considered that any increase in activity and associated noise will not adversely affect adjacent users.

CONCLUSION:

The Local Planning Authority considers that on balance the site is a longstanding community facility with established links to the wider transport network and therefore the principle of a similar type of development within the site is acceptable. The proposed facilities and associated measures will significantly enhance the social and community provision and improve these links. The layout and design have responded to the surroundings and provided a suitable level of mitigation to offset any negative impacts. The multi-use proposal is therefore considered to be a sustainable development and appropriate for the site.

RECOMMENDATION:

That the application be referred to the Government Office for the West Midlands regarding the development of playing fields and should the application not be called in delegated authority be given to the Head of Planning to GRANT OUTLINE PLANNING PERMISSION subject to the following conditions:

- Standard Condition A1 – Standard Outline
- Standard Condition A2 – Submission of Reserved Matters
- Standard Condition B10 – Submission of Reserved Matters
- Standard Condition B11 – General details required
- Standard Condition B12 – Environmental Survey
- Standard Condition B23 – Landscape Design
No work shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for the landscape design proposals at the site, including measures to protect retained trees and the protection of areas during development that are set aside for future planting.
- Non-Standard Condition – Landscape Design
Trees, hedges, etc should be retained wherever possible, and works should avoid bird nesting areas/times
- Condition – Contaminated Land (EA)
If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in

writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason:

To ensure that the development does not results in deterioration of controlled waters.

- Condition – Contaminated Land (EA)

If during construction/excavation works any contaminated material is revealed then the movement of such material either on or off site should be in consultation with the Agency.

Reason: To ensure that development does not result in the deterioration of controlled waters

- Condition – Contaminated Land (EA)

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water from parking areas and hardstandings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor. On-going maintenance of the interceptor shall be provided in accordance with the manufacturers instructions.

Reason: To ensure that development does not result in the deterioration of controlled waters

- Condition – Contaminated Land (EA)

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

Reason: To protect controlled waters

- Condition – Drainage (EA)

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been submitted to and approved in writing by the LPA. The drainage works shall be carried out in accordance with this scheme.

Reason: To reduce the risk of flooding

- Condition – Drainage (EA)

No development approved by this permission shall be carried until a scheme for the provision and implementation of surface water run off has been submitted to and approved in writing by the LPA.

The scheme shall be implemented in accordance with the approved details.

Reason: To prevent the increased risk of flooding

- Condition – Drainage (T&W Engineering Services)

Applicant must provide details of sustainable drainage system before approval can be granted. As stated in the Flood Risk Assessment, development must comply with the requirements of PPS 25 Appendix F,

particularly F10. Details of how this will be achieved must be provided before approval can be granted. As soakaway drainage is suggested in the FRA, a soakaway test is also required.

- Standard Condition B65 – Drainage: Soakaway Test
- Condition – Drainage (Severn Trent Water)
Development shall not begin until drainage details, incorporating sustainable drainage principles and as an assessment of the hydrological context of the development, have been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed/occupied.
Reason – To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution
- Condition – Drainage (Severn Trent Water)
There is a public sewer which crosses the site. No buildings shall be erected or trees planted within 2.5 (300 SWS) metres of this site. The applicant may wish to apply to Severn Trent Water to divert the sewer in accordance with section 185 of the Water Industry Act 1991.
Reason – To maintain essential access for maintenance, repair, renewal and to protect the structural integrity of the public sewerage system
- Non-Standard Condition – Further bat survey work
- Non-Standard Condition – Provision of bat habitat within development should bats be found
- Non-Standard Condition – Lighting Design It is recommended that a condition be applied requiring that all external lighting design shall be submitted to and agreed by the local planning authority before development commences.
- Non-Standard Condition – Right of Way
- Secured by Design
- Condition hours of operation
- Non-Standard Condition - Details in accordance with Principles Approved
- Car parking - standards for parking should be conditioned as contained in national Planning Policy Guidance Note 13, Annex D.
- Non-Standard Condition - Highways
Prior to the first occupation of any part of the new building, the following works shall be completed in accordance with full layout and construction details, including lighting, signing, road markings and drainage, which shall first be submitted to, and approved in writing by the Planning Authority:
 - (i) A new four-arm traffic signal controlled junction, based on the submitted preliminary layout Drawing No. 233289/AD/SK02 Revision P6 or such alternative junction arrangements as may be appropriate and approved in writing by the Planning Authority,
 - (ii) The upper car parking area from the new junction under 1 (i) above, internal access road and footway/cycleway links to the front (north) of the proposed building,
 - (iii) The lower car parking areas and the internal footway/cycle routes from the existing controlled pedestrian crossing on Ironbridge Road to the new schools/leisure building, including any necessary retaining structures, as indicated on the submitted annotated

- version of the drawing entitled “OBC Control Option Proposed Playing Fields” (e-mail version entitled “Scan001.pdf”),
- (iv) The external footways/cycleways, as indicated on the submitted drawing (e-mail version entitled “cyclerroutemap8.jpg”),
 - (v) Alterations, where necessary, and enhancements to the existing traffic calming features along Ironbridge Road to create a revised or extended “Safe Schools Zone” including all necessary lighting, signing and road markings.
- Non-Standard Condition – Highways
Prior to the commencement of development, details of the vehicular site management arrangements/controls to restrict the use of any parking areas to the front (north) of the proposed building to Primary and Nursery School parents’ vehicles and the Disabled, shall be submitted to, and approved in writing by the Planning Authority. The vehicular site management arrangements shall be implemented at the first occupation of the building and thereafter retained,
 - Non-Standard Condition – Highways
Prior to the commencement of development, details of the vehicular site management arrangements/controls relating to the use of the gated vehicular access opposite the junction of Woodside Avenue and Ironbridge Road shall be submitted to, and approved in writing by the Planning Authority. The vehicular site management arrangements shall be implemented at the first occupation of the building and thereafter retained.
 - Non-Standard Condition – Highways
Within 6 months of the occupation of the new school facilities, an updated/revised School Travel Plan (STP) shall be submitted to, and approved in writing by the Planning Authority. The STP shall be formulated and based on the specific travel habits of the school pupils and staff, as determined by travel surveys during the first 6 months of occupation and shall set targets for, and mechanisms to achieve, modal shift. Progress towards achieving the targets of the STP shall be submitted on an annual basis to the Planning Authority for monitoring and review for a period of 5 years.
 - Non-Standard Condition – Highways
Within 6 months of the occupation of the leisure facilities, a Travel Plan (TP) shall be submitted to, and approved in writing by the Planning Authority. The TP shall be formulated and based on the specific travel habits of the leisure facilities staff, as determined by travel surveys during the first 6 months of occupation and shall set targets for, and mechanisms to achieve, modal shift. Progress towards achieving the targets of the TP shall be submitted on an annual basis to the Planning Authority for monitoring and review for a period of 5 years.
 - Non-Standard Condition – Highways
Prior to the commencement of development, details of the means of access for construction vehicles, including the location of site compound(s), hours of operation, vehicle parking and manoeuvring areas, material storage areas and method of wheel/chassis cleaning shall be submitted to, and approved in writing by the Planning Authority. The access arrangements shall be implemented in accordance with the approved details before any work commences on the site and thereafter retained for the duration of the construction period.

REASONS FOR APPROVAL

The Local Planning Authority considers that this outline proposal seeks approval for the principles of development at this longstanding community facility. With established links to the wider transport, the proposed facilities and associated measures will significantly enhance the social and community provision and improve these links. The layout and design have responded to the surroundings and provided a suitable level of mitigation to offset any negative impacts. The multi-use proposal is therefore considered to be a sustainable development and appropriate for the site. Therefore the principle of a similar type of development within the site is acceptable.

Notes

Agenda Type : A

W2008/1324 Residential development for maximum of 13 residential bungalows and relocation and improvement of local equipped area of play (Outline application)

Land off, Prince Edward Crescent, Malinslee, Telford, Shropshire.

Recommendation Code: OLG

Ward: Malinslee

APPLICANT:

Telford & Wrekin Council

RECEIVED ON:

27/11/08

PARISH

Great Dawley

WARD

Malinslee

CASE OFFICER:

Kath Whitfield

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, impact on character and appearance of area, impact on neighbouring properties and highways issues.

PROPOSAL:

This application seeks outline planning permission for a maximum of 13 affordable residential bungalows and relocation for an improved local equipped play area (LEAP).

Access and layout of the site are to be considered at this stage with all other matters reserved for later consideration. Access is now proposed between numbers 22 & 23 Prince Edward Crescent. The layout shows 13 bungalows with a mix of semi-detached and terraced bungalows. The single storey bungalows, targeted at residents aged 55 and over.

The residential development is for the provision of off site affordable housing in relation to the residential element of the Malinslee local centre development, which was given outline approval in June 2007 (W2007/0359).

SITE AND SURROUNDINGS:

The application site area is 0.76hectares, and is currently used as public open space. The site is located approx 500m to the south west of Telford Town Centre and approx 200m to the north of the Malinslee Local Centre redevelopment site.

The site is bounded to the north by Royal Way and west by Brunel Road. Both of these roads are screened by an existing tree bund. There are a number of other trees within the site. None of the trees on the site are protected by Tree Preservation Orders.

To the south and west of the site lies a mix of residential development, with interspersed pockets of smaller areas of open space.

There is an existing children's play area located in the north part of the site, with a disused ball court located more centrally on the site. There are a number of footways crossing and linking the site to the adjacent residential development.

The majority of dwellings around the site back onto it and there are no windows on the side gables facing the site. The site is not directly overlooked.

HISTORY:

This is the re-submission of a previous scheme W2008/0651 for a maximum of 12 dwellings that was withdrawn from Plans Board in August as there were issues over the then proposed access into the site.

CONSULTATION RESPONSES:

The Council's Geotechnics Engineers raise no objections to the proposal subject to conditions relating to the investigation of shallow mining and land contamination.

The Council's Sport and Recreation Officer has raised no objection in principle, although there are some concerns about the location of a play area adjacent to old persons bungalows because of the potential for perceived nuisance caused by children playing. Whilst the current LEAP provides for children from 3 – 12 years, provision for toddlers up to the age of 6 years will be more appropriate in this location. This will, however, result in the loss of play provision for the older groups (7 – 12 years) who have already lost play provision in the area with the construction of the new school which has yet to be replaced. He considers that this should be part of an overall scheme for the funding of future play provision in the Malinslee Area including the provision of a NEAP. He would like a condition applied to this development to ensure this is the case. In addition he would like the existing play area to remain open until the new facility is provided and a condition that overlooking dwellings are not occupied or sold until the new play facility has been constructed to an agreed standard. The new bund should be reduced in height to enable passive surveillance of the play area.

The Council's Drainage Engineer has raised no objection subject to drainage conditions.

The Council's Planning Policy Officer has no objections as the site is in a highly sustainable location with good transport links.

The Council's Highways Engineer has raised no objections in principle subject to a condition requiring construction details of new road, street furniture and access for construction traffic.

The Council's Arboricultural Officer has no objections in principle subject to conditions with regards to tree protection and replacement. He considers it important to retain the boundary tree belt.

The Council's Land Contamination Officer has no objections but considers that in view of past land uses there is potential for land contamination.

The Council's Landscape Officer confirms that the land is not designated as Green Network but comprises amenity grassland, play area, informal paths and treed bund along Royal Way. The area is multifunctional for leisure, recreation and amenity. It forms a green lung in a very densely developed area. The green bund provides a

wildlife corridor. It is easily accessible. The proposed bunds could reduce visual surveillance. Low level planting should be provided to retain surveillance. Finished ground levels of play area may need to be lowered to tie in with the existing rear of the properties.

The Fire Service has no objections but recommend the provision of appropriate access for fire service vehicles and water supplies for fire fighting.

During the consultation process 3 letters of objection have been received and the comments can be summarised as follows:

- The proposed play area is now very close to existing and proposed dwellings and is likely to give rise to noise and disturbance particularly as the play area has been reduced in size. Already there are problems of youth gathering in this area causing problems
- Loss of play area and green space will lead to children congregating in the streets where it is less safe. There are no alternative play areas nearby for local older children.
- Prince Edward Crescent is a very narrow road where lorries have difficulty in manoeuvring and already damage verges and gardens. A separate route should be provided for construction vehicles.
- Increased traffic along Prince Edward Crescent will lead to accidents
- The Development proposes only one parking space per dwelling and this is insufficient and will encourage residents to park on neighbouring roads.
- Malinslee is already a high density area and the quality of life will be affected by removing this parkland which is viewed as an asset. New development should be in less densely populated areas.
- Loss of birds and wildlife to the area.

POLICY:

The following planning policies are relevant in the determination of this application:

National Planning Policy

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPG17 - Planning for open space, sport and recreation

Core Strategy

CS1 - Homes

CS3 - Telford

CS9 - Accessibility and Social Inclusion

CS10 - Community Facilities

CS11 - Open Space

CS15 - Urban Design

Wrekin Local Plan (saved policies)

UD2 - Urban Design

H6 - Windfall Sites in Telford and Newport

H23 - Affordable Housing

EH7 - Contaminated Land

EH8 - Remedial Action on Contaminated Land

T4 - Development Principles

OL11 - Woodlands and Trees
LR4 - Outdoor Recreation and open space.

PLANNING CONSIDERATIONS:

The proposal is for outline planning permission for a maximum of 13 dwellings and relocation of and provision of a new equipped play area. The existing treed embankment around the eastern boundary of the site is to be retained.

Open Space: The proposal will result in loss of some open space provision, in particular the redundant ball court. It is considered that this loss of provision is acceptable as the new redevelopment at the Malinslee centre involves new recreation provision in terms of a multi use games area and skate park to replace the disused ball court. Furthermore, this site is not designated or protected, so there is no policy objection to change of use of the space as replacement facilities are to be provided nearby. In addition there are other areas of green space interspersed within the wider residential development. The proposal does include the replacement/relocation of the existing play facility on the site. It is considered that the proposal accords with policies CS10, CS11 of the Core Strategy and LR4 of the Wrekin Local Plan.

Trees and visual amenity: The Landscape and visual strategy submitted with the application proposes retention of the boundary tree belt and new structural landscape including replacement trees and shrubs within the development together with a woodland management plan for the long term management of this resource. Some selective thinning may be required to provide light to some of the properties. This is considered to be in accordance with the requirements of policy OL 11 of the Wrekin Local Plan.

The retention of these trees will ensure that the visual amenities of the site are retained as well as providing a wildlife corridor. The Council's Arboricultural Officer considers that the proposal is acceptable subject to conditions relating to tree protection, and replacements. Furthermore, as the trees are to be largely retained, it is considered that the proposed development will not adversely impact on the local bird population.

Affordable Housing: The proposal is for 100% affordable housing and is in association with the affordable housing requirement for the Malinslee local centre redevelopment. The type and size of this accommodation is in accordance with the identified need for the local area. The proposed dwellings are single storey bungalows to reflect the requirements of the area and are to be available for occupation by residents aged 55 and over, this is to be controlled by the social landlord for the site. The proposal accords with policy H23 of the Wrekin Local Plan in terms of level of provision of residential development.

Layout and Impact on neighbouring properties: The proposed layout indicates 13 single storey dwellings in the north and east of the site; with access off Prince Edward Crescent to the south west of the site. Plots 1 to 9 have rear gardens backing onto the gardens of 5 to 10 Prince Edward Crescent. The garden lengths of the proposed plots are between 5 and 12m, with separation distances to the adjacent properties of between 12 and 20m. It is considered that these separation

distances are sufficient to ensure no adverse impact on neighbouring properties amenities in terms of overlooking or loss of privacy, given that the development is to be single storey only. The other plots back onto the existing tree belt and will not impact on amenities of nearby properties.

The garden sizes, whilst small are considered adequate for this size and type of dwelling, but to ensure that adequate garden space is retained and to ensure there is no inappropriate development within the roofspace, which could affect neighbouring properties amenities, permitted development rights for extensions to the property, roof alterations or dormer windows and curtilage buildings are removed.

The new LEAP is located to the south of the development site. The nearest existing residential properties are located 20m from the new facility, whilst the new dwellings are located at least 20-25m away. Due to the type of new development for over 55's, it is considered necessary to limit the play provision to a design for the under 7's. It is considered that there is sufficient distance separation from neighbouring properties to ensure there is no adverse impact on amenities of neighbouring residents in terms of noise and disturbance. Furthermore, the layout of the new housing facing the LEAP will give an increased level of surveillance, particularly if the proposed landscape bund is kept at a low level, than compared to the existing play facility, which is likely to reduce the potential for anti-social behaviour.

In order to ensure that adequate play provision is maintained on this site, it is conditioned for the new facility to be provided prior to removal of the existing facilities, in accordance with policy LR4.

Highways: The access to the site is off Prince Edward Crescent, which is currently a cul-de-sac, with relatively narrow carriageway. The access point has been accepted by the Council's Highways Officer as the most appropriate access to serve this site. Experience suggests that traffic movements arising from this development designed for the elderly will be considerably less than for more traditional housing. It is considered that the traffic movements created by the proposed development can be incorporated within the existing network without having a detrimental impact on highway safety.

The parking provision is for 1 allocated space per dwelling and 3 visitor spaces. This level of provision is considered acceptable given the size of the proposed dwellings and the highly sustainable location in relation to Telford Town Centre and Malinslee Local Centre, with access to a frequent bus service. The proposal is in accordance with policies CS9 of the Core Strategy and T4 of the Wrekin Local Plan.

Ground conditions: The Councils Geotechnical Engineers and Land Contamination Officer consider that the applications are acceptable subject to conditions on further investigation of shallow mining and land contamination, in accordance with policies EH7 and EH8 of the Wrekin Local Plan.

In conclusion, the loss of some open space and redundant recreational facility is considered acceptable, as other recreational facilities are to be provided as part of the development of the Malinslee Local Centre. Improvements to the retained tree

belt and additional structural planting are proposed and these will form part of any future reserved matters application. The proposed dwellings are to be 100% affordable and are of a size and tenure to meet a recognised local need. The site is in a highly sustainable location in relation to Malinslee local centre and Telford town centre, with good access to public transport. Having regard to local objections and planning policy and guidance, officers consider, on balance that the principle of residential development and new play provision on this site is acceptable subject to conditions.

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

1. A1 - Standard Outline
 2. A2 - Submission of Reserved Matters
 3. B10 - Standard Outline – Scale, appearance and landscaping
 4. B33 - On site Construction amended to include siting of any compound, means of access for construction traffic, mud on the road and hours of work.
 5. NS - Highways details of construction, layout, services and widening.
 6. B41 - Shallow mineworkings
 7. B44a - Contaminated Land
 8. B50 - Foul and Surface Water Drainage
 9. B12 - Environmental survey of boundary tree belt
 10. B23 - Landscape Design
 11. B25 - Landscape Management Plan
 12. C75 - Protective fencing during construction
 13. C77 - Tree Protection: Services and Earthworks
 14. NS - Trees - no dig methods
 15. NS - layout in accordance with submitted layout
 16. D125 - Removal of permitted development rights
 17. NS - Play area design (for age 6 and under) and build standard including phasing
 18. NS - Play area to be built prior to occupation of dwellings and removal of existing facility.
- Sie22 - Conditions
 Sie26 - Reasons for granting outline planning permission

REASONS FOR APPROVAL:

The proposed residential development and replacement play facilities are acceptable in principle. The loss of existing redundant ball court and green space will be mitigated by proposed re-development at Malinslee Local Centre where new play facilities for older children is proposed. The residential development is for 100% affordable units, of a scale and tenure to satisfy a local need. The traffic movements generated by the mixed use development could be accommodated without detriment to highway safety. The layout of the development would preserve those trees on the site, which are important to the visual amenities of the locality. Furthermore, the residential development and new play facilities would not be harmful to the residential amenities of nearby dwellings.

Notes

Agenda Type : A

W2008/1359 Erection of 1 no. detached dwelling (Outline)
Land adjacent to, 7, Vauxhall Crescent, Newport, Shropshire.
Recommendation Code: OLR
Ward: Newport West

APPLICANT:
Mrs Natasha Dobson

RECEIVED ON:
11/12/08

PARISH
Newport

WARD
Newport West

CASE OFFICER:
Anna Robinson

THIS APPLICATION WAS DEFERRED AT THE 4TH FEBRUARY 2009 PLANS BOARD TO ENABLE MEMBERS TO CARRY OUT A SITE VISIT AND CONSIDER THE SCHEME FURTHER

Councillor Stanton presented some illustrative layouts to Members at Plans Board. The suggested site layouts were similar to the previously submitted scheme (W2008/0040 - withdrawn).

Although the application seeks outline planning consent with all matters reserved, (no siting or appearance submitted), officers have to assess future likely forms of development and make assumptions about the nature of development (e.g. single/two-storey) and the likely location of any dwelling within the site. In this instance, the variety of positions of a dwelling would be limited within the plot, as it would also have to ensure access/driveway and sufficient private garden area.

As noted in the Applicants' Design & Access Statement, the area is characterised by two-storey properties, and the plot is located between existing two-storey dwellings. In this regard, officers would expect the scheme to comprise a two-storey property. Hence, there would be more overlooking of private garden areas of new and existing properties, particularly due to the limited, narrowing garden plot. Whilst bungalows can have less overlooking issues, they tend to have larger footprints than two-storey dwellings and would therefore be even more difficult to accommodate on the plot and still leave adequate driveway and amenity space.

At the 4th February Plans Board an update sheet was produced with amended reasons for refusal. These have been further amended below:

1. The Local Planning Authority considers that the proposal would lead to overdevelopment and a cramped form of development of the garden plot of No.7 Vauxhall Crescent, in an area characterised by established spacious gardens, to the detriment of the character, appearance and pattern of the area, in particular the form of the properties in Vauxhall Crescent. Accordingly the development is contrary to policy CS15 of the Local Development Framework Core Strategy, policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006 and national guidance contained in PPS1 and PPS3.

2. The Local Planning Authority considers the proposal is unacceptable and would have an adverse impact on the residential amenity of adjoining properties, leading to

overlooking and loss of privacy of the proposed and existing properties, and would result in an inadequate amount of private amenity space for both the proposed dwelling and No.7 Vauxhall Crescent. The development is therefore contrary to policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006.

3. The Local Planning Authority considers that insufficient visibility splays could be provided on to Longford Road within the application site. Furthermore, there would be inadequate space within the site to provide sufficient turning for vehicles manoeuvring from the access, leading to potential highways danger. Accordingly the proposal is contrary to Policy CS15 of the Local Development Framework, and policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006.

A COPY OF THE ORIGINAL REPORT TO MEMBERS AT PLANS BOARD IS ATTACHED BELOW:

COUNCILLOR STANTON HAS REQUESTED THAT THIS PLANNING APPLICATION IS CONSIDERED AT PLANS BOARD

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development, overdevelopment, character, residential amenity, highways issues

THE PROPOSAL: The application seeks outline planning permission for the erection of one detached dwelling in the existing side/front garden area of No.7 Vauxhall Crescent. All matters are reserved for a further application.

THE SITE AND SURROUNDINGS:

The application site is a corner plot comprising garden area to No.7 Vauxhall Crescent, an inter-war two-storey end-terrace property, of brick and tile construction. Both the application site and remaining garden to No.7 narrow to the rear. The driveway is accessed from this estate road, whereas the adjoining property, No.6 Vauxhall Crescent has direct access on to the main road, Longford Road. The application site is enclosed by fencing, hedge, and a substantial stone wall which is a characteristic feature on this part of the road.

The dwelling and application site form part of a well-established pattern of development, with No.'s 7 to 9 and No.'s 24 to 26 positioned at an angle to the adjoining semi-detached properties, with a semi-circular area of open space to the front, beyond the narrow access road. All the properties in Vauxhall Crescent benefit from having sizeable garden areas. The application site is located to the southwest of Newport Town Centre in a predominantly residential area.

CONSULTATION RESPONSES:

The Council's Highways Engineer has concerns regarding the development. He considers that it would be impracticable to construct an access in the position shown that would allow sufficient visibility on to Longford Road. He also considers there would be a lack of space within the site to provide adequate turning for vehicles, in

order that they can exit the site in a forward gear. In the interests of highway safety, he recommends the proposal is refused.

Newport Town Council is fully supportive of the application and states that the previous scheme was rejected on the grounds of affordable housing. The interpretation of the policy has changed.

The Fire Authority requests that adequate access for emergency vehicles at the site is provided.

There have been no new neighbour letters of objection; however a resident of Vauxhall Crescent has requested that their comments made on the previous application (W2008/0040) are taken into account. These are summarised below:

- Previously, development proposed at adjoining property (No.6) was refused due to the scale and impact on neighbouring amenity
- Issues regarding boundary treatment
- Property value
- Proposed dwelling would appear cramped and would overlook adjoining property/ lead to loss of light/privacy

PLANNING HISTORY:

The application is a resubmission of W2008/0040 which was withdrawn.

There was also a pre-application enquiry (PE/2007/0457), in which the Local Planning Authority advised that a dwelling on this site would be unsuitable, as it would be overdevelopment of the site and detract from the character of the existing group of dwellings.

POLICY CONTEXT:

Local Development Framework Core Strategy
CS6 Newport
CS15 Urban Design

Wrekin Local Plan 1995 – 2006

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

National policy guidance

PPS1 Delivering Sustainable Development

PPS3 Housing

PLANNING CONSIDERATIONS:

This application is a resubmission of the previous scheme, but the Applicants are seeking to gain approval for the principle of development, and have not submitted an indicative layout. The previous application comprised a large two-storey dwelling located close to the boundary with No.6, and orientated in a similar position, (at an angle to No.7), with an attached garage and driveway leading on to Longford Road.

No.7 Vauxhall Crescent and the adjoining properties form a well-established pattern of development, with the two rows of terraced properties forming symmetry at either

side of the open space and road access. The other properties in Vauxhall Crescent and Vauxhall Terrace are semi-detached, all with spacious gardens. It is considered that the existing garden area contributes to the spacious character and form of the development, and that the subdivision and construction of a detached dwelling on this site would detract from the existing character and appearance of the streetscene and would create a cramped and contrived development.

Furthermore, due to the orientation of existing dwellings and the likely location of the proposed development, both existing and proposed properties would be overlooked, and there would be a loss of privacy to adjoining amenity space. The amenity space available to both the application property and No.7 would not be entirely usable, and the subdivision appears to be rather contrived.

The Highways Engineer cannot support the application as there would be highways safety issues associated with exiting the site, with both inadequate visibility splays available and insufficient turning space.

The Applicants have made reference to other residential development approved at Meadow Road, in another part of Newport, where a bungalow has been erected on a small infill plot. The Local Planning Authority would assert that each site is considered on its individual merits. However, It is considered that whilst the two sites have similarities, in the case of Meadow Road, a modest bungalow has been developed, thus having minimal impact on adjoining residential amenity; vehicular access is on to an estate road, not a main road (Longford Road). Whilst it is also an established residential area, the development at Meadow Road is in a less prominent location and there is not such a definite character and form of existing development. Thus the Local Planning Authority disagrees that a precedent has been set, and still considers that the proposal is unacceptable.

RECOMMENDATION: REFUSE planning permission for the following reasons: The Local Planning Authority considers that the proposal would lead to overdevelopment of the garden plot of No.7 Vauxhall Crescent, in an area characterised by established spacious gardens, to the detriment of the character, appearance and pattern of the area, in particular the form of the properties in Vauxhall Crescent. Accordingly the development is contrary to policy CS15 of the Local Development Framework Core Strategy, policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006 and national guidance contained in PPS1 and PPS3.

The Local Planning Authority considers the proposal is unacceptable, by virtue of its scale and siting, and would have an adverse impact on the residential amenity of adjoining properties, leading to overlooking and loss of privacy. The development is therefore contrary to policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006.

The Local Planning Authority considers that insufficient visibility splays could be provided on to Longford Road within the application site. Furthermore, there would be inadequate space within the site to provide sufficient turning for vehicles manoeuvring from the access, leading to potential highways danger. Accordingly the proposal is contrary to Policy CS15 of the Local Development Framework, and policies UD2 and H6 of the Wrekin Local Plan 1995 – 2006.

Notes

Agenda Type : A

W2009/0035 Change of use of open public space for creation of children's bicycle trail

Open space adjacent to B5061, Ketley Brook, Ketley, Telford, Shropshire.

Recommendation Code: FG

Ward: Arleston

APPLICANT:

Telford & Wrekin Council

RECEIVED ON:

08/01/09

PARISH

Wellington

WARD

Arleston

CASE OFFICER:

Tom Lewis

OBJECTIONS RECEIVED: Yes

MAIN ISSUES: Principle of development and impact on neighboring properties amenities and impact on character and appearance of area

THE PROPOSAL:

This is a Council application which seeks permission for the construction of a bicycle track or 'Pump Trail' throughout the woodland area to provide additional recreation activities for the local community.

THE SITE AND SURROUNDINGS:

The site is under the ownership of the Telford and Wrekin Council. This is a large area of public open space which is mostly covered by a young plantation of trees and shrubs. The main use of the area is as a short footpath link from the nearby residential area to the 'Wrekin' retail park.

CONSULTATION RESPONSES:

The Council's Highways Department have raised no objections to the proposal.

The Council's Woodland Officer has been consulted on the proposal and has raised no objections.

Wellington Town Council have objected on the grounds that they consider the proposal would destroy a beauty spot that is used for leisure purposes and that it would be unsuitable for 3 year old children to be used without supervision.

3 objection letters have been received, in addition to 2 petitions signed by local residents.

The neighbour objection letters raised concerns over access, vandalism, proximity to houses and the maintenance of the site.

The first petition received is dated 15th August 2008, prior to submission of the application. This raises concerns over antisocial behaviour and the consultation process prior to the application being submitted. The seconded petition, submitted by the same group and received together with the first petition, is undated and has

further concerns about the application process prior to the application being submitted and raises further concerns antisocial behaviour, and the wildlife of the woodland.

PLANNING HISTORY:

No relevant planning history

POLICY CONTEXT:

In the consideration of the proposals, the following Core Strategy Policies are considered relevant:

CS11 - Open Space

Also the following Wrekin Local Plan 'saved' Policies are considered relevant:

LR4 - Outdoor Recreational Open Space

OL3 - Green Network Policy

OL4 - Development in the Green Network

OL11 - Woodlands and Trees.

PLANNING CONSIDERATIONS:

The site is located in the Green Network as defined by policy OL3 of the Wrekin Local Plan. Policy OL4 permits development in the Green Network provided there are either exceptional circumstances; it contributes to the aims of the green network and environmental and community benefits are an integral part of the proposal. It suggests that such benefits could include community and recreational facilities. One of the aims of the Green Network is to provide a supply of open land to meet the diverse recreational needs of the population including formal recreation areas. It is considered that this proposal complies with the aims of the Green Network and provides important community facilities for local children.

The Councils Leisure and Recreation Department carried out public consultations with the local community prior to submission. This discussed alternative sites; the responses suggested that the other alternatives would not provide the woodland cover requested by the potential users, to give the feel of a cross country trail, whilst still giving an adequate buffer of 30m to other uses and neighbouring properties. Whilst concerns have been raised over access and parking, as the site is to be used as a bike track it is anticipated that the majority of users will be local residents accessing the site by bike. Furthermore the Councils Highways Department have raised no objections to the proposal.

Policy LR4 of the Wrekin Local Plan seeks to achieve National Playing Fields Association minimum targets for outdoor recreational open space including both formal playing pitches and children's play areas. Development of this site also meets the requirements of the Council's Outdoor Recreation Strategy. This facility will provide an opportunity for supervised play, sports coaching and training, local competitions and local events. This facility is open for all children of an appropriate age. The proposed facility is however designed for older children who are able to use bikes, subsequently no supervision will be provided.

The Councils Leisure and Recreation Department consider the equipment provided is of a very high quality built to withstand the rigours of use by young children. A

management regime for the site is also proposed including regular visits at least twice per week to carry out litter picking and safety inspections every six weeks; this above the national standard for play facilities. Similar facilities elsewhere in the Borough have led to a reduction in crime and anti-social behaviour. It has been sited further away from dwellings than is normally the case for such facilities in the Borough whilst still being overlooked.

It is considered that there will be no detrimental impact on the visual amenities of the area; furthermore the Council's Woodland Officer has raised no objections to the proposal. The proposal is accompanied by an ecological assessment assessing the impact on the wildlife and the ecology of the site. No protected species have been identified on the site or within the immediate area. Consequently the proposal will not have an adverse impact on the natural environment. With regard to impact on surrounding residential amenities the proposal is located 50m from the nearest dwelling. This accords with the Council standard of 30m buffer zone and subsequently is considered this will not have detrimental impact on residential amenity.

The proposed development will involve the movements of earth to construct the jumps of the trail; however, due to the retention of the trees, the exact route cannot be agreed until the undergrowth has been cleared which may show potential hazards such as tree roots. Therefore it will be difficult for a landscaping plan to be approved before the development is implemented. However the trail will be agreed onsite with the Leisure and Recreation Engineer and the Councils Woodlands Officer to ensure an adequate trail and minimal impact on the landscape respectively. Due to this being a Council application, this is considered acceptable.

In conclusion it is considered that the proposed recreation facilities accord with the requirements for development within the Green Network and will not have a detrimental impact on the surrounding residential or visual amenities.

RECOMMENDATION:

GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 Statutory time limit
2. The application will carried out in accordance to the management plan submitted
3. SIE22 Conditions
4. SIE26 Reasons for the Grant Planning Permission

The proposed replacement play facility respects the context of the site and would complement the long term aims of the green network in this locality as a community facility for recreation. The proposal would not adversely impact on neighboring properties amenities with regards to noise and disturbance. The scale and design of the proposed development will not have a detrimental impact on the visual amenities of the area nor would the proposal have an adverse effect on the natural environment with regard to both flora and fauna

Notes

Agenda Type : A

W2009/0053 Installation of 1 no. window and 1 no. door, replacement of railings around parking area, laying of patio and installation of railings, installation of 2no. satellite dishes.

Boring Mill Cottage, 24, Dale Road, Coalbrookdale, Telford, Shropshire.

Recommendation Code: FG

Ward: Ironbridge Gorge

APPLICANT:
Mr Christopher Butler

RECEIVED ON:
22/01/09

PARISH
The Gorge

WARD
Ironbridge Gorge

CASE OFFICER:
Tom Lewis

OBJECTIONS RECEIVED: None

MAIN ISSUES: The impact of the proposals on the visual amenities of adjoining properties and in the street scene along with the impact on the World Heritage Site.

THE PROPOSAL:

The proposal seeks to install a replacement window and door into a garage building of the property along with replacement railings around a parking area. Also the proposal includes the laying of a patio in conjunction with additional railings. Finally the addition of two satellite dishes to the property, one on the north east corner of the house and one on the western edge of the garage building.

THE SITE AND SURROUNDINGS:

The property is a dwelling which is listed as a building of local interest. The property is set back from Dale Road, separated by a picnic area to the west between the dwelling and the highway. The front of the property is accessed by a small unmade track which runs from Dale road through the picnic area. The property is located on a large slope, which results in the ground around the property to the rear of the property being stepped to a much higher level than that at the front of the curtilage. Within the rear garden a two storey building is situated which incorporates a garage at first floor level, accessed from the road to the rear, Paradise. To the north of the property is relatively dense woodland.

CONSULTATION RESPONSES:

The County Council Archaeological Department have been consulted and has raised no objections to the development.

The Councils Conservation Officer has been consulted and has raised concerns on the impact of a satellite dish being installed on the elevated gable end of the garage building due to its prominence within the World Heritage Site.

PLANNING HISTORY:

W91/0080 – Erection of a two storey building comprising of garage and parking bay at ground level with store and workshop below, plus new vehicular access – Granted

POLICY CONTEXT:

In the consideration of the proposals, the following Core Strategy Policies are considered relevant:

- CS 14 – Cultural, Historic and Built Environment
- CS 15 – Urban Design

Also the following Wrekin Local Plan ‘saved’ policies are considered relevant:

- UD2 – Design Criteria.
- OL3 – Green Network Policy
- HE3 – New Development in Conservation Areas
- SG1 – World Heritage Site

PLANNING CONSIDERATIONS:

The proposed developments are within four parts. Firstly is the installation of a window and a door to the two storey outbuilding. These will be within existing openings and will replace timber windows and doors currently in situ. The existing window and door are not of a traditional character and appearance and the new window and door will be of a more sympathetic character and appearance therefore acceptable. The new windows will be of a timber construction sympathetic to the property and the World Heritage Site.

The second and third part of the proposal involves the installation of black metal railings, both around the raised parking area as well as in the garden area along with the laying of a patio between the dwelling and two storey outbuilding. It is considered that these are of a sympathetic design and appearance to both the dwelling and the World Heritage Site. The proposed railings will not encroach on to the highway and therefore will not be detrimental to the amenities of the highways users.

The final part of the application comes in the form of the installation of the two satellite dishes. The first is attached to the rear of the main dwelling adjacent to the woodland area. It is considered that this is well screened from visibility and therefore sympathetic to the visual amenities of the surrounding area and the World Heritage Site.

The second satellite dish is to be sited on the rear wall of the elevated garage. It is considered that the proposed location will be very prominent within the street scene visible from Darby Road, and therefore detrimental to the character and appearance of the World Heritage Site.

Amendments have been requested to find a suitable alternative location or to withdraw this item from the application. At the time of writing this report no amendments have been received.

RECOMMENDATION: Subject to the amendment of the amendment of the second satellite GRANT PLANNING PERMISSION subject to the following conditions:

1. A3 Statutory time limit

2. Details of the proposed railings design and also finishes to proposed railings to be submitted.
3. SIE22 Conditions
4. SIE26 Reasons for the Grant Planning Permission

The development will respect the special character and appearance of both the World Heritage Site and the locally listed dwelling. The developments would not be harmful to the character and appearance of the street scene.

Notes

Agenda Type : A

W2009/0077 Tree works as per schedule
Tan Bank Car Park, Wellington, Telford, Shropshire.
Recommendation Code: TCG
Ward: Haygate

APPLICANT:
Telford & Wrekin Council

RECEIVED ON:
28/01/09

PARISH
Wellington

WARD
Haygate

CASE OFFICER:
Tom Lewis

OBJECTIONS RECEIVED: None

MAIN ISSUES: The protection the character and appearance of the conservation area whilst allowing the security of the area.

THE PROPOSAL:

This is a council application which seeks the removal of 5 trees on the site as well as a minor crown lift to one other and the killing of ivy on other trees in order to improve the surveillance of the area.

THE SITE AND SURROUNDINGS:

The area subject to this application is a slightly raised shrubbery on the edge of Tan Bank car park, which separates the area from the Church to the east. The area is to the rear of Pussycats night club which acts as a drop off and pick up for customers of the night club.

CONSULTATION RESPONSES:

The Council's Arboricultural Officer has been consulted on the application and has raised no objections to the proposed tree works.

PLANNING HISTORY:

No relevant planning history.

POLICY CONTEXT:

In the consideration of the proposals, the following Wrekin Local Plan saved policies are considered relevant:

OL11 – Woodlands and Trees.

PLANNING CONSIDERATIONS:

The trees and foliage at the edge of the car parking provide little amenity value and hamper surveillance of the area which is needed due to the night time activities in the area. It is considered that the removal of some trees and the thinning of other would not be detrimental to the character of the Conservation Area. In addition it is also considered that the proposed works increase surveillance and subsequently improve security of the area.

RECOMMENDATION: GRANT OF CONSENT FOR TREE WORKS IN A CONSERVATION AREA with the following informative:

1 – It is advised that the works to the trees hereby approved are carried out to a reasonable standard in accordance with the relevant recommendations of British Standard 3998: 1989, to ensure that the proposals hereby approved comply with current best practice for carrying out tree works

Notes

Agenda Type : A

W2009/0083 Determination under part 24 of the GPDO for the erection of a 12.5m monopole with associated equipment cabinets and ancillary development
Land at, Sutton Way, Sutton Hill, Telford, Shropshire.
Recommendation Code: TDA
Ward: Cuckoo Oak

APPLICANT:
Telefonica O2 Ltd

RECEIVED ON:
21/01/09

PARISH
Madeley

WARD
Cuckoo Oak

CASE OFFICER:
Elizabeth Attwood

CLLR ALAN MACKENZIE HAS REQUESTED THAT THIS APPLICATION IS DETERMINED AT PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: The siting and appearance of the telecommunications installation and its visual impact on the surrounding area, and impact on highway safety.

THE PROPOSAL:

This is a 56 day telecommunications determination application for the erection of a 12.5m monopole with associated equipment cabinets and ancillary development.

HISTORY:

Application W2006/0690 for a 15m high replica telegraph pole and associated equipment cabinet at Telford Golf and Country Club was refused on 08/08/06. The proposed 15m imitation telegraph pole was considered inappropriate, as it did not relate to or respects the setting of the listed building and failed to preserve or enhance the Conservation Area, the World Heritage Site and the longer views across the Gorge. Accordingly, and the overall impact of the installation on the Listed Building the Conservation Area and the World Heritage site was considered to be unacceptable and contrary to Policies HE1, HE3, H19, SG1 and SG6 of the Wrekin Local plan 1995 – 2006 and Planning Policy Guidance 15 (Planning and the Historic Environment).

Application W2008/1314 for a 15m high mast and associated equipment cabinet was withdrawn on 19/12/08 rather than be refused under Delegated Powers.

SITE AND SURROUNDINGS:

The installation would be situated within a row of 10 metre high lighting columns located on the grass highway verge running along Sutton Way to the west of Great Hay Drive. To the rear of the grass verge is a well established row of trees. On the other side of the road is a grassed and tree planted area of informal open space with a play area beyond. The surrounding residential areas consist mostly of medium/high density dwellings to the north of the site and low density to the south.

Evidence has been provided to show that alternative sites have been considered but are unsuitable.

PLANNING POLICY CONTEXT:

Wrekin Local Plan:

Policy T21: Telecommunications, gives states that subject to balancing the need for telecommunications systems and the need to protect amenity and the environment, in accordance with national guidance, the Council will grant planning permission for telecommunication developments provided that applicants have provided evidence that they have made every effort to erect the apparatus on existing buildings, masts, or other structures, and where possible, shared apparatus with other operators. In addition, any development should be designed and site to minimise its visual impact.

National guidance:

Planning Policy Guidance Note 8 Telecommunications (PPG8) sets out national Government's policy for the planning of telecommunications development. PPG8 encourages local planning authorities to respond positively to telecommunications proposals while protecting the environment from visual intrusion.

ODPM: Code of Best Practice on Mobile Phone Network Development.

The Code provides practical advice on the siting and design of telecommunications development in order to minimise the environmental impact of installations.

CONSULTATION RESPONSES:

The Council's Highway Engineer has no objection to the mast but advised that the equipment cabinet should be relocated to ensure that the visibility splay from Great Hay Drive was not compromised. Accordingly, the drawings were amended and as such there is no objection.

438 letters have advertised the application; the consultation period had not expired at the time of writing this report, therefore any additional comments will be reported to Members at Plans Board.

Two letters of support have been received, the issues raised are:

- The pole and associated equipment will have a minimum impact on the visual amenity of the locality,
- Proposed site is ideal will not affect the picturesque views,
- The installation will improve the poor signal strength of mobile phones in the area,
- Availability of mobile phones is vital to assist with child safety,
- We are a nation of mobile phone users.

To date 25 (13 from the same person) letters of objection have been received, the issues raised are:

- Radiation and effects on health,
- Detrimental impact on visibility splays,
- More suitable location is Bluebell Wood,
- Sutton Hill is unsightly and has youths hanging around and vandalism,
- Areas of housing need tidying up and the mast will make it worse,

- An attractive area will be decimated by such an ugly construction,
- The mast and cabinets are not in keeping with the surroundings,
- Eventual site sharing would lead to an even greater eyesore,
- Coverage maps already show that adequate coverage is provided,
- Why is the mast necessary?
- The Council with its responsibility to tax payer should resist this type of construction,
- A more appropriate location is on an industrial premises,
- Loss of property value,
- Will give a bad impression to golfers and tourists visiting the golf club and spa hotel,
- The mast will destroy the best part of Sutton Hill,
- Plans should be available on line,
- Effects on local children,
- Site close to school and play area.

Madeley Parish Council had not responded at the time of writing this report, any comments received will be reported to Members at Plans Board.

The Environmental Health Officer has no objections to the proposal.

The Leisure Officer had not responded at the time of writing this report; any comments will be reported to Members at Plans Board.

The applicants O2 have included an 'ICNIRP Declaration' which confirms that the site is designed to be in full compliance with the requirements of the radio frequency (RF) guidelines of the International Commission on Non-Ionizing Radiation Protection. Accordingly, consideration of the application can follow relevant National Planning Policy guidance: PPG8 in paragraph 98 states: *"..it is the Government's firm view that the planning system is not the place for determining health safeguards. It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them."*

PLANNING CONSIDERATIONS:

This is a telecommunications determination application and therefore the decision whether to give or refuse prior approval must be based on the siting and appearance of the installation.

The proposed monopole would be situated on the grass verge on the same line as the existing lighting columns. The proposed monopole would be of a slim, uncluttered design, the antenna being enclosed in a plastic shroud.

Although the monopole would differ in appearance from the existing angled street light columns, it would be in effect an additional item of street furniture and as such it would not be significantly visually intrusive, only being 2.5m taller than the existing

lighting columns. The associated ground equipment cabinet has been relocated back from the carriageway edge to ensure that the visibility splay when leaving Great Hay Drive is not obstructed. There is no fenced compound proposed, and it is normal to find various types of electrical equipment cabinets and relay boxes alongside urban roads.

The location within the grass highway verge and reduced height from the previous proposal will ensure that the pole will not form an unduly prominent structure on the skyline or on the streetscene, especially given the backdrop of well established trees. As indicated on the photo montage provided as additional information on 09.02.09

Furthermore the properties diagonal opposite, nearest to the proposal, do not directly face the site, and it is the rear elevation of these dwellings which face Sutton Way. Therefore, the overall impact of the installation on the street scene is considered to be acceptable.

On balance the proposal is considered an acceptable installation in an urban residential area, where the appearance of a slimline Street works monopole would not significantly detract from the character of the area, or appear as visual clutter.

The nearest residential properties are approximately 35, 85, 87 and 90 metres from the proposal site, and the slim line design will ensure that it will not unduly impact on any issues of residential amenity.

Furthermore, proximity to dwellings is not a planning issue provided that as in this case the application includes an ICNIRP Declaration regarding emissions, and that the installation satisfies normal planning considerations regarding the siting and appearance of development.

DETERMINATION:

The proposed 12.5 metre high linear street furniture column, coloured to match the existing lighting columns, and ground based equipment cabinet finished in dark green does not require a full planning application, and therefore **prior approval is given** for the siting and appearance of the telecommunications installation and its permitted development rights are hereby confirmed.

Notes